

**BOARD OF SUPERVISORS MEETING  
THIRTY-SEVENTH MEETING, 2023 SESSION (37)  
SEPTEMBER 12, 2023**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 12, 2023, at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following other members present: Hartman, Merten, Ringgenberg, and with Auditor Susan Lloyd as clerk for the meeting. Absent: Croker.

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

Motion by Ringgenberg, second by Hartman, to approve today's **agenda**. Carried.

Engineer Bret Wilkinson brought in the 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 had been brought up last week whether to pay the taxes due or abate the taxes. Merten commented that the county should pay the taxes as he doesn't want to short any other agency for their share of the taxes. Snyder stated that he was in favor of abating the tax. Motion by Merten, second by Ringgenberg, to pay the taxes on **Parcel #09233706007**, which is the Alta building purchased by Secondary Roads at auction, in the amount of \$1,855.39. Ayes: Hartman, Merten, Ringgenberg. Nays: Snyder. Motion carried.

Motion by Ringgenberg, second by Merten, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, to install two new crossings along 190<sup>th</sup> Ave. and 610<sup>th</sup> St. in Section 12 of Providence Township and Sections 6 & 7 in Newell Township, for the transmission of water. Carried.

Motion by Merten, second by Hartman, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Electric Cooperative, Estherville, IA, to install by plowing and boring primary cable along 88<sup>th</sup> Ave. and N. River Road, between Sections 4 and 5 in Barnes Township, for the accommodation of underground primary cable and enclosures, to upgrade their existing facilities. Carried.

Engineer Bret Wilkinson informed the Board that he had received a request from Elk Township to have six dead trees along the Elk Township Cemetery removed. Wilkinson stated that his department has done this type of work before, however he stated that this would be more work and would require more caution. Ringgenberg asked if the Township would be billed for this, and Wilkinson stated that in the past, they did not send out bills. Merten commented that the county just hired someone to take down trees in Casino Beach, and asked why the county would take the trees out by the cemetery. Merten commented that he would be fine if the county were only going to haul the trees away. Snyder stated that he was in favor of the county only hauling the trees away. Hartman stated that this might be setting a precedent. Merten asked if the county would be liable if a tree fell down on a headstone or took the fence out. Motion by Merten, second by Hartman, to allow Secondary Roads to haul the trees away, after someone else cuts them down, along the **Elk Township Cemetery**. Carried.

Engineer Bret Wilkinson discussed **dust control** locations in Albert City and Alta. Wilkinson stated that he had contacted the vendor where he purchases the materials, and they do not have enough product to do the job. Wilkinson stated that they could wait a week and see if more material becomes available or contact another vendor if they wanted the job done sooner. Merten commented that they want to get it done before harvest, so Wilkinson was to check with another vendor to see about obtaining product for the dust control.

**Secondary Road Report:** The work on the Linn Grove Bridge continues, with work on the guardrails and cleanup work. Then, after this work is done, they will pour the wings and install the metal guardrails; they still have mowers out, working on driveways, working on crossroad culverts, and cleanup on 40<sup>th</sup> Ave. The supervisors asked Wilkinson about the skipped roads in the county that haven't been mowed. Wilkinson commented that they didn't intend to skip any roads entirely. The hard surface roads are done 3-4 times a year and the gravel roads 1-2 times a year. Wilkinson stated that normally they can do 35 miles per day, and they have 2,000 total ditch miles.

**Storm Lake United** President Brooke Sievers, along with Treasurer Chris Cleveland and Vice-President Gary Sterling updated the Board on the financial condition of the Storm Lake United. Sievers stated that their interim director has resigned, and there is one person left to answer the phone. Sterling reviewed the document presented to the Board reviewing their current status, their proposals for the future, and stated that they have presented to the City of Storm Lake and now to the County, asking for ideas or suggestions on how to make Storm Lake United survive. Cleveland stated that the organization has had many financial challenges in recent years and that this year, the organization is expected to run a \$32,000 deficit, although they could break even with the resignation of 2/3 of their office staff. Sterling stated that it is up to the City and County to decide where they want Storm Lake United to go, they are interested in making changes. Ringgenberg stated that the information on the Storm Lake United website needs to have accurate information, and right now it isn't. Ringgenberg stated that the co-partners need to give Storm Lake United information, as they should be the hub. Sterling stated that the City of Storm Lake is offering help due to Storm Lake United's staff shortage. Sievers stated that every idea is on the table, rebranding, restructuring. Sievers stated that across the state, in communities the size of Storm Lake, over half are in the same shape as Storm Lake United. Sievers said that they want to improve communications with the city and county. The Board thanked them for coming in.

