

**BOARD OF SUPERVISORS MEETING  
THIRTY-SECOND MEETING, 2024 SESSION (32)  
JULY 23, 2024**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 23, 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 Snyder, second by Merten, to approve **today's agenda**. Carried.

Motion by Croker, second by Merten, to approve and authorize the Chair to sign the **utility permit application** for Iowa Lakes Regional Water, Spencer, IA, to bore from east to west under 150<sup>th</sup> Ave. between Sections 16 and 17 of Providence Township, for the accommodation of a waterline to serve 6261 150<sup>th</sup> Ave. Carried.

**Secondary Road Report**: Flood cleanup continues with removing cornstalks from ditches; the crossroad culvert north of 480<sup>th</sup> St. and C25 is done, and there is another culvert 1.5 miles south of there to be done; spray patching truck has been out, filling small potholes and cracks; they are replenishing the sand pile at Sioux Rapids, hope to get this done this week; Merten asked about the potholes on C49 west of Alta and Business 71, and Engineer Wilkinson stated that they are working on those areas too. Merten asked about placing a temporary speed limit sign on the north end of 70<sup>th</sup> Ave. to help with dust control and asked about having the speed check unit placed there for a while.

Engineer Bret Wilkinson presented the plans and bidding documents for paving around **Platinum Crush**. Wilkinson stated that he still recommends paving the full four miles, with 1.5 miles eligible for RISE funding, which is 70<sup>th</sup> Ave. and the railroad crossing, and 2.5 miles would be paid with local funds. Wilkinson stated that if there isn't a curve placed on 80<sup>th</sup> Ave., it will be more difficult for trucks to turn. Wilkinson stated that he, Croker, and Merten met with Platinum Crush to discuss whether to pave 80<sup>th</sup> Ave. or not. Platinum Crush said that it wouldn't affect their operation if 80<sup>th</sup> Ave. isn't paved unless there is an accident. Platinum Crush will have meal trucks leaving the plant and hauling to Tyson and using the east exit. Wilkinson stated that previously, a 45-mph curve was a good compromise, and moved forward with it. Then, the Army Corps said that it would affect their watershed. Wilkinson stated that if they put in a 55-mph curve, then they can use the Nationwide permit, they already have. Wilkinson stated that by putting in a 55-mph curve, it would get them out of the wetland, but takes more land. Wilkinson stated that if we stay with a 55-mph curve, he can move forward with the project, but if they go back to a 45-mph curve, then he would need an Army Corps Individual permit. Wilkinson stated that he has talked with IDOT heavily, and they are nitpicking through the plan, and he is waiting for their final review. Paving 600<sup>th</sup> St. east of the plant exit and 80<sup>th</sup> Ave. is not eligible for RISE funding and would have a separate bid number. Wilkinson would like to have one contractor for both the RISE Project and the Local Project. Croker stated that she wants to get moving on the paving project on 70<sup>th</sup> Ave., and since Bret is waiting for the last right-of-way purchases, which is holding up the project, she would like to split the project and get going on it. Wilkinson stated that he could do that, as he has all the right-of-way purchased for Phase 1 so it could be let, and then they would let phase 2 at a later time. Wilkinson recommends signing the title sheet today, so he can get the bid documents out this week once DOT has approved. Otherwise, he can wait for the DOT approval and then come back to the Board to have the title sheet signed. Motion by Croker, second by Snyder, to

let Phase 1 and Phase 2 separately, on the paving project around **Platinum Crush**, move ahead with Phase 1 letting and authorize the signatures needed on the title sheet. Ringgenberg asked if the phases were let together, would that help speed up getting the remaining right-of-way purchased. Wilkinson stated that it would not necessarily speed up the process. The vote was called on the motion. Carried.

