

**BOARD OF SUPERVISORS MEETING
THIRTY-SIXTH MEETING, 2023 SESSION (36)
SEPTEMBER 5, 2023**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 5, 2023, at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following other members present: Croker, Hartman, Merten, and with Auditor Susan Lloyd as clerk for the meeting. Absent: Ringgenberg.

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

Motion by Snyder to omit the Veterans Affairs appointment from the agenda today, due to it being discussed before, and the VA Commission is unaware of this request coming to the Board. Croker stated that the Board should allow them to talk. Merten commented that if the Commissioners were coming to the meeting, might as well leave it on the agenda. Snyder stated that it is up to the VA Commissioners whether this request is brought before the Board. Motion died for a lack of a second. Motion by Croker, seconded by Merten, to approve today's **agenda**. Ayes: Croker, Hartman, Merten. Nays: Snyder. Motion carried.

Motion by Merten, second by Hartman, to accept the \$6,000 bid of Sonny's Lawn Care & Tree Service, Aurelia, IA, for **tree removal** between 128 and 130 Scott Street in Casino Beach. Carried.

Engineer Bret Wilkinson presented a tax statement on Parcel #1128300004 to the Board for a \$5 drainage assessment, and asked the Board who is paying for this. Auditor Lloyd stated she would create a new account to pay this. Motion by Merten, second by Hartman, to agree to pay the \$5 drainage assessment on **Parcel #1128300004**. Carried.

Engineer Bret Wilkinson presented a tax statement on Parcel #0923376007 for current taxes due on the Alta building that Wilkinson purchased on an auction, in the amount of \$1,855.39. The question to the Board was whether to pay the taxes due or abate the taxes. Motion by Merten, second by Croker, to table the question of taxes on **Parcel #0923376007** until the September 12th meeting. Carried.

Secondary Road Report: The guys are still mowing, working on crossroad culverts, driveway extensions, and tile repairs; Bluebird Creek has been seeded and silt fence installed. They still need to replace some fence for one landowner; the contractor has poured ¼ of the concrete railing at the Linn Grove Bridge, they will pour another ¼ this week and the last half next week. Then the next step will be to finish the walkway; Wilkinson stated that they are still looking at September 19 or 20 for a ribbon cutting. Engineer Wilkinson stated that there will be a lot of equipment moving out this week and dirt work being done; they are working on the Alta building.

Env Health/Zoning Director Ben Mueggenberg presented information on a Minor S/D request of Jim Bauer (Bay Breeze LLC in Section 15 Washington Township. Motion by Merten, second by Croker, to approve and authorize the Chair to sign **Resolution #2023-09-05-A** Minor S/D for Jim Bauer (Bay Breeze LLC) in Section 15 Washington Township. Carried.

RESOLUTION 2023-09-05-A

WHEREAS Jim Bauer has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION LOT J

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) OF SECTION 15, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) corner of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of said Section 15; Thence North 00° 09' 00" East, along the West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), 294.68 feet; Thence South 89° 19' 10" East, 285.00 feet; Thence South 00° 09' 00" West, 294.80 feet to the North line of Lot B in said Section 15; Thence North 89° 17' 45" West, along said North line, 285.00 feet to the Point of Beginning.

Hereafter known as Lot J in Section 15, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 1.93 acres and is subject to all easements of record.

DESCRIPTION LOT K

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) OF SECTION 15, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) corner of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of said Section 15; Thence North 00° 09' 00" East, along the West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), 294.68 feet to the Point of Beginning; Thence South 89° 19' 10" East, 285.00 feet; Thence North 00° 09' 00" East, 294.80 feet to the South line of a previously surveyed tract; Thence North 89° 20' 34" West, along said South line, 285.00 feet to the West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼); Thence South 00° 09' 00" West, 294.68 feet to the Point of Beginning.

Hereafter known as Lot K in Section 15, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 1.93 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 J

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) OF SECTION 15, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) corner of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of said Section 15; Thence North 00° 09' 00" East, along the West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), 294.68 feet; Thence South 89° 19' 10" East, 285.00 feet; Thence South 00° 09' 00" West, 294.80 feet to the North line of Lot B in said Section 15; Thence North 89° 17' 45" West, along said North line, 285.00 feet to the Point of Beginning.

