

**BOARD OF SUPERVISORS MEETING
FIRST MEETING, 1999 SESSION (1)
JANUARY 4, 1999**

The Buena Vista County Board of Supervisors met for the first meeting of the 1999 session on Monday, January 4, 1999 at 8:30 A.M. in the Boardroom with Vice-Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Crampton, and Gustafson, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

Unless otherwise noted, all actions (taken by the board prior to adjournment of 1998 session) were carried with the following vote: Ayes—Bruns, Burnside, Gustafson. Nays—none. Abstentions—none.

Motion by Bruns, second by Burnside, to approve the minutes of the December 22, 1998 meeting as corrected. Carried.

Sheriff Chuck Eddy advised the board that he is replacing one of the deputy's cars which had been damaged in an accident.

There being no further business for the 1998 session, motion by Gustafson, second by Burnside, to adjourn sine die. Carried.

The first order of business for the 1999 session was election of a Chairman. The Auditor called for nominations for Chairman of the Board of Supervisors. Motion by Bruns, second by Burnside, to nominate Crampton. There being no further nominations, motion by Gustafson, second by Bruns to close nominations. Carried. The vote on Crampton for chairman was ayes—Bruns, Burnside, Gustafson. Abstentions--Crampton. Carried.

Unless otherwise noted, all actions (following election of the Chair) were carried with the following vote: Ayes—Bruns, Burnside, Gustafson. Nays—none. Abstentions—none.

Chairman Crampton called for nominations for Vice-Chair. Motion by Bruns, second by Gustafson, to nominate Burnside for Vice-Chair. There being no further nominations, motion by Gustafson, second by Bruns to close nominations. Carried. The vote on Burnside for Vice-Chair carried.

Supervisors' Committee, Commission & Board Appointments

Motion by Burnside, second by Gustafson, to appoint the following persons as delegates and representatives to the committees, commissions and boards as noted for 1999:

*Burnside-delegate, Vail-alternate, to the Upper Des Moines Opportunity, Inc. Board.

*Crampton-delegate, and Gustafson-alternate, to the NW Iowa Planning and Development Commission.

*Vail as Buena Vista County Equal Employment Opportunity Officer.

*Burnside to the Local Emergency Management Commission (Chapter 29C.9).

*Burnside-delegate to the Buena Vista County Solid Waste Commission.

*Crampton to the Tourism Council.

*Vail-representative, and Crampton-alternate to the 28E Buena Vista County Communications Commission.

*Kathy Bach, Jon Ites, and Karen Strawn to the Buena Vista County Deferred Compensation Board.

*Gary Armstrong as the Buena Vista County Drainage Attorney.

*Crampton-representative to the BV-Crawford-Sac De-Categorization Governing Board and the Local Community Empowerment Area Board, with Gustafson as alternate, and with Rhonda Christensen as the citizen representative.

- *Bruns-representative, Gustafson-alternate, to the **Administrative Board of Directors of the 3rd Judicial District Department of Correctional Services.**
- *Gustafson-representative and Crampton-alternate to the **Synergy** Board.
- *Crampton-delegate, Gustafson-alternate, to the **Regional Transit Board.**
- *Bruns-delegate, Gustafson-alternate, for the **Job Training Partnership Act Committee.**
- *Crampton as the Board's representative, Gustafson-alternate, for all county **labor negotiations.**
- *Jon Ites, Chuck Eddy, Shari O'Bannon, and Bruns, with the other boardmembers as alternates for Bruns, to the **Weather Committee.**
- *Jon Ites, Vail, and Karen Strawn as members of the **Personnel Committee.**
- *Burnside-delegate, Bruns-alternate to the **Drainage District #181 and #274 Interim Boards.**
- *Vail-delegate to the **Drainage District #14-42, #22 & #150 Interim Boards.**
- *Crampton, Bruns, and Gustafson to the **County Care Facility Committee.**
- *Vail-representative of the Board for **Whitney Pit Farm and South Hayes Pit Farm** for leases and Jon Ites for grain sales at the South Hayes Pit.
- *Vail to the **Iowa Lakes RC&D Board.**
- *Burnside to the **Gingerbread House Board.**
- *Chuck Eddy, Dewyne Stucynski and Vail to the **Courthouse Security Committee.**
- *Kathy Bach, Karen Strawn, Dewyne Stucynski, and Gustafson to the **Buena Vista County Courthouse Committee.**
- *Burnside to the **U.S. 20 Corridor Task Force.**
- *Vail-representative, Bruns-alternate, to the **Buena Vista E-911 Service Board.**
- *Karen Strawn-**ADA Coordinator.**
- *Gloria Hadachek as the **BV County Emergency Management Coordinator.**
- *to the County **Safety Committee** (including the Right-to-Know program): Bruns, Crampton, Chuck Eddy, Tom French (as Jon Ites' designee), Karen Strawn, Brad Raveling, Norm Lund, Karole Graen, Dewyne Stucynski, Jim Curry, Kim Johnson, Marilyn Monson, Diane Christiansen, and Gloria Hadachek, and with Mike Raner as Safety Coordinator.
- *Dewyne Stucynski as the **Lock-out/Tag-out Program** Coordinator for the Courthouse, DHS Annex, and E. Richland Annex.
- *Jon Ites as the primary contact person, and Shirley Johnson as the secondary contract person for **Drug and Alcohol Testing Alliance.**
- *Jon Ites, technical representative, Steve Petermeier-alternate, to the **ISTEA Technical Committee**, Vail to the **ISTEA Enhancement Committee.**
- *Vail to the **B.V. Co. REAP Committee.**
- *Gustafson-representative, Crampton-alternate, to the **NW IA Juvenile Detention Center (YES).**
- *Kim Johnson-representative to the **Regional Housing Authority.**

*Jon Ites and Burnside to the **Iowa Drainage Association**.

*the Chairman-representative, the Vice-Chairman-alternate, to the Board of Directors of the **Storm Lake Area Development Corporation**.

*Bruns & Gustafson to the Board of Trustees of the **Economic Development Revolving Loan Fund**.

***Planning & Zoning Commission** members: Mark Bertness, Phil Driver, Dwayne Hinkeldey, Gary Grundmeier, Mike Lenz, Darwin Brummer, Vic Hansen, and Bob Rebhuhn.

***Zoning Board of Adjustment**.-members with terms as follows: Bob Stoughton-6/21/00, John Massop-6/21/2001, Ken Bertness-6/21/02, Bruce Engelmann-6/21/03, Rachel Nesheim-6/21/04.

*Crampton-representative to the **S.H.I.E.L.D. Board**.

*Crampton-representative, Bruns-alternate, to the **Region III Local Emergency Planning Council**.

*Burnside, Crampton, Jon Ites, Kim Johnson and Marc Bertness to the **Jt. City/County Hwy 71 Bypass Zoning Committee**.