Conservation Director/Weed Commissioner Greg Johnson gave his **department updates**. **Weed Department:** They started spraying June 12 for noxious weeds, with 800 miles done out of 2,000 county miles. They have completed the DOT spraying contract, which took them five days. They will work on the purple loosestrife in August. They are not spraying trees this year. . **Conservation:** The Naturalist was certified by ISU Extension and Iowa Tourism as an Interpretive Guide and recently partnered with Iowa PBS programs, some geared for students and others for teachers. Timber Ridge is doing good and has been full. Bur Oak is still closed, waiting on electrical and landscaping. There are some displaced people from the flood that are staying at the campground. The campground host is working out well. The lodge, cabin and shelters have been busy. They will lose their seasonal employees in 2-3 weeks. The Linn Grove Dam project is still in arbitration, and there was more damage from this last flood event. Nine campsites were under water, they hauled 22 loads of gravel and Secondary Road brought in 4 loads of crushed cement and installed new electric pedestals to make repairs. **Marina:** They have been busy cleaning bathrooms, hauling away garbage, doing minor repairs, and weed eating

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

Bldg/Grounds Supt. Joe Keller informed the Board about some Ash trees at the Public Health Annex. Keller stated that he had given shots to the trees in 2022, and two of the trees need to be rounded over and one needs to be removed. Keller contacted Jerry's Tree Service, and it would cost \$800 to round over two trees and \$700 to remove one tree, and that does not include stump removal. Keller stated that Conservation will take the stump out. The Ash trees will need to have shots again this year, but Keller stated that they are no longer infested. Motion by Croker, second by Hartman, to approve treating and rounding over the two **Ash trees** at the Public Health Annex, and to have one Ash tree removed. Carried.

Motion by Merten, second by Croker, to approve the **minutes** from 7/16/2024 as corrected, and accept the following **reports**: June Board of Health minutes. Carried.

County Attorney Paul Allen was present for his appointment. Motion by Snyder, second by Merten, to go into **closed session** (at 10:45 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. Nays: None. Motion carried.

Motion by Snyder, second by Hartman, to go out of **closed session** at 10:50 a.m. Carried.

Motion by Merten, second by Croker, to approve the payment to Wellmark for the August billing, in the amount of \$213,346.10 and to authorize the Chair to sign the **approval list**. Carried.

Motion by Merten, second by Hartman, to approve the **Jt. DD #14-42 BR 198** claim of Koenig Portable Toilets for jetting field tile in the amount of \$300. Carried.

Motion by Croker, second by Snyder, to approve and authorize the Chair to sign the Audit Document for the **CDBG Career Link Program**. Carried.

Motion by Snyder, second by Croker, to approve and to authorize the Chair to sign the **fireworks permit** for Rick Glienke, 6164 60<sup>th</sup> Ave, Alta, IA to be held on August 3, 2024. Carried.

Councilman Dennis Graesing, City of Linn Grove, informed the Board that they have received a grant for a new **water system**, but the design on Linn Street doesn't have enough room. Graesing stated that they had planned to connect to rural water prior to the flood, but with the damage to their system now, it is a necessity that they connect sooner, rather than later. They are currently hauling water from Rembrandt to their water tower, and they are chlorinating their wells and testing twice per day. Graesing stated that the City would like to get an easement for three parcels in Linn Grove, to move this project along. The county is holding the tax sale certificate on parcel #0208104015 and #0208151001 and owns parcel #0208104016. County Attorney Paul Allen stated that the county cannot grant an easement on property that they don't own. Graesing stated that the engineer is holding up the project while waiting for the easements. Allen informed Graesing that he needs to talk with their City Attorney to see what their options are. Treasurer Danelle Haberman informed the Board and Graesing that the two parcels that the county is holding the tax certificates on, have a special assessment on them, by the City of Linn Grove. Jud Graesing stated that he wants to acquire the parcel that the county owns, as it abuts his property. Graesing stated that someone had come in and cut down trees on the county property, which then after the 4" rain event, caused the land to slide down towards his property. Graesing stated that it is all wooded area, with two ravines, and he would like to stop whoever is clearing the trees out. Graesing would like to obtain the property the same way as the City of Albert City and Woods did in Albert City. Treasurer Haberman stated that she had everything that she needed to continue with this process. The consensus of the Board was to move forward with the process of transferring title to parcel #0208104016.

There being no further business, motion by Croker, second by Snyder, to adjourn the meeting at 11:46 a.m. until Tuesday, July 30 at 8:30 a.m. for a regular session.