

**BOARD OF SUPERVISORS MEETING
FORTY-THIRD MEETING, 2024 SESSION (43)
OCTOBER 22, 2024**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 22, 2024, at 8:30 A.M. in the Boardroom with Chairman 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, Ringgenberg, and. Nays: none. Abstentions: none.

Motion by Croker, second by Hartman, to approve **today's agenda**. 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, for an underground primary cable in PVC conduit for the transmission of electricity boring under 240th Ave. between Sections 35 and 36 Fairfield Township, from the west right-of-way line to the east right-of-way line under 240th Ave., approximately 2,300' south of 530th St. to provide service for a new account. 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, for a single-phase overhead primary construction for the transmission of electricity along 580th St., in Section 26 Washington Township, from 110th Ave. going east along the south right-of-way of 580th St. for approximately 1,500' to the west side of the driveway for 1134 580th St., to a new house. Carried.

Engineer Bret Wilkinson presented information to the Board regarding Unit #60, which is a 2018 Chevy Silverado that was totaled in an accident. Wilkinson presented insurance offers, whether the vehicle was kept or if the county did not keep the vehicle. Wilkinson also presented a list of estimates for the parts needed to make all the repairs to the pickup. Wilkinson recommends keeping the vehicle and making the repairs. Wilkinson stated that he spoke with ICAP and asked about insuring the vehicle and was told that the vehicle is insurable but not for full coverage. Croker stated that she would like a more definitive answer to know exactly what the limitations are. Wilkinson stated that the vehicle will have a salvage title. Merten asked who would be driving the pickup once it is repaired. Wilkinson stated that the shop foreman would be driving the pickup. Merten questioned whether the county would receive a check from the insurance company if a body shop was not making the repairs. Wilkinson stated that he has an email from the ICAP agent stating that the county would receive one check, either way, because the pickup was totaled. Motion by Hartman, second by Croker, to keep the Secondary Roads **Unit #60, 2018 Chevy Silverado**, which was totaled in an accident, if we can get liability insurance coverage on it. Carried

Engineer Bret Wilkinson presented a list of excess equipment for the Secondary Road Department and asked the Board to approve the list and authorize their disposal. Wilkinson stated that he would like to use an online auction company, due to the variety of items. Motion by Merten, second by Hartman, to approve the list of **excess equipment** for the Secondary Road Department and authorize the Engineer to dispose of said items. Carried.

Secondary Road Report: Brush cutting has started. They finished edge rutting for the season. They are still working on some driveway requests and minor tile repairs. They have extra ditch mowing to be done before winter. They have rumble strips to install on M31 and C63 intersection. The spray patching truck is out repairing cracks. Contractors by Platinum Crush has started their dirt work on 600th St. and

tearing up the roadbed, getting it ready for rock to be put down as a base for the concrete. Wilkinson stated that they will get all the rock put down and then take a break during January and February, with concrete paving done next spring.

The Chair opened the Public Hearing on the 2nd reading of Ordinance 6.1A-29 requesting a change in the Zoning District Map in Section 15 Washington Township from A-1 to R-1, with Env Health/Zoning Director Ben Mueggenberg was present, along with MidAmerican representatives Kelsy Ballard and John Huff, and fifteen unidentified callers online. Motion by Merten, second by Croker, to close the public hearing. Carried. Motion by Merten, second by Hartman, to approve the 2nd Reading of **ORDINANCE 6.1A-29 Amendment to Zoning District Maps** in Section 15 of Washington Township, and to set the 3rd Reading for Monday, November 4, at 9:15 a.m. in the Board of Supervisors Room of the Courthouse. Carried.

The Chair opened the Public Hearing on the proposed **Ordinance #6.9** Wind Energy Conversion System with Env Health/Zoning Director Ben Mueggenberg, Kelsy Ballard and John Huff, MidAmerican Energy present in-person and Jessica Wilkening, Mergent, Munce Trongard, Allete Clean Energy, Josh Yernatch, Allete Clean Energy, Jim Moran, and nine unidentified callers online. Ballard reviewed the proposed changes that MidAmerican would like to see on Ordinance #6.9. Ballard asked the Board to consider a clear set of rules for repowering. Ballard commented that Mueggenberg did a good job, which is a well-developed ordinance. The Board stated that they were okay with the proposed changes submitted by MidAmerican. Mueggenberg will make the changes to the ordinance and send copies to MidAmerican, Allete Clean Energy, and Mergent. The Board asked about the timing of the project, and Huff commented that during April and May, the old towers will be torn down, new roadways installed, and the new towers will go up the same year. Motion by Croker, second by Merten, close the public hearing. Carried. Motion by Merten, second by Croker, to set the **1st Reading of Ordinance #6.9 Wind Energy Conversion System** for Monday, November 4, at 9:25 a.m. in the Board of Supervisors Room of the Courthouse. Carried.

Chairman Ringgenberg rejoined the group and asked if there was anyone online that wished to be heard during **Hear the Public** and there was none.

