

**BOARD OF SUPERVISORS MEETING
TWENTY-NINETH MEETING, 2024 SESSION (29)
JULY 2, 2024**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 2, 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 Hartman, to amend **today's agenda**, adding appointment of the Drivers License Deputy to the action items. Carried.

Motion by Croker, second by Merten, to approve **today's agenda**, as amended. Carried.

Motion by Snyder, second by Hartman, to approve and authorize the Chair to sign the contract for **Project L-BNT2023-3--73-11**, with Dixon Construction Co., in the amount of \$376,940.00, for six abutment repairs on bridges in the southern tier of the county. Carried.

Secondary Road Report: They have been working on flood repairs, hauling rock to roads, working on replacing a pipe on the N River Road and other pipes that need repair, and cleaning up ditches. Trucks went out this morning to haul debris from the flooding in Sioux Rapids to the BV County Landfill. Other contractors are hauling flood debris from Sioux Rapids to Carroll. Engineer Bret Wilkinson stated that they used 6,000 tons of sand, which probably cannot be used again, due to the debris and contaminants in the sand from the flood. Wilkinson stated that the sand would have to sit for two years before determining if it could be used again, and then it would still have to be screened. Regarding the 4-mile road project by Platinum Crush, Wilkinson has talked with a representative of the railroad and was told that they have a consultant reviewing the plans and that he would hear something by last Friday, but there has been no response. Wilkinson stated that if he has not heard back from the railroad by next Tuesday, they could pull back 50' of the railroad right-of-way and go forward with the project and patch it in later. Croker stated that she would like to consider moving forward and patching the railroad right-of-way later. Merten commented that he wants to see the project start, as the window for getting this done is getting smaller.

Motion by Merten, second by Croker, to approve the **minutes** from 6/25/2024 as presented, today's **claims approval list, stamped warrant register, and Auxiant disbursements,** and accept the following **reports:** Central IA Juvenile Detention Center May minutes, Lake Improvement Commission meeting, and May NW IA YES Center minutes. Carried.

Motion by Croker, second by Merten, to approve amending the **meal reimbursement policy,** increasing the meal allowance to \$60 per day which will now include a gratuity and any additional charge for using a credit/debit card. Detailed receipts must still be submitted, and no alcoholic beverages will be reimbursed. Carried.

County Attorney Paul Allen discussed the changes to **county compensation boards,** due to SF 2442 Division V of the tax omnibus bill. The provisions authorize Boards of Supervisors in each county to determine whether they want to utilize a compensation board or take on the duties and responsibilities themselves. By law, all compensation boards are dissolved on July 1, 2024. Allen asked the Board if they

wanted a compensation board or not. Ringgenberg stated that the compensation board does a lot of research. Allen stated that there are different requirements on the research that is done, and it must be documented. The legislation put in place the “show your work” provision. The compensation board will be required to provide documentation that demonstrates how it determined the recommended compensation schedule. This must include information on comparable officers in other counties, other states, private enterprises, and the federal government. Allen stated that the supervisors still have the final say on salaries regardless of whether there is a compensation board or not. The legislation states that if there is a compensation board, the supervisors can approve a compensation schedule that is greater than or less than the compensation board recommendation, or they could adjust the compensation schedule for individual elected officials without being required to adjust by the same percentage for all others. Merten commented that he was concerned about office deputies salaries, if the elected official had their salary cut. Allen informed the Board that they could set compensation at less than the current year only if the compensation schedule recommends changing the position (county attorney) to part-time. Croker stated that she likes each elected official having someone representing them. Ringgenberg commented that a compensation board can recommend anything, however they do not know the budget. Snyder stated that he likes having a compensation board. Allen informed the Board that if they do not have a compensation board, then the supervisors must do the research. Allen stated that the process moving forward would be to motion and vote on establishing a compensation board, and then appoint members to the compensation board with staggered terms. Allen stated that there is no obligation to establish a compensation board in the first year, so the supervisors could take on the responsibilities this year and decide to establish a compensation board in the future. The supervisors may dissolve the compensation board at any time with a majority vote. Merten commented that he doesn’t see the point of having a compensation board if the supervisors can change anything. Allen restated that as of July 1, there is no compensation board. No action was taken.