*Dawn Mentzer-Case Manager, Anita Hallquist-Supervisor, Sue Morrow-MH Community Based Services representative, Ken Hayes-MR/DD Community Based Service representative, and Jim Gustafson-BofS representative, Tom Carstens-consumer, Barry Goetsch-MR Community Based Services representative, Julie Nadrchal-MR Community Based Services representative, and Don Eades to the **Targeted Case Management Advisory Board**.

*Charleen Anderson-MH Advocate; Jerry Fritsch, John Winkelman, Sue Morrow, Tom Daniels, Ken Hays, Barry Goetsch/Terry Johnson-providers; Jim Gustafson-Supervisor; Connie Bellcock, Don Eades, Kathy Nichols-parents of consumers; Trisha Demers-Social Worker; Dawn Mentzer-Case Manager; Anita Hallquist-Comm. Services Director; all to the **Managed Care Planning Council**.

*Anita Hallquist to the **Representative Council of the Seasons Center**.

*Crampton to the ISAC Board: **Supervisors/Engineers Design Guide Committee**.

*Charlene Anderson to the **Citizens Advisory Board of the Seasons Center**.

*George Schaller to the **Civil Service Commission**, term expiring 12/31/99. The vote on this motion was carried.

Citizens' Committee, Commission & Board Appointments

Motion by Gustafson, second by Burnside, to appoint the following persons to the committees, commissions, and boards as noted for 1999:

*Dr. David Crippin, **County Medical Examiner**, and, Rick Roberts Tim Speers, BV Co. Hospital EMTs, and Deputy Doug Simons, SL Detective Mark Kirkholm, and independent EMT Bob Christensen, as **Deputy Medical Examiners** (Chapter 331.801). Terms expire 12-31-99.

*Rich Haldin, Virgil Jensen and Ray Kurtz to the **Veterans Affairs Commission** for the 1999 year, or until their terms expire (Chapter 250).

*Gustafson to the **ISAC MH/MR/DD Community Services Work Group**.

*Gustafson to the **ISAC County Case Management Services Committee**.

*for **ISAC Human Service Issues Contact Persons**: for MH/MR/DD-Gustafson, & MH Director Anita Hallquist, for Juvenile & Family Assistance-Burnside and Kristina Konradi, for Public Health & Education-Vail and Nurse Administrator Karole Graen.

*Burnside to the **ISAC University Continuing Education Committee**.

*Burnside to the **ISAC Committee on the Future**.

*to the **Buena Vista County Eminent Domain Compensation Commission** (Chapter 472.4): Farmers-Dale Bodholdt, Don Diehl, Larry Anderson, Steve McKenna, Nick Ackerman, Becky Dirck; Realtors-Ron Frederick, J.D. Lehr, Sue Kleymann, Darwin Johnson, Bob Hall, Joe Aube, Dick Schmidt; for Cities: Edward Groth, Nola Jensen, J.H. Spooner, John Gaffney, Ronald Haroldson, Wilbur Tucker, Norris Olney Jr.; for their Occupation-Mark Rehnstrom, Tim Brown, George Schaller, Marvel Olsen, Ronnie Brown, Brian Drzycimski.

*Crampton and Bruns, with Gustafson as alternate, and Charlene Anderson as the lay person, to the **Northwest Iowa Alcohol and Drug Treatment Unit Board**, and, Gustafson & Bruns, with Crampton-alternate, and Charlene Anderson as the lay person, to the **Seasons Center Board of Directors**.

***Local Board of Health**-members with 3-yr. terms as follows: Dr. Scott Wulfekuhler-12/31/01, Lou Gaffney-12/31/99, Avonne Frederiksen-12/31/99, Shirley Pritchard-12/31/00, and Diane Tuttle-12/31/00.

*Norm Lund, **Weed Commissioner** and Dave Wiley, **Assistant Weed Commissioner** (Chapter 317.3).

*Mike Raner as Buena Vista County **Safety Coordinator**.

*Kim Johnson as Buena Vista County **Zoning Administrator**. The vote on this motion carried.

Mileage Rate and Meal Reimbursement

Motion by Gustafson, second by Burnside, to pay mileage to employees (including deputy medical examiners) at the rate of 27 cents per mile for each mile traveled by private vehicle (not for county owned vehicles) for county business for 1999. Carried.

Motion by Bruns, second by Gustafson, that the policy for meal cost reimbursement to employees, and to others serving on boards and in other appointive positions, shall be: meals eaten out of county during approved schools or meetings may be reimbursed at their actual cost to a maximum of \$20.00 per diem. (Reimbursements for meals, when no overnight stay is involved, will show on the employee's W-2.) No reimbursement will be made for tips or alcoholic beverages. To receive reimbursement, receipts must be submitted. If the per diem is exceeded due to a meal/meeting, that fact shall be noted on the reimbursement claim. Carried.

Insurance Coverage including Blanket Bond

Motion by Burnside, second by Bruns, to continue the following insurance coverage from the Colburn & Elk Agency for the remainder of FY '99: tort liability, auto, property, computer equipment, E & O, umbrella, data processing, inland marine, contractor's equipment, crime, CCF boiler, law enforcement professional, medical professional, worker's compensation, and blanket bond. Carried.

Depository Resolution-Elected Officers

Motion by Gustafson, second by Bruns, that the Depository Banks currently being used by the Treasurer, Recorder, Auditor & Sheriff continue to be used during 1999 in the amounts stated below, and, that the appropriate elected official be and is hereby authorized to deposit the designated office funds in amounts, not to exceed in the aggregate, named for said bank:

Treasurer:

Citizen's First National Bank, Storm Lake	\$5,000,000.00
Commercial Trust & Savings Bank, Storm Lake	\$5,000,000.00
Security Trust & Savings Bank, Storm Lake	\$8,500,000.00
First Federal Savings Bank of the Midwest, Storm Lake	\$5,000,000.00
Community State Bank of Albert City	\$1,000,000.00
Community State Bank of Marathon	\$1,000,000.00
Heritage Bank, N.A., Alta	\$1,000,000.00
First Community Bank, Newell	\$1,000,000.00
First National Bank, Rembrandt	\$1,000,000.00
First State Bank, Sioux Rapids	\$1,000,000.00

Recorder:

Security Trust & Savings Bank, Storm Lake	\$100,000.00
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Auditor:

Citizens First National Bank, Storm Lake	\$10,000.00
Sheriff:	
Commercial Trust & Savings Bank, Storm Lake	\$100,000.00
Citizens First National Bank, Storm Lake	\$25,000.00

The vote on this motion carried.

Depository Resolution-Payroll Deposits

Motion by Bruns, second by Gustafson, that the 1999 Federal Depository Bank shall be Security Trust and Savings Bank, Storm Lake, with the payroll deposits to be made by wire transfer. Carried.

Resolution to Research Drainage and other Assessments

Motion by Gustafson, second by Bruns, that the County Drainage Attorney is hereby directed to research drainage and other assessments due and payable on parcels of Buena Vista County property prior to putting them on the list of properties for scavenger auction. Carried.

