

**BOARD OF SUPERVISORS MEETING
THIRTIETH MEETING, 2023 SESSION (30)
JULY 18, 2023**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 18, 2023, at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following other members present: Croker, Hartman, Merten, Ringgenberg, and with Election Deputy Karla Ahrendsen as clerk for the meeting. Absent: None.

Unless otherwise indicated, all the following **motions** offered at this meeting were carried with the following vote: Ayes: Croker, Hartman, Merten, Ringgenberg, and Snyder. Nays: none. Abstentions: none.

Motion by Merten, seconded by Croker, to approve today's **agenda**. Carried.

Motion by Croker, second by Merten, to approve and authorize the Chair to sign the **utility permit** for Interstate Power and Light, Mason City, IA, section S31, Lee Township along 480th St from U.S. Hwy 71 to 140th Ave for new 4" high density plastic gas main install. Carried.

Secondary Road Report: Wilkinson told the group that the guys were still working on mowing, tiling, replacing culverts and putting in new and extending existing driveways. He said that they are working on the roads on the RAGBRAI route to have them ready for Sunday. The sign crew is getting all the signs ready for RAGBRAI also. The gravel will be pushed off to the sides on 110th Ave later in the week so that the bikers will have a better road to go down and then spread back out after RAGBRAI. Backfill is still being done on the Bluebird Creek Culvert and the decking for the Linn Grove Bridge will be poured tomorrow. Wilkinson said he would be on hand all day for that process.

Motion by Merten, second by Ringgenberg, to approve the **minutes** of 07/11/2023, as presented, today's **claims approval list & stamped warrant register** with the reduction of \$146.02 to the Engineer's Visa and accept the following **reports:** Quarterly Recorder's Report of Fees Collected (Apr-June), June Landfill minutes, June VA Commission minutes, and June Conservation Board minutes. Carried

Motion by Ringgenberg, second by Hartman, to approve and authorize the Auditor to **void and reissue** check #320469, issued 05/09/2023 to Storm Lake United in the amount of \$7,500, as the check has been lost. Carried.

Motion by Merten, second by Hartman, to approve and to authorize the Chair to sign the **fireworks permit** for Rick Glienke, 6164 60th Ave, Alta, IA to be held on August 5, 2023. Carried.

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of Not to exceed \$190,000 **General Obligation Capital Loan Notes**, in order to provide funds to pay the costs of acquisition of equipment for the Auditor, Treasurer, Sheriff, Courthouse, Environmental Health & Zoning, and IT department, for general county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 331.402 and 331.442 of the Code of Iowa, and the Chairperson then asked the Deputy County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Section 331.306 of the Code of Iowa, and the Deputy Auditor reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral

objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Croker introduced and delivered to the Auditor the **Resolution #2023-07-18-B** hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$190,000 GENERAL OBLIGATION CAPITAL LOAN NOTES" and moved that the Resolution be adopted. Board Member Ringgenberg seconded the motion. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None.

Whereupon, the Chairperson declared the measure duly adopted.

**RESOLUTION #2023-07-18-B
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL
ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$190,000
GENERAL OBLIGATION CAPITAL LOAN NOTES**

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to exceed \$190,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of acquisition of equipment for the Auditor, Treasurer, Sheriff, Courthouse, Environmental Health & Zoning, and IT department , and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to exceed \$190,000 General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 18th day of July 2023.

/s/ Kelly Snyder, Chairperson..... .Attest: Karla Ahrendsen, County Election Deputy

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of Not to exceed \$185,000 **General Obligation Capital Loan Notes**, in order to provide funds to pay the costs of acquisition of Sheriff squad equipment and acquisition and installation of carpet for the LEC building, for general county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 331.402 and 331.442 of the Code of Iowa, and the Chairperson then asked the Deputy County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Section 331.306 of the Code of Iowa, and the Deputy Auditor reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Ringgenberg introduced and delivered to the Auditor the **Resolution #2023-07-18-C** hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$185,000 GENERAL OBLIGATION CAPITAL LOAN NOTES". Board Member Merten seconded the motion. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION #2023-07-18-C

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL
ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$185,000
GENERAL OBLIGATION CAPITAL LOAN NOTES**

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to exceed \$185,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of acquisition of Sheriff squad equipment and acquisition and installation of carpet for the LEC building, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to exceed \$185,000 General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 18th day of July 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of Not to exceed \$140,000 **General Obligation Capital Loan Notes**, in order to provide funds to pay the costs of acquisition of Conservation equipment, acquisition and construction of playground at Bur Oak, and construction of Gabrielson concrete repairs, for general county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 331.402 and 331.442 of the Code of Iowa, and the Chairperson then asked the Deputy County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Section 331.306 of the Code of Iowa, and the Deputy Auditor reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Merten introduced and delivered to the Auditor the **Resolution #2023-07-18-D** hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$140,000 GENERAL OBLIGATION CAPITAL LOAN NOTES". Board Member Croker seconded the motion. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION #2023-07-18-D

