

**BOARD OF SUPERVISORS MEETING
TWENTY-FOURTH MEETING, 2024 SESSION (24)
MAY 28, 2024**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 28, 2024, at 8:30 A.M. in the Boardroom with Chairperson Ringgenberg presiding, and the following other members present: Croker, Hartman, Merten, Snyder, and with Auditor Susan Lloyd 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 Croker, second by Snyder, to approve **today's agenda**. Carried.

Motion by Croker, second by Hartman, to approve and authorize the Chair to sign the contract for **Project L-BNT2023-2--73-11**, with Christensen Bros., Inc. in the amount of \$206,260.00, for three abutment repairs. Carried.

Motion by Snyder, second by Hartman, to approve the plans and bid letting documents for **Project L-BNT2023-3--73-11**, for six abutment repairs on bridges in the southern tier of the county. Carried.

Secondary Road Report: Engineer Bret Wilkinson informed the Board that with the rain event, the Governor has declared Buena Vista County as part of the Disaster Area (32 counties), and we will probably get the Presidential Declaration due to all the damages across the 32 counties. Wilkinson stated that there was not major damage to county property, but minor damage for water over the roads, and a lot of corn stalks and other debris in the ditches and culverts. This week they will continue cleaning debris from the ditches. Wilkinson stated that normally the county receives 75% reimbursement from FEMA and 10% reimbursement from the State of Iowa. Wilkinson stated that anything that is insured does not go through FEMA. Wilkinson informed the Board that he hopes to wrap up FEMA work by Friday this week; two mowers are going, first on the hard surfaces and then to gravels. One mower will keep working on the hard surfaces all summer; they are working on shoulder work, edge rutting and hauling rock; they are hoping to have the exterior door installed on the Engineer's Office Building tomorrow or Thursday; Engineer Wilkinson stated that he has had conversations with Eric Lightner, Platinum Crush, on the possibility of incentives for the paving project of the four miles of roads around Platinum Crush, and will continue discussions next week. Wilkinson stated that he will be talking with IDOT on June 17 about the intersection at Hwy 7.

Hear the Public: Nobody online had comments. Drainage Engineer Brian Blomme informed the Board that he had received phone calls concerning **DD #100**. Blomme stated that in the past, he had an informational hearing to see if the landowners were "for" this project, and two landowners were opposed. However, it takes 50% of the landowners owning 70% of the land to stop the project. Blomme stated that he tried to get funding, as the cost is estimated at \$927,000 for DD #100. Blomme stated that he had submitted funding requests on six different drainage districts, with four of them awarded funding. DD #100 and another joint drainage district between Sac and Calhoun Counties did not receive funding. Blomme stated that the county can push forward with the project without funding, because owners want it done. Blomme talked with the petitioner, and informed him that he could petition again, but Blomme would like to take it on himself to move forward. The consensus of the Board was to move forward with an improvement project for DD #100. Blomme stated that once the report is filed with the Board of Supervisors, which starts the clock to the end of the public hearing to have remonstrance. Blomme stated that there is a minimum of 40 days from the filing of the report to the hearing.

The Chair opened the public hearing for the 4th **FY'24 budget amendment**, Notice was published as required. No written objections were submitted, and no objections were offered during the hearing. Motion by Croker, second by Hartman, to close the public hearing. Carried.

Motion by Merten, second by Snyder, to approve the 4th **FY'24 budget amendment** as published, to authorize the Chair to sign the Budget Amendment certification, **Resolution #2024-05-28-A**, amending the FY'24 Annual Budget, and to approve the following appropriations:

Increase activity	1000	Special Law Enforcement Fund (0026)	Dept 17	\$2,500
Increase activity	1110	General Basic Fund (0001)	Dept 28	\$800
Increase activity	1620	General Suppl Fund (0002)	Dept 06	\$2,383
Increase activity	6210	General Basic Fund (0001)	Dept 98	\$1,000
Increase activity	9040	MHDS Fund (0006)	Dept 61	\$14,050
Increase activity	9210	General Suppl Fund (0002)	Dept 97	\$135,000 Carried.