Dog License Resolution

Motion by Gustafson, second by Burnside, to set a \$1.00 fee for dog licensing in the unincorporated areas of the county and in towns without licensing ordinances. (Chapter 331.381.14). Carried.

Resolutions of Appointment

Motion by Bruns, second by Burnside, that Jon L. Ites be re-appointed Buena Vista County Engineer for 1999, with his salary according to the employment contract (Chapter 309.17). Ayes—Bruns, Burnside. Nays—Gustafson. Abstentions—none. Carried.

Motion by Gustafson, second by Burnside, to appoint Warren Gregg to be the Professional Appraiser to be used in determining right-of-way value in accordance with Department of Transportation Instructional Memorandum #I.M.-3.31. Carried.

Resolution Regarding Farm to Market Construction Projects

Motion by Burnside, second by Bruns, that Jon L. Ites, the County Engineer of Buena Vista County, be and is hereby designated, authorized and empowered, on behalf of the Board of the Board of Supervisors of said County to execute the Certification of Completion of Work and Final Acceptance thereof, in accordance with plans, and specifications therefore in connection with all Farm-to-Market construction projects in this county, and to authorize all of the boardmembers to sign. (Chapter 309.17). Carried.

Authority to Close Roads & Detour Traffic

Motion by Bruns, second by Gustafson, to authorize County Engineer Jon L. Ites to close any and all county roads, on which construction is proposed, in order to facilitate construction, and for the duration of the construction, and to close any county road for necessary maintenance repair, and to mark all detours as necessary, without requiring any further authorization, and furthermore, to be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Buena Vista County Secondary roads in accordance with Chapter 321E Code of Iowa. Carried.

Holiday, Vacation, and Sick Leave Policy

Motion by Burnside, second by Gustafson, that the Buena Vista County Personnel Policy with the effective date of December 1, 1986, as amended December 30, 1986, and September 29, 1987, along with the various Departmental Rules, Job Descriptions, the Family Medical leave policy, approved 3/5/96, currently in effect, be declared the governing policy for all Buena Vista County employees under the jurisdiction of the Board of Supervisors for Buena Vista County, and that the Medical History, Physical Examination, and County Work Release forms be used in conjunction with the Personnel Policy. Carried.

Beaver Control Resolution for Drainage Districts

Motion by Gustafson, second by Bruns, that the beaver control policy (payment of \$25 per beaver tail for beavers trapped in drainage districts), as adopted January 1, 1986, shall be in effect for 1999. Carried.

Resolutions on Wage Schedules

Motion by Gustafson, second by Burnside, that the following wage schedules, adopted as shown, shall be in effect for 1999: Full & part-time Courthouse Clerks 6/11/96, Sheriff's deputies 4/23/91 (as amended (1/13/98), (and paying on-call time to deputies at the hourly rate based on 10% of the 85% deputy's salary), Jailers-12/30/94, and Secondary Road employees 2/14/95 and amended 2/11/97. Carried.

Motion by Bruns, second by Gustafson, to set the hourly rate of pay for precinct election officials at minimum wage plus 25 cents/hr, and minimum wage plus 75 cents/hour for precinct election chairpersons for 1999. Carried.

Motion by Gustafson, second by Burnside, to set the hourly rate of pay for matrons at minimum wage. Carried.

Official Newspapers

Having received a request for official newspaper designation from each, motion by Gustafson, second by Burnside, to designate the following as official newspapers for legal publications for 1999: Storm Lake Pilot-Tribune, The Times, and Buena Vista County Journal. Carried.

Motion by Burnside, second by Bruns, to direct the Auditor to publish all motions of the Board, whether seconded or not, any actions resulting in a consensus of the Board, and, on a quarterly basis, the list of claims paid from the minutes of the Board meetings. Carried.

Pre-Screening Agencies Appointed

Motion by Bruns, second by Gustafson, to designate NW IA ADTU as the agency providing pre-screening services to persons, prior to admission to Synergy, and, to designate the Seasons Center as the agency providing pre-screening services to persons, prior to admission to Cherokee MHI. Carried.

Fence Repair & Replacement Policy

Motion by Burnside, second by Gustafson, to adopt the following resolution:

RESOLUTION 1999-01-04

In compliance with Administrative Code guidelines and in order to set a standard policy on right-of-way and associated costs, the Buena Vista County Board of Supervisors hereby adopts the following:

- Right-of-Way purchases with a total land cost of less than \$2,500.00. The County will offer 3.5 times the current assessed value.
- Dirt borrow purchases for use on construction projects. The County will offer 2.5 times the current assessed value.
- Fence costs shall follow these guidelines:

Removal of fencing by rod:	\$6.00 for Barb	\$8.00 for Woven
Replacement of fencing by rod:	\$6.00 for Barb	\$8.00 for Woven
Plus new material costs		
- The property owner shall have 18 months after completion of project to receive payment for replacement of fencing. The vote on this resolution carried.

Arlin Hinkeldey and Vernon Winterhof, representing the **Hanover Historical Society**, met with board to request funding in the FY'00 budget. The request was \$1,500, an increase of \$500 over the FY'99 request.

Engineer Jon Ites informed the board that Garlan McGowan has retired. Ites sought approval to advertise for a position. McGowan's position will first be made available to operators not currently assigned to a winter route.

There being no further business, motion by Burnside, second by Gustafson, to adjourn at 12:15 p.m. until Tuesday, January 5 at 8:30 a.m. for a regular meeting.

**BOARD OF SUPERVISORS MEETING
SECOND MEETING, 1999 SESSION (2)
JANUARY 5, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 5, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Motion by Burnside, second by Bruns, to **amend the agenda** by adding Treasurer Kathy Bach at 10:00 a.m., and Terry Johnson, Genesis Executive Director at 11:30 a.m., and to also add approval of FML request, and an appointment to the BV Co. Conservation Board under 'Business'. Carried.

Seven members of the **Buena Vista County Library Association** met with the board, including: Sue Pedersen (AL), Nola Josephson (AC), Cathy Jensen (MA), Karen Hagen (NE), Jolene Anderson (RE), Martha Landsness (SR), Toni Beam-Hayes (SL). Discussion included activity level in each library, programming, usage, etc. and, a revised agreement between the county and the libraries for provision of services to rural county residents. No action was taken upon the agreement at this time. The association requested a ½ cent/thousand (dollars of taxable rural valuation) increase in funding from the county for FY2000.

David Welle, Exec Director of **NW Aging**, with Ina Hansen, Lucille Cochran, Floyd Courtright, Marvin Molitor, and Virgil Wenell from the Buena Vista County Advisory Council, plus Sheila Thompson-case management supervisor, Sheri Driver-client services case manager in Buena Vista Co., and Marilyn Monson, At-Large Advisory Council member, were present to discuss the annual report and the services provided by the agency. Welle noted the great contribution made by the volunteers. NW Aging's \$10,429 request for FY2000 is an increase over the \$9,270 approved for the current year.