County Attorney Paul Allen, payroll specialist Yvonne Sandhoff, and Env Health/Zoning Director Ben Mueggenberg were present for the discussion of the Board whether to classify the Env Health/Zoning Director as exempt or non-exempt under the administrative exemption. Sandhoff stated that the Env Health/Zoning Director was exempt due to having two employees, but now there is only one employee that he oversees. Allen stated that the position may qualify to be exempt under the Administrative Exemption or the Professional Exemption. Allen stated that the position meets the salary criteria for the administrative exemption, but he was not sure whether he met the “discretion of independent judgement in the performance of duties”. Allen stated that if the Env Health/Zoning Director does have discretion of independent judgement, then he would qualify for the administrative exemption. Mueggenberg stated that he does have discretion of independent judgement for zoning and for the septic. Motion by Croker, second by Ringgenberg, to designate the Env Health/Zoning Director as an exempt position under the administrative determination. Carried.

Chairperson Ringgenberg asked if there was anyone online that wished to be heard during Hear the Public, with no response. VSO Louie DeRoos came in to inform the Board that he would like to run an ad on the local radio station during the 4th of July to honor the men and women who have served our nation to protect our freedom, offering services of the Veterans Affairs Office, and asking people who are celebrating on the 4th of July to be mindful of the veterans who may suffer from post-traumatic stress disorder. DeRoos stated that there were funds left in his budget, which if the Board was willing, could be included in the first budget amendment for FY’25. The ad would cost \$630. The recording was played for the supervisors to hear, and they were all in favor of the ad running this week.

Zoning Administrator Ben Mueggenberg presented information on a Minor S/D request of Robert D. Jensen Jr. in the SE ¼ NW ¼ of Section 22-91-37. Motion by Merten, second by Croker, authorize the Chair to sign **Resolution #2024-07-02-A**. Carried.

RESOLUTION 2024-07-02-A

WHEREAS Robert D. Jensen Jr. has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION LOT F

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of said Section 22; Thence on a previously recorded bearing of South 00° 22' 44" West, along the East line of said Northwest Quarter (NW ¼), 520.00 feet to the South line of Lot E in said Section 22, being also the Point of Beginning. Thence continuing South 00° 22' 44" West, along the East line of said Northwest Quarter (NW ¼), 225.00 feet; Thence North 89° 50' 45" West, 487.52 feet; Thence North 00° 17' 36" East, 225.00 feet to the South line of said Lot E; Thence South 89° 50' 45" East, along said South line, 487.85 feet to the Point of Beginning.

Hereafter known as Lot F, in Section 22, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 2.52 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 F

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of said Section 22; Thence on a previously recorded bearing of South 00° 22' 44" West, along the East line of said Northwest Quarter (NW ¼), 520.00 feet to the South line of Lot E in said Section 22, being also the Point of Beginning. Thence continuing South 00° 22' 44" West, along the East line of said Northwest Quarter (NW ¼), 225.00 feet; Thence North 89° 50' 45" West, 487.52 feet; Thence North 00° 17' 36" East, 225.00 feet to the South line of said Lot E; Thence South 89° 50' 45" East, along said South line, 487.85 feet to the Point of Beginning.

Hereafter known as Lot F, in Section 22, 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 F

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of said Section 22; Thence on a previously recorded bearing of South 00° 22' 44" West, along the East line of said Northwest Quarter (NW ¼), 520.00 feet to the South line of Lot E in said Section 22, being also the Point of Beginning. Thence continuing South 00° 22' 44" West, along the East line of said Northwest Quarter (NW ¼), 225.00 feet; Thence North 89° 50' 45" West, 487.52 feet; Thence North 00° 17' 36" East, 225.00 feet to the South line of said Lot E; Thence South 89° 50' 45" East, along said South line, 487.85 feet to the Point of Beginning.

Hereafter known as Lot F, in Section 22, 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 2nd day of July 2024.

/s/ Rhonda Ringgenberg, Chairman Board of Supervisors...../s/ Susan K. Lloyd, Auditor

Motion by Merten, second by Snyder, to approve and authorize the Chair to sign the **Certificate of Appointment** of Matt Sefcik as Drivers License Deputy in the Treasurer's Office, effective July 1, 2024, at a salary of 80% of the Treasurer's salary. Carried.

Supervisors Meeting Reports: Ringgenberg informed the Board that there is a Buena Vista County Disaster Recovery Fund that has been activated, which is part of the Greater Des Moines Foundation. Ringgenberg stated that people can apply for funds through Upper Des Moines.

There being no further business, motion by Snyder, second by Merten, to adjourn the meeting at 10:30 a.m. until Tuesday, July 9 at 8:30 a.m. for a special session.