RESOLUTION NO. 2024-05-28-A
RESOLUTION AMENDING THE FY'24 ANNUAL BUDGET
BY ADOPTING BUDGET AMENDMENT #4

WHEREAS the Board of Supervisors approved Departmental Appropriations on June 27, 2023, for all departments, of the fiscal year beginning July 1, 2023, in accordance with Section 331.434, Subsection 6, Code of Iowa; and

WHEREAS the Board of Supervisors has held the necessary hearing after having caused to be made the publication and notice required by law; and

WHEREAS the Board of Supervisors approved Budget Amendment #1 on August 29, 2023, thereby increasing appropriations by \$2,484,474, for a total budget after the amendment of \$41,322,187; and

WHEREAS the Board of Supervisors approved Budget Amendment #2 on November 20, 2023, thereby increasing appropriations by \$431,200, for a total budget after the amendment of \$41,753,387; and

WHEREAS the Board of Supervisors approved Budget Amendment #3 on April 9, 2024, thereby increasing appropriations by \$365,033, for a total budget after the amendment of \$42,118,420; and

WHEREAS the Board of Supervisors has held the necessary hearing after having caused to be made the publication and notice required by law; and

WHEREAS the Board of Supervisors has reviewed the budget amendment #4 for FY'24, as presented by the County Auditor, increasing appropriations by \$155,733; and

WHEREAS the Board of Supervisors believes the aforesaid budget amendment #4 proposed for FY'24 to be in the best interests of Buena Vista County.

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

SECTION ONE: That the FY'24 budget for Buena Vista County, Iowa, on file in the County Auditor's Office is hereby amended and approved.

SECTION TWO: That this resolution shall be in full force and effect from and after its passage and approval in the manner provided by law, and the County Auditor is directed to make the filings required by law and to set up the books in accordance with the summary and details as adopted.

PASSED, APPROVED, AND ADOPTED this 28th day of May 2024, by the Buena Vista County Board of Supervisors.

/s/ Rhonda Ringgenberg, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, Auditor

Drainage Deputy Kristina Konradi presented to the Board various drainage districts that have negative fund balances, along with proposed levy amounts, including a maintenance fund for each drainage district. Motion by Croker, second by Merten, to approve and set the levies as follows, all without waivers: **DD 46**, 49.25%; **DD 49 Lat 2**, 11.00%; **DD 57**, 42.50%; **DD 81**, 26.25%; **DD 116**, 21.75%; **DD 118**, 52.00%; **DD 189 Reg**, 49.00%. Carried.

Drainage Engineer Brian Blomme presented a quote from B & W Control Specialists, Algona, IA, for spraying some joint drainage districts. Motion by Snyder, second by Merten to accept and approve the Chair to sign the quote from B&W Control Specialists **2024 Chemical Treatment** on the following Joint County Drainage Districts, with the following cost not to exceed: **Jt. DD #16-30-92 MOD** (\$4,500), **Jt. DD #16-30-92 Sac County OD** (\$1,750), **DD #19-26 MOD** (\$2,500), and **Jt. DD #274 MOD** (\$2,000). Carried.

Supervisor Croker informed the Board that she talked to the **Regional Housing Authority**, about the position that Donnie Skou had, and asked about his position. Croker was told that the county can choose anyone they want, to represent Buena Vista County.

Motion by Merten, second by Hartman, to approve the **minutes** from 5/21/2024 as presented, today's **claims approval list, and Auxiant disbursements**, and accept the following **reports**: April & May Central IA Detention Center minutes. Carried.

Tony Pertzborn, Barb Wetherell, Andrea Schultz, Stille Pierce & Pertzborn Agency were present to discuss the Principal renewal rates. Wetherell first stated that she talked to Auxiant and was told that the suspension of the flex card feature has been shut off completely, and they are working on shutting off substantiation of amounts over \$250. Pertzborn reviewed the Principal renewal rates: Dental \$2.01 increase for employee option and \$4.32 increase for the family option, which is a 6% increase; vision has a 0% increase. Also reviewed was the packet of information for the open enrollment. Motion by Merten, second by Croker, to approve the renewal documents for **Principal**. Carried.

County Attorney Paul Allen was present for his appointment. Motion by Snyder, second by Croker, to go into **closed session** (at 9:52 a.m.) under Chapter 21.5(1)(c) of the 2024 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 Merten, second by Croker, to go out of **closed session** at 11:50 A.M. Carried.

Motion by Merten, second by Croker, to set a public hearing for a FY'24 BV County **budget amendment**, for June 18, 2024, at 9:00 a.m. Carried.