Sally Dobson, Exec. Director of Council Against Domestic Assault and Sexual Assault, Inc., (**CADA**) discussed the activity of her agency in and for Buena Vista County residents. Storm Lake has an office open full time with Sarah Huddleston. The agency's request was the same as for the current year-\$4,500.

Motion by Burnside, second by Vail, to approve and to accept as complete as of this date, **project #STP-S11(33)—5E-11** (a bridge on M-50), and to authorize the engineer to sign. Carried.

Engineer Jon Ites discussed establishing a method to pay Jerry Smith who had agreed to fill in on the road crew for snow removal this past weekend, on an emergency basis, since the department was short 3 employees. Motion by Gustafson, second by Burnside, to set the hourly rate for Jerry Smith at \$3.00/hour over the Operator Equipment III rate of pay (currently \$13.47, for a total of \$16.47/hr) and to direct the engineer to draw up a payment policy for **temporary emergency help**. Carried.

Ites discussed several topics, asking for the board's input into the secondary road construction budget, and revenue sources for the FY'00 **budget**.

After discussion with Treasurer Kathy Bach regarding the need to keep the same rate of interest in a given **drainage district** for all purposes, motion by Gustafson, second by Vail, to establish 9% as the interest rate to be paid during 1999 on all stamped warrants, and charged on Improvement Certificates and Drainage District waivers, effective this date (for Buena Vista County drainage districts only). Carried.

Terry Johnson, **Genesis** Executive Director, requested consideration of funding (in the amount of \$20,000) in the upcoming budget to remodel the Maywood Home to qualify as an HCBS waiver facility.

Four Buena Vista County residents have been identified as likely participants.

Motion by Gustafson, second by Burnside, to appoint Mark Kirkholm to the Buena Vista County **Conservation Board** for a 5-year term expiring 12/31/02. Ayes—Burnside, Crampton, Gustafson. Nays—Bruns, Vail. Carried.

Motion by Vail, second by Gustafson, to approve, and to authorize the chairman to sign, the **Family Medical Leave Request** of Mary Smith. Carried.

Motion by Burnside, second by Bruns, to approve the **minutes** of the 1/4/99 meeting as printed, and the following **reports**: Nov. Clerk's fines & surcharges, Conservation board minutes, Dec. budget reports. Carried.

There being no further business, motion by Gustafson, second by Burnside, to adjourn the meeting at 2:15 p.m. until Friday, January 15 at 1:00 p.m. for a special session.

BOARD OF SUPERVISORS MEETING THIRD MEETING, 1999 SESSION (3) JANUARY 12, 1999

The Buena Vista County Board of Supervisors met in special session on Tuesday, January 12, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

The Chair re-stated the actions of the board in appointing Mark Kirkholm to **the Conservation Board**, and the information and knowledge which came to his attention following the meeting. Over the last 20+ years, by gentlemen's agreement, the supervisors have appointed the members of the Conservation board, Board of Health, and Zoning Board of Adjustment, by their residence, 1 in each of the 5 Supervisor Districts, although, this not required in the Iowa Code. Upon further review, it was discovered that Mr. Kirkholm resides in Supervisor District 5, and that the representative supervisor district with the term expiring 12/31/98, was district 3. Supervisor Gustafson stated that Mr. Kirkholm has no interest in contesting the rescission of his appointment, or appointment of another person. Motion by Burnside, second by Bruns to rescind the 1/5/99 appointment of Mark Kirkholm to the Conservation Board. Ayes—Bruns, Burnside, Vail. Nays—Gustafson. Motion by Vail, second by Bruns, to appoint Roger Meyer to the County Conservation Board for a term expiring 12/31/2003. Carried.

Recorder Shari O'Bannon requested an increase in permanent staffing level for her office of 11½ hours/wk. This change to a permanent increase in hours for Paula Guerra will make her a regular full time employee. Motion by Gustafson, second by Burnside, to approve an increase in permanent staffing level of 11½ hrs/wk in the Recorder's department, and to change the status of Paula Guerra from part-time to regular full time with benefits (including 7 hours in Community Services, and 21.5 hours at DHS) at \$9.00/hr effective 1/12/99, and, to approve the County Recorder's appointment of Mary Weiland as Deputy Recorder until 12/31/2002. Carried.

Treasurer Kathy Bach and Assessor Ted Van Grootheest reintroduced discussion of a proposed **telephone** project - adding new phones for Treasurer and Assessor to the existing Aud/BofS/Court/Cust/Rec/Sher system, and to install voice mail capabilities to the system. Instead of installation at this time, the board asked for other options such as lease purchase, or July 1 installation.

Ted discussed plans for **digital mapping** in the future. Additional functions will be possible with upgraded technology. There are E911, law enforcement, and engineering applications, in addition to property assessment.

It was the consensus of the board to have the engineer negotiate for an **employee** to fill in on a temporary, part time basis during the snow season. Some routes have been adjusted to accommodate current absences.

Motion-Vail, second by Burnside, to approve the **minutes** of the 1/5 meeting as printed. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the grant application for well testing, rehab and closure funds to be submitted to the State of Iowa. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the Family Medical Leave Request of Kristina Konradi. Carried.

There being no further business, motion by Burnside, second by Bruns, to adjourn the meeting at 11:00 a.m. until Friday, January 15 at 1:00 p.m. for a special meeting.

**BOARD OF SUPERVISORS MEETING
FOURTH MEETING, 1999 SESSION (4)
JANUARY 15, 1999**

The Buena Vista County Board of Supervisors met in special session on Friday, January 15, 1999 at 1:00 P.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Motion by Vail, second by Burnside, to concur with the Auditor's approval of the unpaid leave request of Jodie Weber for 60 days commencing Jan 20, 1999. Carried.

The board received the letter of recommendations of the Compensation Board for elected official's salaries in FY'00. Present for the discussion were: Recorder Shari O'Bannon, Treasurer Kathy Bach, Sheriff Chuck Eddy and Deputy Sheriff Doug Simons. The board also reviewed the minutes of the compensation board meeting. Several reports were requested to assist the board in making their decision on a later date.

Veterans Services Officer Clint Hoferman met with the board regarding veterans from other counties who seek information and assistance from him. Currently there are no agreements with other counties for Hoferman's services. He will refer veterans from other counties to their respective boards of supervisors.

The auditor distributed departmental budget expenditures, revenues, 5-yr capital project plans and budget narratives for the FY'00 budget, to be reviewed by the board prior to scheduling any meetings with department heads.

Rick Roberts, EMT and Deputy Medical Examiner met with the board to discuss the Medical Examiner budget which reflects several changes in billing, facility, procedure and management resulting in increases on several line items.

There being no further business, motion by Vail, second by Bruns, to adjourn the meeting at 3:45 p.m. until Tuesday, January 18 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FIFTH MEETING, 1999 SESSION (5)
JANUARY 18, 1999**

The Buena Vista County Board of Supervisors met in regular session on Monday, January 18, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, and Gustafson, and with Auditor Karen Strawn as clerk for the meeting. (This regular session was re-scheduled to Monday, Jan. 18 from Tuesday, Jan. 19, to allow the board to attend a statewide Supervisors' meeting in Des Moines.) Delayed due to weather and road conditions: Vail.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson. Nays—none. Abstentions—none.