Conservation Director/Weed Commissioner Greg Johnson and County Attorney Paul Allen presented a tile easement for the Hankens Wildlife Area. Johnson stated that the neighbor wants an easement to put in 200' of tile line. Johnson stated that the Conservation Board has already approved the easement, but since Buena Vista County's name is on the property, the Board of Supervisors needs to approve and sign the easement., Motion by Croker, second by Hartman, to approve and authorize the Chair to sign the easement for the **Hankens Wildlife Area**. Carried.

Conservation Director/Weed Commissioner Greg Johnson reviewed the 2024 Weed Commissioner's Report. Motion by Hartman, second by Merten, to approve and authorize the Chair to sign the **2024 Weed Commissioner's Report**. Carried.

Daniel Den Boer, **Family Crisis Center**, and advocates Vanessa Ibarra, and Sonia Calderon expressed their gratitude for the funds received from the County and gave an update to the Board on the previous year's activities. In Buena Vista County, they saw 68 domestic violence clients, 45 homicide & violent crime clients, 10 clients for medical clinic outreach, 5 clients for housing, and took 65 crisis line calls. Den Boer also presented a letter requesting funds for FY'26 in the amount of \$7,500, which is an increase over the previously signed contract.

Recorder Curt Reis updated the Board on the **Recording Fee Revenue and Modernization Project**. The Iowa County Recorders Association and the Electronic Services System in collaboration with ISAC will be advancing a legislative proposal to update recording fees. The recording fees have not been updated in nearly 40 years. A portion of the funding which supports the recording function in Iowa counties is the recording fee, but for most counties a significant portion of recording operations are funded by county

supervisors through the county general fund. The county portion of the recording charges would increase from \$5.00 per page to \$10 per page. Reis took the month of July and calculated what the increase in revenue would have been, and it would have increased \$4,400. Reis informed the Board that this is one of the 2025 ISAC Legislative Priorities that the Supervisors can vote on, as a member of ISAC.

Conservation Director/Weed Commissioner Greg Johnson and County Attorney Paul Allen discussed a draft of the **Marina Transfer Agreement** that was received from the State. Allen stated that two major concerns he has with the agreement is the requirement for the county to have an abstract prepared of the Marina, and the second concern is who is taking care of the maintenance of the turnaround. Croker stated that there needs to be a phone call made to the DNR for both parties to discuss the agreement. Johnson stated that he will contact DNR and try and get a meeting scheduled with them.

Conservation Director/Weed Commissioner Greg Johnson informed the Board that the DNR has finished all their work at the **Marina**. Johnson stated that most of the boats are out of the slips. Johnson stated that he submitted a grant on September 30, to replace four docks. Johnson stated that these dock replacement projects is about \$50,000, with the county share approximately \$14,000.

Motion by Hartman, second by Croker, to approve the **minutes** of 10/08/24 as presented, today's **claim approval list, stamped warrant register, and Auxiant disbursements**, and accept the following **reports**: September Conservation Board minutes and September BV County Landfill Commission minutes. Carried.

Motion by Croker, second by Hartman, to approve and authorize the Chair to sign the **Jt. DD #22 MOD** claim to Jacobsen-Westergard & Associates for FEMA drone video review & analysis in the amount of \$140.00. Carried.

Motion by Croker, second by Hartman, to approve and authorize the supervisors to sign **Resolution #2024-10-22-A** Supporting Operation Green Light. Carried.

Resolution #2024-10-22-A
Supporting Operation Green Light for Veterans

WHEREAS, the residents of Buena Vista County have great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of those who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Buena Vista County seeks to honor individuals who have made countless sacrifices for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veterans Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, Buena Vista County appreciates the sacrifices of our United States military personnel and believes specific recognition should be granted; therefore be it

RESOLVED, with designation as a Green Light for Veterans County, Buena Vista County hereby declares from November 4 through Veterans Day, November 11th 2024 a time to salute and honor the service and sacrifices of our men and women in uniform transitioning from active service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Buena Vista County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying green lights in a window of their place of business or residence from November 4th through November 11th, 2024.

Signed this 22nd day of October, 2024.

/s/ Rhonda Ringgenberg, Chair; /s/ Paul Merten, Vice-Chair; /s/ Kathy Croker, Supervisor; /s/ Dan Hartman, Supervisor; /s/ Kelly Snyder, Supervisor

Motion by Croker, second by Hartman, to approve the Auditor to **void and reissue check #326975** issued 9/10/2024 to the City of Marathon in the amount of \$160.93. Carried.

Supervisor Meeting Reports: Merten will attend Plains Area Mental Health meeting tonight and Rolling Hills Governance Board meeting tomorrow; Hartman will attend the Upper Des Moines Opportunity meeting tonight; Ringgenberg attended the Storm Lake United meeting.

There being no further business, motion by Merten, second by Hartman, to adjourn the meeting at 11:22 a.m. until Tuesday, October 29 at 8:30 a.m. for a special session.