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$140,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to exceed \$140,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of acquisition of Conservation equipment, acquisition and construction of playground at Bur Oak, and construction of Gabrielson concrete

repairs, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to exceed \$140,000 General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of Not to exceed \$200,000 **General Obligation Capital Loan Notes**, in order to provide funds to pay the costs of acquisition of equipment for the Engineer, for general county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 331.402 and 331.442 of the Code of Iowa, and the Chairperson then asked the Deputy County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Section 331.306 of the Code of Iowa, and the Deputy Auditor reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Croker introduced and delivered to the Auditor the **Resolution #2023-07-18-E** hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES". Board Member Merten seconded the motion. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION #2023-07-18-E

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to exceed \$200,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of acquisition of equipment for the Engineer, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to exceed \$200,000 General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of Not to exceed \$200,000 **General Obligation Capital Loan Notes**, in order to provide funds to pay the costs of acquisition of Sheriff squad vehicles , for general county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 331.402 and 331.442 of the Code of Iowa, and the Chairperson then asked the Deputy County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Section 331.306 of the Code of Iowa, and the Deputy Auditor reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Merten introduced and delivered to the Auditor the **Resolution #2023-07-18-F** hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES". Board Member Ringgenberg seconded the motion. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION #2023-07-18-F

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to exceed \$200,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of acquisition of Sheriff squad vehicles , and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to exceed \$200,000 General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of Not to exceed \$180,000 **General Obligation Capital Loan Notes**, in order to provide funds to pay the costs of acquisition of vehicles for Conservation, Public Health and Courthouse, for general county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 331.402 and 331.442 of the Code of Iowa, and the Chairperson then asked the Deputy County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Section 331.306 of the Code of Iowa, and the Deputy Auditor reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor advised the

Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Croker introduced and delivered to the Auditor the **Resolution #2023-07-18-G** hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$180,000 GENERAL OBLIGATION CAPITAL LOAN NOTES". Board Member Ringgenberg seconded the motion. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION #2023-07-18-G

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$180,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to exceed \$180,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of acquisition of vehicles for Conservation, Public Health and Courthouse, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to exceed \$180,000 General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of Not to exceed \$195,000 **General Obligation Capital Loan Notes**, in order to provide funds to pay the costs of acquisition of

vehicles for Environmental Health & Zoning, IT Department and Emergency Management , for general county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 331.402 and 331.442 of the Code of Iowa, and the Chairperson then asked the Deputy County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Section 331.306 of the Code of Iowa, and the Deputy Auditor reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Ringgenberg introduced and delivered to the Auditor the **Resolution #2023-07-18-H** hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$195,000 GENERAL OBLIGATION CAPITAL LOAN NOTES". Board Member Hartman seconded the motion. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION #2023-07-18-H

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$195,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to exceed \$195,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of acquisition of vehicles for Environmental Health & Zoning, IT Department and Emergency Management, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to exceed \$195,000 General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the

general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of Not to Exceed \$230,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of public buildings, including the site or grounds of, and the erection, equipment, remodeling, or reconstruction of, and additions or extensions to the buildings, including the acquisition, construction, reconstruction, renovation, additions, extensions and equipping of the Conservation building, East Richland Annex, DHS Annex, Attorney Annex, and Courthouse, and the site or grounds of the buildings and adjacent land, when the cost does not exceed the following limit: six hundred thousand dollars in a county having a population of twenty-five thousand or less, for essential county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 331.402 and 331.443 of the Code of Iowa.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Ringgenberg introduced and delivered to the Auditor the **Resolution #2023-07-08-I** hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$230,000 GENERAL OBLIGATION CAPITAL LOAN NOTES". Board Member Merten seconded the motion. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION #2023-07-18-I

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$230,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$230,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of public buildings, including the site or grounds of, and the erection, equipment, remodeling, or reconstruction of, and additions or extensions to the buildings, including the acquisition, construction, reconstruction, renovation, additions, extensions

and equipping of the Conservation building, East Richland Annex, DHS Annex, Attorney Annex, and Courthouse, and the site or grounds of the buildings and adjacent land, when the cost does not exceed the following limit: six hundred thousand dollars in a county having a population of twenty-five thousand or less, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$230,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