Deputy Auditor Jean Chindlund discussed the employee health insurance program, and the fact that there are a number of local physicians who may not be signing on as a participating provider with Wellmark. Further information is expected.

Community Services Director Anita Hallquist reported on agreement negotiations with the

Heritage Center. Motion by Bruns, second by Gustafson, to approve and to authorize the Chairman to sign a service provider agreement with the Heritage Center at New Hampton, a residential care facility. Carried.

Engineer Jon Ites presented 1998 bills, in the total amount of \$17,845.54, for **drainage** district work, to be reimbursed from the drainage districts to the secondary road fund. He also presented the 1998 OSHA form 200 showing no serious accidents and the county's safety record. Motion by Burnside, second by Bruns, to approve and to authorize signing a letter addressed to secondary road employees acknowledging their 1998 safety record. Carried.

Motion by Gustafson, second by Burnside, to approve an **equipment** purchase from Olsen Welding and Machine Shop, for a 16' flatbed body, in the amount of \$5,137.00. Carried.

Ites reported the price of a box and hoist, the **equipment** purchase having been previously approved from Crysteel in the amount of \$17,980.

Motion by Gustafson, second by Burnside to purchase snow **equipment**, a hitch, a wing and a sander for the new tandem truck from Crysteel in the total amount of \$19,835. Carried.

An estimate has been received from Kuehl & Payer, Ltd. for a proposed **ISTEA project** for the re-construction of M-31 (in 2002) on the west side of Alta. The total cost would be approximately \$1,026,329, with 75% of the funding coming from ISTEAFunds, 25% from local funds. The project will be a joint project with Alta. However, Alta would pay more than 50% of the local funds since a share of the project is entirely within the city limits. The portion outside the city would be 50%-50%, with the county's portion estimated at \$127,000. The application is ready for submission as soon as the board and the city give their approval. Alta will give approval today. Motion by Bruns, second by Gustafson, to approve and to authorize the chairman to sign approval of the ISTEAFunding application for the M-31 re-construction project. Carried.

Administration of the **FMLA** employer approval form was discussed. Employee notification is required by federal law.

Assessor Ted Van Grootheest and Treasurer Kathy Bach discussed changes to the proposed **telephone project**. Jack Kliegl from Business Telephone will be re-assessing the scope of the project this afternoon.

Bach provided copies to the board of the county's **semi-annual report** (7/1/98-12/31/98) which is ready for publication. Motion by Burnside, second by Bruns, to approve the Treasurer's semi-annual report for the 1st ½ of FY'99. Carried

Supervisor Vail arrived.

Clarence Krepps, with Kuehl and Payer, Ltd., will be taking over the duties of Administrative Coordinator for the Iowa Drainage District Association to which Buena Vista County belongs. He explained the increase in dues for **IDDA** approved in December noting that the fees charged to IDDA had not been sufficient to cover K&P's expenses. The board asked for a list of the counties which contributed to the legal defense fund.

Ron Neulieb, **Control Systems Specialists**, presented bills for repairs to fix leaks in the old air-conditioning system at Spectra. He suggested that the board might want to consider replacing it. He also proposed changing the way the repairs be done - on a preventive basis, rather than waiting until a problem occurs. This could be done utilizing a maintenance contract for an annual fee. He will prepare a proposal for consideration.

Motion by Vail, second by Gustafson, to approve today's **payroll** subject to future audit. Carried.

Motion by Gustafson, second by Bruns, to approve the **minutes** of the 1/12 meeting as amended. Carried. Motion by Vail, second by Burnside, to approve the minutes of the 1/15 meeting as printed, and the following **reports**: Oct-Dec Mangold monitoring reports of Spectra lagoon, Dec Clerk's surcharges, 12/17 Conservation Board minutes, 2nd Qtr FY'99 Clerk's fees, Sheriff's fees. Carried. Also reviewed were: 12/10 NWIPDC board minutes.

Motion by Bruns, second by Vail, to direct the Auditor to void & to re-issue the following **warrants**,

the original warrants having been lost by the payees:

warrant #	to	amount	for	stamped?	Notes	date issued	
105325	Carte' Graph	\$1,000	software	yes	DD#34	11/24/98	
105326	Carte' Graph	\$ 205	software	yes	DD#34	11/24/98	
65283	Mack, Hansen, Gadd	\$ 172	attorney fees	yes	DD#67	01/10/95	
69927	Mack, Hansen, Gadd	\$ 144	attorney fees	yes	DD#67	7/11/95	
84759	Mack, Hansen, Gadd	\$ 90	attorney fees	yes	DD#67	12/20/96	
72339	Mack, Hansen, Gadd	\$ 240	attorney fees	yes	DD#134	10/3/95	
72705	Mack, Hansen, Gadd	\$ 84	attorney fees	yes	DD#134	10/17/95	
65284	Mack, Hansen, Gadd	\$ 56	attorney fees	yes	DD#181	01/10/95	Carried.

Motion by Gustafson, second by Bruns, to approve the employment, on a temporary basis, of Sandy Loucks to fill in during the maternity leave of Kristina Konradi of the Community Services Dept. at \$8.50/hour effective Jan. 6, 1999. Carried.

The board reviewed departmental budgets with Recorder Shari O'Bannon and Community Services Director Anita Hallquist.

There being no further business, motion by Bruns, second by Vail, to adjourn the meeting at 3:15 p.m. until Monday, January 25 at 8:30 a.m. for a special budget review session.

BOARD OF SUPERVISORS MEETING
SIXTH MEETING, 1999 SESSION (6)
JANUARY 25, 1999

The Buena Vista County Board of Supervisors met in special session on Monday, January 25, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Keith Reetz, BV Co. Fair Secretary, and Fair Board President Tom Witt, met with the board to request funding in FY'2000, the same as approved for the current year. He provided the board with a financial statement, and reviewed the activities of the 1998 fair.

The board reviewed proposed budgets for the following departments: general and veterans relief, conservation, sheriff & jail. With Paula Guerra, GR & VR Director, and Comm. Services Director Anita Hallquist, the board discussed increasing the amount for indigent burial expense, but took no action at this time.

Conservation Director Gary Christiansen, Secretary Diane Christiansen, and Board members Arnie Hicks and Roger Meyer, requested the board's consideration of transferring camping fees, donations, etc. to the Conservation Land Acquisition Trust fund. Currently, only boat title fees are being transferred to the fund (no action taken). Bruns asked if any property acquisitions were planned, noting that the public should be advised to allow for their input when such projects are being considered. There are no projects at this time. Also discussed was an increase in REAP funding, if the weed department was put under the control of the Conservation department. BV County is currently not eligible for qualified REAP funds since the county's tax asking for Conservation operations is less than 22 cents/thousand dollars of assessed valuation. Moving the weed department to the Conservation department might qualify the county for about \$4,500. No action was taken.