Hereafter known as Lot J in Section 15, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT K

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) OF SECTION 15, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) corner of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of said Section 15; Thence North 00° 09' 00" East, along the West line of the Northwest Quarter of the

Northeast Quarter (NW ¼ NE ¼), 294.68 feet to the Point of Beginning; Thence South 89° 19' 10" East, 285.00 feet; Thence North 00° 09' 00" East, 294.80 feet to the South line of a previously surveyed tract; Thence North 89° 20' 34" West, along said South line, 285.00 feet to the West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼); Thence South 00° 09' 00" West, 294.68 feet to the Point of Beginning.

Hereafter known as Lot K in Section 15, Township 91 North, Range 37 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 J

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) OF SECTION 15, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) corner of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of said Section 15; Thence North 00° 09' 00" East, along the West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), 294.68 feet; Thence South 89° 19' 10" East, 285.00 feet; Thence South 00° 09' 00" West, 294.80 feet to the North line of Lot B in said Section 15; Thence North 89° 17' 45" West, along said North line, 285.00 feet to the Point of Beginning.

Hereafter known as Lot J in Section 15, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT K

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) OF SECTION 15, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) corner of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of said Section 15; Thence North 00° 09' 00" East, along the West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), 294.68 feet to the Point of Beginning; Thence South 89° 19' 10" East, 285.00 feet; Thence North 00° 09' 00" East, 294.80 feet to the South line of a previously surveyed tract; Thence North 89° 20' 34" West, along said South line, 285.00 feet to the West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼); Thence South 00° 09' 00" West, 294.68 feet to the Point of Beginning.

Hereafter known as Lot K in Section 15, Township 91 North, Range 37 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, APPROVED AND ADOPTED this 5th day of September 2023.

/s/ Kelly Snyder, Chairman, Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Payroll Specialist Yvonne Sandhoff, also representing the Insurance Committee, shared information with the Board comparing the current charges for EBS for TPA, Cobra, and Flex services with Auxiant for the same services. The insurance committee met last week, and recommends switching TPA, Cobra, and Flex services to Auxiant, due to an \$8,000 cost difference. Motion by Snyder, second by Hartman, to agree to switch services from EBS to Auxiant for **TPA**, **Cobra**, and **Flex services** for the county, beginning January 1, 2024. Carried.

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

Motion by Croker, second by Merten, to approve the **minutes** of 08/29/2023, as corrected, and accept the following **reports**: August Central IA Detention Commission minutes. Carried.

Motion by Merten, second by Hartman, to authorize the Auditor to **void and re-issue check** #321023 dated 6/20/2023 to Gary Sundblad for \$216.42. Carried.