Env Health/Zoning Director Ben Mueggenberg presented information on a Minor S/D request of Russell & Linda Hinkeldey in Section 28 Maple Valley Township. Motion by Ringgenberg, second by Hartman, to approve and authorize the Chair to sign **Resolution #2023-09-12-A** Minor S/D for Russell & Linda Hinkeldey in Section 28 Maple Valley Township. Carried.

#### **RESOLUTION 2023-09-12-A**

**WHEREAS** Russell & Linda Hinkeldey have presented a preliminary and final plat (of survey) on the following described property:

#### **DESCRIPTION LOT D**

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE ¼ SE ¼) OF SECTION 28, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Southeast (SE) corner of Loc C in said Section 28 which appears of record as document number 071363 in the office of the Buena Vista County Recorder; Thence North 01° 44' 42" West, along the East line of said Lot C, 325.38 feet; Thence North 09° 26' 51" East, 242.85 feet; Thence South 85° 22' 30" East, 604.83 feet; Thence South 01° 32' 16" West, 526.36 feet to the South line of said Southeast Quarter (SE ¼); Thence North 89° 03' 52" West, along said South line, 618.69 feet to the Point of Beginning.

Hereafter known as Lot D in Section 28, Township 90 North, Range 38 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

Tract contains 7.84 acres and is subject to all easements of record.

**DESCRIPTION LOT E**

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE ¼ SE ¼) OF SECTION 28, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Southeast (SE) corner of the Southeast Quarter (SE ¼) of said Section 28; Thence North 00° 03' 26" West, along the East line of said Southeast Quarter (SE ¼), 526.41 feet; Thence North 89° 03' 51" West, 634.63 feet; Thence South 01° 32' 16" West, 526.36 feet to the South line of the Southeast Quarter (SE ¼); Thence South 89° 03' 52" East, along said South line, 649.28 feet to the Point of Beginning.

Hereafter known as Lot E in Section 28, Township 90 North, Range 38 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

Tract contains 7.76 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:**

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Beginning at the Southeast (SE) corner of Loc C in said Section 28 which appears of record as document number 071363 in the office of the Buena Vista County Recorder; Thence North 01° 44' 42" West, along the East line of said Lot C, 325.38 feet; Thence North 09° 26' 51" East, 242.85 feet; Thence South 85° 22' 30" East, 604.83 feet; Thence South 01° 32' 16" West, 526.36 feet to the South line of said Southeast Quarter (SE ¼); Thence North 89° 03' 52" West, along said South line, 618.69 feet to the Point of Beginning.

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Hereafter known as Lot E in Section 28, Township 90 North, Range 38 West of the 5<sup>th</sup> 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 D**

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE ¼ SE ¼) OF SECTION 28, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

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Hereafter known as Lot E in Section 28, Township 90 North, Range 38 West of the 5<sup>th</sup> 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 12th day of September 2023.

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

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

Motion by Snyder, second by Ringgenberg, to approve the **minutes** of 09/5/2023, as corrected, today's **claims approval list & stamped warrant register** and accept the following **reports**: August Sheriff's Report of Fees Collected, July Region III LEPC minutes, July Rolling Hills Community Services Region Governance Board minutes, and FY'23 Early Childhood Iowa Annual Report Data. Ayes: Hartman, Ringgenberg, Snyder. Nays: Merten. Motion carried.

Discussion about former **Colorize building**: Auditor Susan Lloyd mentioned to the Board that if another department was going to be sharing the Colorize building with her election equipment, then a permanent wall needed to be installed separating the two halves of the building. Since there wasn't a full board in attendance, there was no action taken today.

There being no further business, motion by Hartman, second by Merten, to adjourn the meeting at 10:34 a.m. until Tuesday, September 19 at 8:30 a.m. for a special session.