

**BOARD OF SUPERVISORS MEETING
FOURTEENTH MEETING, 2025 SESSION (14)
MARCH 25, 2025**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 25, 2025, at 9:10 A.M. in the Boardroom with Chairman Merten presiding, and the following other members present: Croker, Hartman, Ringgenberg, Snyder, and with Election Deputy Karla Ahrendsen 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, Snyder, and. Nays: none. Abstentions: none.

Motion by Ringgenberg, second by Snyder, to approve **today's agenda**. Carried.

Eight fourth and fifth graders from Storm Lake Elementary School were present to read the Proclamation Declaring April as Child Abuse Prevention Month. Motion by Hartman, second by Croker, to approve and authorize the Chair to sign the **Proclamation Declaring April as Child Abuse Prevention Month**. Carried. The Board thanked the students for coming and reading the proclamation.

Motion by Snyder, second by Hartman, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, to bore under 60th Ave and 570th St, between Sections 24,23 and 14 Nokomis Township, to install a 3" water line and 1.5" water line to service 555-570th St. Carried.

Secondary Road Report: Road crews are out blading and spot rocking where needed after the snow last week. Shortly they will start ramping up the rocking as the roads thaw. This week they will be working on removing down trees in the ditches after the heavy winds last week. Wilkinson informed the group that there would be an onsite meeting with the DOT and Railroad on the two crossings at 70th and 80th Ave to review and finalize plans. Wilkinson is trying to set up a meeting with MidAmerica on moving the poles on 80th Ave as soon as someone becomes available so we can move forward with Phase 2. He is also working on setting up a prepaving meeting with Cedar Valley in the next couple of weeks. Looks like paving will start around May 1st. Supervisor Croker asked how the residents along 70th Ave would be informed of the paving schedule and suggested a letter be sent out to all parties. Richard Marshall asked them to include something telling landowners to notify the tenants of this schedule. Kevin Cone suggested possibly texting instead of calling as most people read texts but don't always answer their phones. Wilkinson assured the group that they would do everything they could to keep everyone in the loop on the paving schedule. He also mentioned that Platinum Crush sent out an email notification with the information to all customers and that signs would be put back in place before the paving began.

Supervisor Merten asked if Wilkinson had talked to staff about the **summer schedule** from the discussion at the previous meeting. Wilkinson said he had and felt that by keeping the office open the same schedule the road crews were out would be more productive and did not see that as a benefit to the employees as some might think it is. Merten stated he is concerned about the safety of having equipment out on the road that early in the morning and would prefer that crews not start until the sun was up. He did state that he was willing to compromise if they went back to the 4-10 hour days from only Memorial Day to Labor Day. Supervisor Snyder asked if doing a 4 month instead of 6 month schedule would be another compromise. Kevin Jesse from the audience questioned why they couldn't do some kind of split scheduling that someone worked everyday regardless of the length. He stated that the roads needed to be graded when there was moisture available and that could fall on a Friday. After much discussion the Board requested that this be put on the agenda for next week so that action could be taken.

Chairman Merten asked if there was anyone online that wished to be heard during **Hear the Public** and there was none. Richard Marshall in the audience questioned how the Assessor raise came about and the Board had explained that they were only 1/3 of the vote and were out voted. Croker also explained that some of the reasons are that there is a huge lack of Assessors in the State of Iowa and to keep a good one you must stay competitive.

Environmental/Zoning Director Ben Mueggenberg along with Steve Pederson and Jack Walker from Heinold Hog Market and Rob Smith with Rob Smith Homes & Land reviewed the construction plans for a new **hog buying station** in Buena Vista County. Mueggenberg explained that he felt they fit all the zoning requirements and just wanted to make the Board aware of this project. Pederson explained that no hogs would be kept there overnight except in rare emergency situations. They would be on a high wood shaving bedding and very little manure would be involved. There will be no pit and shavings will be spread locally as they are pulled out of the building. They are also looking into either hooking up to rural water or possibly digging a well depending on what they find out from rural water. No action was taken at this time as Mueggenberg does not have the building permit finished and just wanted to keep the Board informed.

Motion by Croker, second by Ringgenberg, to approve the **minutes** of 3/18/2025 as presented, today's **claim approval list, stamped warrant register, and Auxiant disbursements,** and accepting the following **reports:** FY24 Accountants' Report on Compliance for the U.S. Department of Treasury SLFRF Program requirements for an alternative SLFRF Compliance Examination Engagement. Carried.

Motion by Hartman, second by Snyder, to approve the **Class C Alcohol License** application for The Little Sioux Golf and Country Club. Carried.

Motion by Ringgenberg, second by Snyder, to set the date and time for the **FY'26 County Budget Public Hearing** for April 22, 2025, at 9:15 a.m. Carried.

Motion by Snyder, second by Ringgenberg, to approve and authorize the Board to sign the **Management Representation letter**, for Winther Stave. Carried.

