

**BOARD OF SUPERVISORS MEETING
TWENTY-THIRD MEETING, 2024 SESSION (23)
MAY 21, 2024**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 21, 2024, at 8:30 A.M. in the Boardroom with Chairperson Ringgenberg presiding, and the following other members present: Croker, Hartman, Merten, and with Auditor Susan Lloyd as clerk for the meeting. Absent: Snyder.

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

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

Engineer Bret Wilkinson informed the Board that he had received six bids for Project L-BNT2023-2—73-11, for three abutment repairs. Bids were received from Christensen Bros. Inc. (\$206,260.00), Nelson & Rock Contracting, Inc. (211,090.00), Peterson Contractors, Inc. (214,990.00), Dixon Construction Co. (225,000.00), Graves Construction Co., Inc. (267,790.00), and Cramer and Assoc., Inc. (297,800.00). Wilkinson recommended that the Board award the bid to Christensen Bros., Inc., which was the low bidder and 91.67% under the engineer's estimate. Motion by Merten, second by Croker, to accept and award the contract to the low bidder, Christensen Bros., Inc., Cherokee, IA, in the amount of \$206,260.00, for **Project L-BNT2023-2--73-11**, for three abutment repairs. Carried.

Motion by Merten, second by Croker, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, along 650th Street, between Sections 30 and 31 of Hayes Township, for a horizontal directional drill from south to north under 650th St., for the accommodation of 1.5" water line to a new service at 737 650th Street. Carried.

Motion by Merten, second by Hartman, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, along 650th Street, between Sections 30 and 31 of Hayes Township, for a horizontal directional drill from south to north under 650th St., for the accommodation of 1.5" water line to a new service at 727 650th Street. Carried.

Motion by Hartman, second by Merten, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, along 120th Ave., between Sections 23 and 24 of Hayes Township, for a horizontal directional drill from west to east under 120th Ave., for the accommodation of 2" water line approximately 77' south of the centerline of 630th St. and 120th Ave. Carried.

Secondary Road Report: They have been hauling gravel, working on driveways, culvert repairs, and tile repairs; the mowing has started, however one mower is broke down; the asphalt pad has been placed and the sides are up for the Sioux Rapids salt shed; the office remodel is done except the door that enters the meeting room from the outside. They are hoping the door comes in before the end of May; the road plan has been submitted to the DOT for the RISE Grant approval, for the roads around the Platinum Crush Plant, south of the railroad tracks. Engineer Wilkinson hopes to award the contract on July 30. Croker asked when the project would be done, and Wilkinson is thinking August 2025. Merten asked if an incentive could be added to the bid, to be sure the project gets done. Wilkinson stated that an incentive would have to be in the plans and specs before it goes out to contractors, so before June 27. Hartman asked if Platinum Crush could put dollars in for the incentive, but Wilkinson stated that if that were the case, another document would have to be developed between Platinum Crush and BV County, and not the contractor. Wilkinson stated that he will contact Platinum Crush about this.

Sheriff Kory Elston presented a contract from Motorola Solutions, to purchase four new in-car cameras to replace the cameras in the cars that will be traded in, including a 5-year warranty, for a total of \$44,697.60. Elston stated that each year he receives funds from the GTSB (Governor's Traffic Safety Bureau), which is enough to pay for one camera. Motion by Merten, second by Croker, to approve and authorize the Sheriff to sign the contract to purchase four in-car cameras, including a 5-year warranty, for a total of \$44,697.60. Carried.

Payroll Clerk Yvonne Sandhoff informed the Board that there have been several complaints about the new Auxiant flex card, and some employees are having their flex cards shut off. Also present for the discussion was Tony Pertzborn, Barb Wetherell, and Andrea Schultz, Stille Pierce & Pertzborn Agency. Wetherell stated that there is an IRS Rule that states that all flex reimbursements need to be substantiated so that the TPA knows that it meets IRS guidelines. Wetherell stated that the County's previous TPA did not ask for substantiation, and so some expenses that are being submitted now are causing the employees flex card to be shut off, until they send in more detail of what the charges are for that they are trying to get reimbursement for. Wetherell stated that she contacted Auxiant, and there is a "work around" that the county could sign up for. If the county would sign a Flex-Hold Harmless-Indemnification Agreement, then no claims under \$250 would be asked to be substantiated nor cause the employees flex card to be shut off. Wetherell commented that regardless, the employees using the flex payment card need to keep all receipts, in case Auxiant were to be audited and the IRS asks for documentation. Engineer Bret Wilkinson stated that several employees probably will not sign up for flex next year. Motion by Croker, second by Hartman, to approve and authorize the Chair to sign the Flex Hold Harmless-Indemnification Agreement. Carried.