Auditor Lloyd began the discussion of what the Board intends to do with the former Colorize Building and where her voting equipment would be stored after the November 7 City/School Election. Lloyd informed the Board that when the machines and cages are brought back on November 8, they will not be going back into the basement of the Courthouse or old jail, due to it not being safe. Croker stated that she had asked Bldg/Grounds Supt. Joe Keller to get an estimate of what it would cost to raise the floor in the lobby and add a doorway from the Auditor's backroom, creating space for the election machines and also providing space for voting, and the cost estimate was \$140,000. Croker stated that according to the Code of Iowa, the auditor shall be custodian of the courthouse, so she wants the auditor to remain in the courthouse. Croker stated that parking is a problem at the former Colorize Building, and it is an inconvenience. Croker stated that since there wasn't a full board today, she would prefer to wait until all supervisors were in attendance to discuss this further. Merten stated that some departments are dependent on other departments in serving the public. Croker stated that the Assessor, Recorder, and the Auditor should be in the same building, due to real estate questions. Hartman asked whether the election equipment could be moved to the former Colorize Building and worked on over there. Auditor Lloyd stated that the two individuals that do the testing of the machines and packing everything that goes to each precinct also have other job duties besides that, so it would be more difficult to get their other work done being in another building. Snyder stated that a decision needs to be made, it has been a year since the building was purchased. Snyder stated that the Auditor's Office could move to the former Colorize Building, Drivers License could move into the existing Auditor's Office, with room for testing and a waiting area, and they could move the mailing machine from the Treasurer's Office into the current Drivers License Office. Croker stated that this might be the easiest solution, but not the best solution. Merten commented that it was his intention from the beginning to move the Auditor's Office to the former Colorize Building. Hartman stated he isn't comfortable with the Auditor's Office moving. Election Deputy Karla Ahrendsen asked the Board if they would be available to help when she is loading the cages for Election Day and helping to move them out and loaded for transport on the Monday before the election. Croker asked the rest of the supervisors if they were okay with remodeling the lobby area. Merten stated that he was against that idea, still wants to move the Auditor's Office to the former Colorize Building, where it is secure, and then by doing so, space is opened up for other departments to move around. Merten stated that this is the most efficient and has the least cost, and he doesn't want to mess with the lobby. Croker stated that the Auditor, Recorder, and Assessor need to remain in the same building, as you lose productivity by going back and forth. Motion by Snyder, second by Hartman, to move the **voting equipment and cages** over to the former Colorize Building, get security cameras up, and to change all of the locks on the building in order to keep the election equipment secure. Carried.

Motion by Merten, second by Croker, to approve and authorize the Chair to sign the **Right-of-Way Easement** to the North 10' of the West 25' of Lot Five (5), Block Seventeen (17), in the City of Storm Lake, Iowa, granted by Susan L. Fitzpatrick and Thomas Fitzpatrick. Carried.

Motion by Merten, second by Hartman, to approve and authorize the Chair to sign the **Right of First Refusal to Purchase** the West 25' of Lot Five (5), Block Seventeen (17), in the City of Storm Lake, Iowa, granted by Susan L. Fitzpatrick and Thomas Fitzpatrick. Carried.

County Veterans Officer Gerald Weiland presented information to the Board of his reasons why the VA Office should move to the former **Colorize building** rather than Community Services building. Weiland reiterated that they would like offices with windows, due to working with veterans with PTSD. VA Commission member Gar Otto commented that the VA Director could meet with individuals in their own home, if that was a problem. Otto stated that he thought the decision had already been made for the VA Office to move to the Community Services building, which he is fine with. Commission member Rich Haldin asked the Board why they couldn't move back into the Public Health building. Merten commented that they were asked to move due to the remodeling of the East Richland Annex. The Board asked Bldg/Grounds Supt. Joe Keller if there was room for the VA in the East Richland Annex building, to which Keller stated that he had shown the Board the plans, which did include space for the veterans. Weiland had made the comment to the Board that by moving the VA Office to the former Colorize building would demonstrate the County's and Supervisors commitment to the Veterans of the county for their contribution to defending our country by providing them with a private, safe, and comfortable place for private and sensitive discussions. Merten stated that he takes offense to the statement made by Weiland, stating that it was so unfair. Merten stated that he and the Board have made accommodations for the Veterans from day one, and support the Veterans when they can, and this comment is an insult. Weiland stated that he wasn't trying to offend anyone, he was explaining why it would be a good move. Veteran Sandy Otto commented that as a woman Veteran, if the Director was meeting with a female who had an issue that happened to her, she may not be comfortable going into a building with only men, Otto stated that it is a liability issue, and they should consider that when meeting with women Veterans. Weiland stated that moving to the former Colorize building is what they would like, and since they haven't moved anywhere yet, they wanted to show options. Keller stated that Supervisor Ringgenberg is against moving the Veterans Office back to the Public Health building. Merten stated that the Board has already made the motion in a previous meeting to move the Veterans Office to the Community Services building with Rolling Hills. Snyder agreed that the decision has been made, so leave it the way it is.

Sheriff Kory Elston stopped in to introduce his new **Deputy, Austin Selk**. The Board welcomed Selk to the county.

There being no further business, motion by Hartman, second by Croker, to adjourn the meeting at 11:13 a.m. until Tuesday, September 12 at 8:30 a.m. for a regular session.