Board Member Ringgenberg introduced the following **Resolution #2023-07-18-A** entitled "RESOLUTION APPROVING OFFICIAL STATEMENT" and moved that the resolution be adopted. Board Member Merten seconded the motion to adopt. The roll was called and the vote was, Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Nays: None

Whereupon, the Chairperson declared the resolution duly adopted as follows:

**RESOLUTION #2023-07-18-A
RESOLUTION APPROVING OFFICIAL STATEMENT**

WHEREAS, in conjunction with its Underwriter, Northland Securities, Inc., the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Notes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and Auditor, upon the advice of bond counsel, and the County's Underwriter, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

Chairman Snyder asked if there was anyone online that wished to be heard during **Hear the Public**, with no response.

County Attorney Paul Allen was present for his appointment. Motion by Croker, second by Ringgenberg, to go into **closed session** (at 9:45 A.M.) under Chapter 21.5(1)(c) of the 2023 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Croker, Hartman, Merten, Ringgenberg, Snyder. Motion carried.

Motion by Croker, second by Merten, to go out of **closed session** at 10:20 A.M. Carried.

Allen said he had presented the **Public Defender** with the termination of lease letter and Jeff Wright, the State Public Defender, questioned if there was somewhere else in the courthouse that could be used. He explained that different counties had made stipulations to allow the Public Defender to be housed in the courthouse. He gave examples of limiting the hours they could be in the building and stating that they were not allowed to let anybody in after regular business hours. Allen did state that we will need to allow them time outside of regular business hours but could set that time. After brief discussion the Board told Allen to draw up a new lease agreement with the Public Defender for the old IT room and told him to include that they cannot have clients in the courthouse after hours. Allen will be back at a later date with the new contract for the Boards approval.

Env Health/Zoning Director Ben Mueggenberg presented information on a **Minor S/D** request for Triple L Pork LLC & N.D.L. and Russell J. and Gladys A. Eddie Rev Trust in Section 3 Lincoln Township. Motion by Merten, second by Hartman, to approve and authorize the Chair to sign Resolution #2023-07-18-J Minor S/D for Triple L Pork LLC & N.D.L. and Russell J. and Gladys A. Eddie Rev Trust in Section 3 Lincoln Township. Carried.

RESOLUTION 2023-07-18-J

WHEREAS Triple L Pork LLC. & N.D.L Pork LLC and Russell J. Gladys A. Eddie Rev. Trust have presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION LOT ONE OF LOT A

THE NORTH THREE HUNDRED SIXTY-FOUR FEET (N. 364') OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER (NE ¼ NE FRAC. ¼) OF SECTION 3, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA AND BEING MORE PARTICULARILY DESRIBED AS FOLLOWS:

Beginning at the Northeast (NE) corner of the Northeast Fractional Quarter (NE Frac. ¼) of said Section 3; Thence South 00° 00' 00" West, along the East line of said Northeast Fractional Quarter (NE Frac. ¼), 364.00 feet; Thence North 89° 32' 45" West, 460.00 feet to the West line of said Lot A; Thence North 00° 00' 00" East, along said West line, 364.00 feet to the North line of the Northeast Fractional Quarter (NE Frac. ¼); Thence South 89° 32' 45" East, along said North line, 460.00 feet to the Point of Beginning.

Hereafter known as Lot One of Lot A in Section 3, Township 92 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 3.84 acres and is subject to all easements of record.

DESCRIPTION LOT B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER (NE ¼ NE FRAC. ¼) OF SECTION 3, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Northeast Fractional Quarter (NE Frac. ¼) of said Section 3; Thence South 00° 00' 00" West, along the East line of said Northeast Fractional Quarter (NE Frac. ¼), 947.00 feet to the South line of Lot A in said Section 3, being also the Point of Beginning. Thence North 89° 32' 45" West, along the South line of said Lot A, 460.00 feet to the West line thereof; Thence South 00° 00' 00" West, along the southern extension of said West line, 302.94 feet; Thence South 89° 32' 45" East, 460.00 feet to the East line of the Northeast Fractional Quarter (NE Frac. ¼); Thence North 00° 00' 00" East, along said East line, 302.94 feet to the Point of Beginning.