Board Member Croker introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$11,000,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF BUENA VISTA COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. The roll was called, and the vote was, AYES: Croker, Hartman, Merten, Ringgenberg, Snyder. NAYS: None. Whereupon, the Chairperson declared the measure duly adopted as follows:

RESOLUTION # 2025-03-25-A

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$11,000,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF BUENA VISTA COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Buena Vista County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$11,000,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 215 E. 5th Street, Storm Lake, Iowa, at 9:00 A.M., on the 22nd day of April, 2025, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$11,000,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of capital projects for the construction, reconstruction, improvement, repair, or equipping of bridges, roads, and culverts which assist in economic development through the creation of jobs and wealth, including improving, widening, installing culverts, paving and updating the 4 miles of roads directly surrounding the Platinum Crush site in multiple phases, specifically including approximately 2.1 miles of 70th avenue from C63 (610th St) north to Hwy 7; approximately 1.75 miles of 600th Street and 80th Ave from 70th Ave east then north to Hwy 7; and updating and improving the intersection of Hwy 7 and 70th Ave to add turning lanes and other improvements to increase safety at this intersection (the "Roads Project").

Section 2. That capital projects under Iowa Code Section 331.441(b)(16) include capital projects which are found to "assist in economic development which creates jobs and wealth". No procedure for establishing this is spelled out in the Code. Accordingly, pursuant to Iowa Code section 331.301(5), the Board elects to enter into an Agreement For Private Development with Platinum Crush, LLC, and to have an urban renewal plan prepared, for purposes of determining the impacts of the proposed Roads Project.

Section 3. This Board has approved the Agreement For Private Development between the County and Platinum Crush, LLC, as amended, (the "Agreement"), and has approved and adopted the Platinum Urban Renewal Plan, as amended (the "Plan") for the Platinum Urban Renewal Area, an economic development area within the meaning of Chapter 403, Code of Iowa, to promote economic development in Buena Vista County. Copies of said Agreement and said Plan are attached hereto and incorporated herein by this reference, which demonstrate the economic impact of the proposed Roads Project. The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new commercial and industrial development. The Plan provides that the County expects to undertake road improvements consisting of the Roads Project in the time period estimated as 2025-2026, which are planned to facilitate access for vehicular traffic within the Urban Renewal Area and encourage new development within the Urban Renewal Area; that the improvements are expected to consist of concrete or asphalt roadways that are approximately 4 miles long in total; and that the costs to be financed for phase 2 and phase 3 of the road improvements are anticipated not to exceed \$11,000,000. The Agreement provides that Platinum Crush, LLC (or a related entity) (the "Developer"), will construct a soybean crushing facility and 15,000 square feet building to be used as a grain receiving building, and related improvements, (the "Development Project") in the Urban Renewal Area. Construction is anticipated to be undertaken and completed as mutually agreed upon. The Developer would also be obligated to create and maintain a certain number of employees in its operation of the Development Project. Having reviewed said Agreement and said Plan, this Board finds:

(A) The Roads Project capital improvement project:

(i) stimulates private investment in new commercial development, specifically, the construction of the Development Project located on property adjacent to the Roads Project;

(ii) stimulates job creation, specifically, the developer will be obligated to create and maintain a certain number of employees in its operation of the Development Project;

(B) The Development Project will have substantial value and generate substantial property taxes.

For the foregoing reasons, this Board finds the proposed Roads Project capital improvement project enumerated in the Agreement and the Plan assists economic development efforts within the County which are designed to create jobs and wealth for citizens of the County.

Section 4. To the extent any of the projects or activities described in this resolution may be reasonably construed to be included in more than one classification under Chapter 331, Division IV, of the Code of Iowa, the Board hereby elects the "essential county purpose" classification and procedure with respect to each such project or activity.

Section 5. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$11,000,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 6. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 7. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: April 17, 2025; but not earlier than April 2, 2025)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$11,000,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Buena Vista County, State of Iowa, will hold a public hearing on the 22nd day of April, 2025, at 9:00 A.M., in the Board Room, County Courthouse, 215 E. 5th Street, Storm Lake, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$11,000,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of capital projects for the construction, reconstruction, improvement, repair, or equipping of bridges, roads, and culverts which assist in economic development through the creation of jobs and wealth, including improving, widening, installing culverts, paving and updating the 4 miles of roads directly surrounding the Platinum Crush site in multiple phases, specifically including approximately 2.1 miles of 70th avenue from C63 (610th St) north to Hwy 7; approximately 1.75 miles of 600th Street and 80th Ave from 70th Ave east then north to Hwy 7; and updating and improving the intersection of Hwy 7 and 70th Ave to add turning lanes and other improvements to increase safety at this intersection (the "Roads Project"). Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

The annual increase in property taxes as the result of the issuance on a residential property with an actual value of one hundred thousand dollars is estimated not to exceed \$25.20. This estimate only considers the impact on property taxes of financing authority established by this hearing for the above-

described project(s). The note may be issued in one or more series over a number of years. Finance authority established by this hearing may be combined with additional finance authority, causing the estimate for the annual increase in property taxes for the entire issuance to be greater than the estimate stated herein. Changes in other levies may cause the actual annual increase in property taxes to vary.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Buena Vista County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 25th day of March, 2025.

/s/ Karla Ahrendsen, Buena Vista County, State of Iowa

(End of Notice)

PASSED AND APPROVED this 25th day of March, 2025.

/s/ Paul Merten, Chairperson.....Attest: Karla Ahrendsen, County Election Deputy

There being no further business, motion by Croker, second by Ringgenberg, to adjourn the meeting at 11:02 a.m. until Tuesday, April 1st at 8:30 a.m. for a special session.