Sheriff Chuck Eddy reviewed several line items from both the sheriff's and jail budgets. Increasing staffing levels for the jail, and providing law enforcement to several small towns in the county were discussed, with no action taken at this time.

In reviewing the Env Hlth/Zoning budget with Director Kim Johnson, the board suggested purchasing a vehicle in FY2000 to reduce mileage reimbursement. (no action)

Having received 46 responses to advertising, Engineer Jon Ites presented applications for the equipment operator opening for the board's review.

Motion by Gustafson, second by Burnside, to approve the minutes of the 1/18 meeting. Carried.

Motion by Vail, second by Bruns, to approve the following drainage expense claims:

- **Jt. DD #14-42** in the amount of \$311.90 to Clay Co. Secondary Roads for ditch maintenance;
- Jt. DD #22 Lat 456 in the amount of \$193.00 to Clay Co Secondary Roads for tile repair;
- Jt. DD #22 Lat 252 in the amount of \$228.00 to Clay Co. Secondary Roads for tile repair;
- Jt. DD #22, Br. 173 in the amount of \$279.00 to Clay Co. Secondary Roads for tile repair. Carried.

There being no further business, motion by Bruns, second by Vail, to adjourn the meeting at 12:05 p.m. until Wednesday, January 27 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
SEVENTH MEETING, 1999 SESSION (7)
JANUARY 27, 1999**

The Buena Vista County Board of Supervisors met in special session on Wednesday, January 27, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Supervisors Burnside and Crampton reported on their meeting with secondary road employees regarding wages and benefits for FY2000. No decisions were made. They also discussed vehicle inventory with regard to purchasing a vehicle for Env Hlth/Zoning.

The engineer reviewed Secondary Road major expenditure categories and revenues for the upcoming budget year, and also plans (and maps) for projects and equipment purchases. After some discussion, motion by Gustafson to reduce the tax asking for Secondary Roads (by reducing the transfer from Rural Basic to Secondary Roads) by \$100,000, and to re-direct the insurance premium expenditure, for insurance applicable to the Secondary Road department, from the General Basic fund to the Secondary Road fund. Second by Bruns. Motion by Bruns to amend the main motion to add the stipulation 'if the tax asking reduction puts the 'local effort' below 75%, adjustments are to be made accordingly to prevent going below the minimum'. Second by Gustafson. Gustafson called for polling of the board. Bruns-aye, Burnside-nay, Gustafson-aye, Vail-nay. Due to a tie - no majority vote - the amendment was declared defeated. The engineer presented information opposing the action: the carryover balance in the Secondary Road fund helps the total cash flow at the county's critical needs time period (July 1-Sept. 30). And, with the balance in the Road fund, the county earns interest to support the General Basic fund. Gustafson pointed out that the funds received from IDOT for repair of old Hwy 71 after its transfer of jurisdiction to the county, were invested with the interest going to that fund, not the General Fund. Ites explained that the board had authorized this since it was felt that the funds received would not be adequate to complete the repair. Ites presented figures indicating that the cost for insurance for that department could be a net amount of approximately \$44,500 based on where most of the labor is used (i.e. snow clearing vs. projects, etc.). Bruns stated that he would like to hold off on some equipment purchases. Gustafson stated that his intent was to reduce the tax burden for the rural area, as it is currently distressed with the state of the economy. The question was called, and Gustafson again asked for a polling of the board. Bruns-aye, Burnside-nay, Gustafson-aye, Vail-nay, Crampton-aye. Carried.

HMHA Director Marilyn Monson, followed by Public Health Nurse Admin. Karole Graen, reviewed their departmental budgets. The board offered questions concerning revenue sources including grants from the state. The level of state funding has been frozen for quite a few years, despite an increase in the number of people to be served.

There being no further business, motion by Burnside, second by Gustafson, to adjourn the meeting at 2:00 p.m. until Tuesday, February 2 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
EIGHTH MEETING, 1999 SESSION (8)
FEBRUARY 2, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 2, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Present for the discussion of **Media & Board of Supervisors' Communication** were: the county engineer and Tina Donath from The Times. Supervisor Gustafson asked that the media consult the supervisors when they have questions regarding actions and opinions of the board and votes taken. Burnside noted that occasionally she receives questions at home when she doesn't have the appropriate paperwork with her, making it difficult to provide the information requested. Bruns stated that when the media is present, they hear, direct from the board member, what the opinions are, instead of the comments being filtered through someone else. Gustafson noted that sometimes the agenda is vague and asked if that were a problem. Those present agreed that it would be the best if the media could be present for all meetings, and agendas would have more detail, but when media can't be present, they should speak to board members directly. Bruns noted that when persons from the media do not attend the meetings, but call the auditor afterwards, it can take up to an hour of time that would otherwise be spent on other county work. Donath asked when the best time to contact board members would be, such as the evenings. Board members were agreeable to receiving calls at that time.

Motion by Vail, second by Burnside, to authorize the auditor to **transfer** \$510 in boat title fees from the General fund to the Conservation Land Acquisition Trust fund, for use by the Conservation Department, as required by the Code of Iowa. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign a claim in the amount of \$100 to Daryl Schram for 4 beaver bounties in **DD #19-26 Jt.**, and to approve and to authorize the Interim board member to sign a claim in the amount of \$160 to Daryl Schram for 4 beaver bounties in **DD #181 Jt.** (at \$40/beaver). Carried

Motion by Gustafson, second by Burnside, to approve the **minutes** of the 1/25 and 1/27 meetings as printed. Carried.

The board proceeded with the review of payroll **claims** for both the last regular meeting and today's meeting.

Engineer Jon Ites reported on the balance in the **farm-to-market funds** which is approximately \$50,000 ahead of projections due to the efficiency gained from combining projects. Motion by Vail, second by Burnside, to appoint Gene Mandernach to the **Safety Committee** replacing Jim Curry. Carried.

Motion by Bruns, second by Vail, to **promote** Tom Flanigan to foreman from Equipment Operator III, effective 2/1/99, replacing Garlan McGowan who has retired. Carried.

Ites requested input regarding how the board wanted changes to the **secondary road budget** made to accommodate the reduction in tax asking - equipment, projects, fund balance? He also asked how the charges for the worker's comp. premium would be assessed to the Secondary Road fund since the audit, which determines how much premium is due for each job class, is not completed until after the end of the fiscal year. The auditor suggested that an estimate of the premium to be allocated to Secondary Roads be made in May or June, and make a transfer of funds at that time from Secondary Roads to the General Basic fund. After the audit is complete in July or August, any additional premium assessed to secondary road could be transferred at that time.

Deputy Assessor Kim Carnine presented a homestead credit application that appeared not to be qualified and for which the assessor recommended that it be disallowed. Motion by Gustafson, second by Bruns, to disallow the **homestead credit** application on parcel #8621.00 as the signer of the application was not the owner of record at the time. Carried.