The time arrived for the Conference call with the Pocahontas County Board of Supervisors to discuss **Jt. DD #143** and to set drainage levies. All members of the Pocahontas County Board of Supervisors were online, along with Auditor Kelly Jepsen and Gary Atherton, Assistant to the Engineer/Drainage Clerk for Pocahontas County. Present for Buena Vista County, in addition to the full Board, included Auditor Susan Lloyd, Drainage Engineer Brian Blomme, Drainage Deputy Kristina Konradi, and Drainage Clerk Lynnette Jacobs. Motion by Louis Stauter (Pocahontas), second by Paul Merten (Buena Vista) to appoint Rhonda Ringgenberg (Buena Vista), Chair and Susan Lloyd (Buena Vista), Secretary of the joint conference call for Jt. DD #143. Ayes: all. Motion carried. Jt. DD #143 Lat 3 is in disrepair and lies in the county right-of-way parallel with the road. The question is who is responsible for financial repair,

Secondary Road, or the District. Blomme stated that he learned that in Iowa Code Chapter 468.622, facilities that “cross” right-of-way is the responsibility of Secondary Roads. Blomme stated that this runs parallel, so it is District expense. Blomme stated that the project is looking at 1,600 maximum linear feet, but the District would only be liable for 1,300 linear feet. Atherton received three quotes, with Luft & Sons being the lowest quote at \$17,950. Blomme stated that he wanted to be sure that it was less than \$50,000, so not requiring an engineer’s report, and it would be considered a repair. Atherton stated that some connections are for tile that cross the road, which benefits the road, so the District would pay for the amounts parallel and Secondary Roads would pay for connections what cross the road. Motion by Stauter (Pocahontas), second by Merten (Buena Vista), to accept the low quote of Luft & Sons, for \$17,950, to complete the repairs on Jt. DD #143 Lat 3. Ayes: all. Motion carried. An invoice was presented for \$1,250 from Luft & Sons, for investigation. Blomme recommends that the District pay for the investigation, because the problem was found on a line parallel with the road. Motion by Stauter (Pocahontas), second by Snyder (Buena Vista) to approve payment of \$1,250 to Luft & Sons, for an investigation of Jt. DD #143 Lat 3. Ayes: all. Motion carried. Blomme brought up reclassification and stated that he has not completed review of the assessment schedule. Blomme stated that the original assessment schedule was in 1922, and it has not been reclassified since then. Blomme is matching up parcels with the schedule and is not ready to make a recommendation of equitability yet. Blomme also commented that the landowners have not had time to comment on the project and questioned whether an \$18,000 repair is large enough to warrant annexation and reclassification. Stauter (Pocahontas) asked how much reclassification would cost, and Blomme commented that annexation and reclassification would cost \$18,000-\$20,000. Blomme also stated that Lat 3 does not have its own schedule, and questioned whether it suited the county to reclassify and separate everything apart or leave it alone for now. Transferring control of Jt. DD #143 from Buena Vista County to Pocahontas County was the next topic of discussion. Blomme stated that Jt. DD #143 is almost entirely in Pocahontas County, with two laterals in Buena Vista County. Blomme stated that he talked with Drainage Attorney Gary Armstrong about transferring control to Pocahontas County, which Gary agreed upon transferring, stating that it can be done by motion, with a majority vote, and the records would be transferred over to the other county. Merten asked Konradi to scan and send information on the joint drainage district to Pocahontas County. The consensus of the two Boards was to table a decision on transferring control of Jt. DD #143 to Pocahontas County. Blomme thanked everyone for their time, and turned the meeting over to Konradi, for setting levies on four joint Districts. Motion by Merten (Buena Vista), second by Aden (Pocahontas), to set the following levies and waivers: **Jt. DD #1**, 138%, with no waivers; **Jt. DD #18-24**, 6%, 10-year waivers with 5% interest; **Jt. DD #144**, 46.5%, with no waivers; and **Jt. DD #146**, 117%, 10-year waivers with 5% interest. Ayes: all. Motion carried. Motion by Siepker (Pocahontas), second by Merten (Buena Vista) to adjourn the joint conference call for Jt. DD #143. Ayes: all. Motion carried. (The full set of minutes are included with the Jt. DD #143 records)

There being no further business, motion by Snyder, second by Croker, to adjourn the meeting at 11:21 a.m. until Tuesday, June 4 at 8:30 a.m. for a regular session.