Hereafter known as Lot B in Section 3, Township 92 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 3.20 acres and is subject to all easements of record.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: **None**.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

DESCRIPTION LOT ONE OF LOT A

THE NORTH THREE HUNDRED SIXTY-FOUR FEET (N. 364') OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER (NE ¼ NE FRAC. ¼) OF SECTION 3, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) corner of the Northeast Fractional Quarter (NE Frac. ¼) of said Section 3; Thence South 00° 00' 00" West, along the East line of said Northeast Fractional Quarter (NE Frac. ¼), 364.00 feet; Thence North 89° 32' 45" West, 460.00 feet to the West line of said Lot A; Thence North 00° 00' 00" East, along said West line, 364.00 feet to the North line of the Northeast Fractional Quarter (NE Frac. ¼); Thence South 89° 32' 45" East, along said North line, 460.00 feet to the Point of Beginning.

Hereafter known as Lot One of Lot A in Section 3, Township 92 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER (NE ¼ NE FRAC. ¼) OF SECTION 3, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Northeast Fractional Quarter (NE Frac. ¼) of said Section 3; Thence South 00° 00' 00" West, along the East line of said Northeast Fractional Quarter (NE Frac. ¼), 947.00 feet to the South line of Lot A in said Section 3, being also the Point of Beginning. Thence North 89° 32' 45" West, along the South line of said Lot A, 460.00 feet to the West line thereof; Thence South 00° 00' 00" West, along the southern extension of said West line, 302.94 feet; Thence South 89° 32' 45" East, 460.00 feet to the East line of the Northeast Fractional Quarter (NE Frac. ¼); Thence North 00° 00' 00" East, along said East line, 302.94 feet to the Point of Beginning.

Hereafter known as Lot B in Section 3, Township 92 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa; is hereby accepted subject to the following if any; **None**

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

DESCRIPTION LOT ONE OF LOT A

THE NORTH THREE HUNDRED SIXTY-FOUR FEET (N. 364') OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER (NE ¼ NE FRAC. ¼) OF SECTION 3, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA AND BEING MORE PARTICULARILY DESRIDED AS FOLLOWS:

Beginning at the Northeast (NE) corner of the Northeast Fractional Quarter (NE Frac. ¼) of said Section 3; Thence South 00° 00' 00" West, along the East line of said Northeast Fractional Quarter (NE Frac. ¼), 364.00 feet; Thence North 89° 32' 45" West, 460.00 feet to the West line of said Lot A; Thence North 00° 00' 00" East, along said West line, 364.00 feet to the North line of the Northeast Fractional Quarter (NE Frac. ¼); Thence South 89° 32' 45" East, along said North line, 460.00 feet to the Point of Beginning.

Hereafter known as Lot One of Lot A in Section 3, Township 92 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER (NE ¼ NE FRAC. ¼) OF SECTION 3, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Northeast Fractional Quarter (NE Frac. ¼) of said Section 3; Thence South 00° 00' 00" West, along the East line of said Northeast Fractional Quarter (NE Frac. ¼), 947.00 feet to the South line of Lot A in said Section 3, being also the Point of Beginning. Thence North 89° 32' 45" West, along the South line of said Lot A, 460.00 feet to the West line thereof; Thence South 00° 00' 00" West, along the southern extension of said West line, 302.94 feet; Thence South 89° 32' 45" East, 460.00 feet to the East line of the Northeast Fractional Quarter (NE Frac. ¼); Thence North 00° 00' 00" East, along said East line, 302.94 feet to the Point of Beginning.

Hereafter known as Lot B in Section 3, Township 92 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa;

and copies of said final plats shall be of record in the appropriate County offices.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

Mueggenberg also presented the group with more information with regards to the James Hultgren **draft permit**. The DNR is asking the Board to waive their right to appeal the construction permit and to sign a letter stating this. Motion by Merten, second by Hartman, to waive their right to appeal the construction permit and to authorize the Chair to sign the letter stating this. Carried.

Motion by Merten, second by Croker, to approve and authorize the Chair to sign Resolution #2023-07-18-K. Carried.

RESOLUTION 2023-07-18-K
Buena Vista County Board of Supervisors
7/18/2023

APPROVAL OF WAIVER OF BUENA VISTA COUNTY'S RIGHTS TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.

BE IT RESOLVED by the Buena Vista County Board of Supervisors as follows:

Section 1. The Buena Vista County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that **James Hultgren** has been issued a draft permit for the construction of a confined animal feeding operation building(s) at **142 560th St. Alta, IA 51002** in unincorporated Buena Vista County.

Section 2. The Buena Vista County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on **6/20/2023**.

Section 3. The Buena Vista County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4. The Buena Vista County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5. The Buena Vista County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

Section 6. This resolution shall take effect immediately.

PASSED AND APPROVED this 18th day of July, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

There being no further business, motion by Hartman, second by Croker, to adjourn the meeting at 10:48 a.m. until Tuesday, August 1 at 8:30 a.m. for a regular session. (No meeting is currently planned for July 25)