SLADC Director Jim Gossett requested that the board adopt a **resolution** to proceed with a housing needs assessment, to be conducted by NWIPDC. The county's share of the cost would be 7.5 cents per capita for residents of the rural area, this being the county's share of the 10% match. Gossett suggested that some communities are appointing a housing task force. These committees will help determine what information the communities want out of their part of the survey. Supervisor Bruns expressed concern that the survey and identification of need may ultimately lead to appointing a housing

director and the expenditure of property tax dollars. Motion by Gustafson, second by Burnside, to approve and to adopt the following resolution:

RESOLUTION NO. 1999-02-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA, AUTHORIZING COMMITMENT OF LOCAL FUNDS FOR THE HOUSING ASSESSMENT AND ACTION PLANNING PROGRAM II.

WHEREAS: The Board of Supervisors plan to participate in the Buena Vista County housing assessment for \$13,400.00 to develop a housing assessment and action plan for Buena Vista County and the participating communities in the county; and,

WHEREAS: the County wishes to submit an application to the Iowa Department of Economic Development under the auspices of the Housing Assessment and Action Planning Grant Program II for assistance in achieving the goal of assessing the community and creating a market study; and,

WHEREAS: the Housing Assessment and Action Planning Grant Program requires local matching funds and the County has committed local matching funds in the amount of \$401.00 meeting the minimum 10% required match.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, that the County is hereby authorized to submit an application to the Housing Assessment and Action Planning Grant Program II; and,

BE IT FURTHER RESOLVED that Buena Vista County agrees to contract with the NWIPDC to complete the housing needs assessment if a grant is awarded.

PASSED AND APPROVED THIS 2ND DAY OF FEBRUARY, 1999.

/s/ Herb Crampton
Chair, Board of Supervisors
Buena Vista County, Iowa

Attest: /s/ Karen M. Strawn
County Auditor
Buena Vista County, Iowa

Supervisor Burnside left the meeting to attend a funeral. All remaining motions, unless otherwise noted, were carried with the following vote: Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none.

Engineer Ites asked about a policy for disposal of **used equipment** which may or may not have a sale value. The board was agreeable to disposing of a scraper and an oil distributor, and directed the engineer to ascertain what interest there may be.

Treasurer Kathy Bach discussed a request from the city of Marathon to **abate taxes** on a parcel in that city, the city having cleaned up the nuisance on the property. A new owner is ready to take over the property and get it on the tax rolls, but feels that the 1997 taxes should be abated. Motion by Vail, second by Bruns, to abate the 1997 taxes (payable 1998-99) in the amount of \$40. Carried.

Motion by Bruns, second by Vail, to **abate** the current and delinquent taxes on parcel #2721.00 in the total amount of \$4,853.29. Carried.

Motion by Gustafson, second by Vail, to approve the amendment to the Env Hlth/Zoning Vehicle Use **Policy**, and to authorize the Chairman to sign. Carried.

With **Communications** Supervisor Mark Van Hooser, the board reviewed the Communications Center budget. The current staffing level is down, with 2 radio operators to be hired.

Head **Custodian** Dewyne Stucynski discussed the Custodial budget with particular attention to scheduling the cleaning and re-sealing of the courthouse stone, and changing the courthouse generator.

The auditor will update the budget documents with the changes indicated by the board throughout the departmental reviews in preparation for overall review on February 9.

There being no further business, motion by Vail, second by Gustafson, to adjourn the meeting at 4:10 p.m. until Tuesday, February 9 at 9:00 a.m. for a special session.

**NINTH MEETING, 1999 SESSION (9)
FEBRUARY 9, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 9, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside (due to funeral).

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none.

Treasurer Kathy Bach updated the board on the telephone project. She proposed an addition to the system she and the Assessor will be purchasing, that would allow for expansion by all departments, and requested non-departmental funding for the expanded cabinet. Motion by Bruns, second by Gustafson, to approve an expenditure of up to \$5,000 for a cabinet and equipment which will allow for future expansion for all other courthouse departments. Carried.

Bach provided historical information on the county's tax asking for the board's consideration, noting that the current taxes are not as high as they were in FY'94 & '95. Maintaining tax levies at a consistent rate should have a better impact on the taxpayers than levies that fluctuate widely from year to year.

Motion by Gustafson, second by Bruns, to table the wage discussions to Thursday, Feb. 11 at 1:00 p.m. in order to have all 5 board members present. Carried.

Motion by Gustafson, second by Bruns, to increase the burial allowance in the General Relief and Veterans Assistance programs by 10%, to \$1,155, effective July 1, 1999. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign the following resolution:

**RESOLUTION #1999-02-09
Fund Transfer to Conservation Land Acquisition Trust Fund**

WHEREAS, the Conservation Department collects and deposits into the General Fund, revenues for camping fees, donations, wildlife display donations, day camp registrations, patronage, guidebook sales, and cash rent from farm ground (managed by Conservation Department); and,

WHEREAS, the Conservation Department uses Conservation Land Acquisition Trust funds for purchases of property; and,

WHEREAS, the Conservation Land Acquisition Trust fund permits the accumulation of funds for such capital expenditures, and

WHEREAS, the Board of Supervisors desires to provide funds to the CLAT account;

NOW THEREFORE BE IT RESOLVED, that the following revenues are hereby approved for transfer from the General Basic to the Conservation Land Acquisition Trust fund in the FY 2000 budget:

- camping fees
- donations
- wildlife display donations
- day camp registrations
- patronage
- guidebook sales
- one half of the cash rent from farm ground (which is under the management of the Conservation Board).

APPROVED AT STORM LAKE, IOWA ON THIS 9TH DAY OF FEBRUARY, 1999.

/s/ Herb Crampton
Chairman, Board of Supervisors

Attest: /s/ Karen M. Strawn
County Auditor

The vote on this resolution carried.

Motion by Gustafson, second by Bruns, to decline the request of **Genesis Development** for a grant of \$20,000 to be used for adding a wall to convert the Maywood group home to two 4-plexes, and to authorize all board members to sign the notification. Carried.

Motion by Vail, second by Gustafson, to approve the minutes of the 2/2 meeting as amended. Carried.

The board discussed the underground fuel storage tank at **Spectra**. The board will ask Jerry Culbertson to meet with them and explain what needs to be done, and his proposal to do the work.

Sheriff Chuck Eddy discussed the current activities of the **Jail Committee**. No other county is interested in participating in a regional jail at this time. The committee has now scaled their plan back accordingly. If a van is available for transportation to and from hearings in Sioux City, the US Marshalls might be interested. 60 beds may or may not be enough. The committee is now looking at 60-90 beds which would be the most that 2 staff persons could watch. A meeting in Newton is scheduled for March 9 to discuss some possible state funding. If state funding is available, other counties could again be interested. The current estimate for a 60 bed facility is \$4,200,000. A new jail inspection report lists a couple of issues to be addressed.