Building and Grounds Maintenance Superintendent Joe Keller was in attendance on behalf of the Parade of Flags to ask for permission from the Board to use the courthouse lawn for the Memorial Day Parade of Flags Dedication at 10 a.m. The guest speaker will be SSG Keegan Svendsen, who is a member of the Iowa Army National Guard, and currently the Recruiting and Retention NCO for Storm Lake. The courthouse lawn will be adorned with over 734 flags, and an additional 700 flags at the Great Lawn at Kings Pointe. In inclement weather, the Memorial Day dedication will be held at the Storm Lake High School auditorium. A Touch of Broadway will perform. The public is welcome to bring lawn chairs. Motion by Merten, second by Hartman, to approve use of the Buena Vista County Courthouse lawn for Memorial Day Parade of Flags Dedication. Carried.

Bldg/Grounds Maintenance Supt. Joe Keller gave the Board an update on several projects. The carpeting is done in both courtrooms, and DHS has new carpet in all their offices, touching up paint along the way. Community Services roof is done, and they will work on the new roof at the East Richland Annex after July 1. The contractor began working on the west steps of the courthouse yesterday, with railings to be mounted on the retaining wall, plus one railing down the middle of the stairs. Keller hopes that the steps and railing are done the first week of June. Keller stated that the City of Storm Lake will be looking at the approaches to the Courthouse parking lot, as they are getting rough. Keller stated that his new mower is in, and he will be going to pick it up. The DHS windows need to be finished on the outside, and Keller has asked K & D to do the work, for approximately \$3,000.

Chairperson Ringgenberg asked if there was anyone that wished to be heard during Hear the Public, with no response from the public. Auditor Susan Lloyd gave the Board a letter from Dickinson Bradshaw, Fowler & Hagen, P.C. as counsel to ICAP. The letter states that ICAP concluded it does not have a duty to defend or indemnify the county under the Legal Defense and Claim Payment Agreement for any of the claims alleged in the Petition filed by Storm Lake. Lloyd also gave the Board a letter from the County Attorney with findings of the Harassment Investigation and a list of recommendations.

Motion by Croker, second by Hartman, to approve the minutes from 5/7/2024 and 5/15/2024 as presented, today's claims approval list, and Auxiant disbursements, and accept the following reports:

April Landfill minutes & engineers report, April Conservation Board minutes, and 2022 Impact Study for BV County from Western Iowa Tourism. Carried.

Motion by Merten, second by Hartman, to approve and authorize the Auditor to **void and reissue** check #324393, dated 2/27/24 to Long Lines Broadband, in the amount of \$2,923.00. Carried.

Motion by Croker, second by Merten, to approve and authorize the Chair to sign the **letter of engagement** from Hunzelman, Putzier & Co., PLC, for their services for the FY'24 audit and preparing the financial statements. Carried.

Motion by Merten, second by Croker, to approve the **Cigarette/Tobacco Permit** for AI's Corner Oil Company, DBA Sparky's One Stop Storm Lake. Carried.

Motion by Croker, second by Hartman, to approve and authorize the Chair to sign the **Jt. DD #22 Lat 406** claim to Koenig Portable Toilets for tile jetting in the amount of \$630.00. Carried.

Motion by Merten, second by Croker, to approve and authorize the Chair to sign the **Jt. DD #181 Little Cedar** work order, in Section 29-91-34 Pocahontas County, reported by David Degner. Carried.

There being no further business, motion by Hartman, second by Merten, to adjourn the meeting at 10:13 a.m. until Tuesday, May 28 at 8:30 a.m. for a special session.