Engineer Ites relayed a request from IDOT for bridge improvements to facilitate a hard surfaced road detour access to Newell during the **Hwy 7 re-construction project** in the near future. This request would require a change to the county's project schedule, a rush on paperwork/plans, and a change in the county's farm-to-market balance of available funds. Motion by Vail, second by Gustafson, to authorize the following 4 projects be advanced into the 1999 construction season: (project list to be added). Carried.

There being no further business, motion by Gustafson, second by Vail, to adjourn the meeting at 12:05 p.m. until Thursday, February 11 at 1:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 1999 SESSION (10)
FEBRUARY 11, 1999**

The Buena Vista County Board of Supervisors met in special session on Thursday, February 11, 1999 at 1:00 P.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

The Chairman called for proposals on the **Compensation Board recommendations**. Stating that he feels the recommendations are too high, Gustafson moved to decrease the Compensation Board recommendations for elected officials salaries for FY2000 (beginning 7/1/99 by 30%, second by Vail (Attorney 4.9% - \$39,635; Sheriff 4.2% - \$45,072; Auditor, Recorder, Treasurer 3.5% - \$34,244; Supervisors 2.4% - \$19,093 + \$500 for the Chair). Bruns stated that officials got a good increase last year, almost like a 2-year increase in one year. The economy is not looking good, and government employees should not be immune to this problem. Approving raises of this size, in addition to last year's, is inflationary. He isn't satisfied with the compensation board process as it is currently prescribed, though it does take the politics out of it. He would add 7 taxpayers, drawn out of the hat, to the compensation board, but that is not the current law. Burnside noted that all current members are taxpayers, and, they do have to take a stand. Upon examination, the budgets submitted by the department heads did not show any excesses, and she can support this motion. Bruns stated that state employees have been getting 6% raises for several years. Our employees do work hard for their wages. But, he doesn't know how we can afford what the state can afford. He would like future budget considerations to take the economy into consideration. Gustafson agreed. Burnside reported that other counties are approving 10-12% increases. Gustafson stated that times are tough, and a couple weeks ago he would have proposed something less, but with the traveling that he and Sheriff Eddy have been doing in regard to the jail project, he has observed that our courthouse is busier here, and our employees work very hard. Last year's raises were good raises, and this year's are pretty good too. There being no further discussion, the vote was: Bruns-

nay, Burnside-aye, Gustafson-aye, Vail-aye, Crampton-aye. Carried. Vail noted that our county is unique with so many non-English speaking people. It takes longer to provide services, and creates some employee frustration. To ignore this would not be fair to our employees. When schools and cities approve higher increases for their employees, county employees should not be penalized. Chairman Crampton stated that he appreciates the good work being performed, and we have good employees. Sheriff Eddy remarked that the Sheriff's wage is supposed to be compared to other law enforcement, and he is not squabbling, but his salary is \$10-12,000 less than the Storm Lake Police Chief. Conditions in this county are different here than elsewhere, with so many guns in the hands of the public, and the language differences.

The Chairman, referring to the employee petition requesting that the county pay 100% of the family premium, stated that due to the current negotiations between providers and Wellmark, ISAC recommended that no changes be made regarding employee health insurance at this time. Until several issues are settled, it is unknown what the county might be able to do with this benefit.

Motion by Vail, second by Burnside, to approve hourly wage rates to become effective 7/1/99, as follows: P Guerra-\$9.31/hr.; K Konradi-\$8.93; A Hallquist-\$14.26; J McShane-\$9.79; D Stucynski-\$11.82; C Hoferman-\$10.35; N Lund as Weed Commissioner-\$9.48; D Wiley-\$7.96 as sprayer (same rate for Lund as sprayer); C Laursen-\$7.41; and the following salary: D Mentzer-\$29,216. Carried.

The board considered the wage and benefit proposals from the secondary road department, and reached a consensus to be communicated to department representatives prior to the next board meeting.

The board discussed some additional changes to the proposed budget.

Sheriff Chuck Eddy and Jail Administrator Don McClure discussed jail funding strategies. There may be some state money available. Gustafson suggested that the board needs to reach a consensus to either pursue, or not pursue, the local option sales tax as a possibility. If the board agrees that it should be considered, then they would need to meet with the city councils to explain the concept.

Motion by Gustafson, second by Bruns, to approve the minutes of the 2/9/99 meeting as printed. Carried.

There being no further business, motion by Bruns, second by Burnside, to adjourn the meeting at 4:00 p.m. until Tuesday, February 16 at 8:30 a.m. for a regular session.

BOARD OF SUPERVISORS MEETING ELEVENTH MEETING, 1999 SESSION (11) FEBRUARY 16, 1999

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 16, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Landowner Richard Fondroy discussed an area needing drainage relief, and requested approval to install a private intake which would dump into Drainage District #169. He also asked for the proper procedure to request an improvement to DD #58.

MH Director Anita Hallquist presented the substance abuse grant application. Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign a substance abuse grant contract with the State of Iowa for a reimbursement grant in the amount of 25% (\$4,242) of the funds appropriated in FY2000 for substance abuse prevention and education services at NW IA ADTU. Carried.

Jerry Culbertson, Iowa Petroleum Equipment Co., Inc., discussed the necessary changes to the underground fuel storage tank project at Spectra and presented proposals to do the work. IDNR requires a closure report. The location of the tank creates the need for a variance. 3 borings and water sampling is required due to the change in status of the underground fuel storage tank. The work must be performed by a registered groundwater professional. The state fire marshal has prescribed additional

requirements including a double metal walled tank (1/2" space between tanks), outside venting, specialty items on the tank, etc. A concrete slab, and a fence around the slab. The underground tank will supply fuel for the boiler and will have a new tank tag, however the new tank will become an unregistered tank. A plan which includes installing new lines, and newly positioning the generator, has not yet received final approval. Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the proposals of Iowa Petroleum Equipment Co., Inc., for a tank, at a cost of \$5,360, for the generator, along with additional spill containment and an overflow prevention valve (at a cost of \$750), and for the requisite environmental closure report for existing tank status change of \$3,095 at Spectra Health Care, Inc. Carried.

Motion by Burnside, second by Bruns, to **employ** Jim Temple as an Equipment Operator I effective February 22, 1999 at \$10.87/hr or \$2/hr under the E.O.I rate of pay. Carried.

Motion by Gustafson, second by Burnside, to approve and to authorize employee Charlie Rasch's request to use 2 days of accrued, **vacation** . Carried.

Motion by Burnside, second by Vail, to approve **vacation carryover** for 1 person in the amount of 6.5 days which was scheduled to be taken off, but was worked due to the need for snow clearance. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the utility permit of **Alliant Utilities** to upgrade the overhead line from the NE corner of Section 1-93-38 continuing south paralleling the west right-of-way of 160th Ave. for 2 miles, then east paralleling the north R-O-W of C-13 for 2.5 miles to an existing substation located in Section 9-93-37. Carried.

Engineer Jon Ites presented a new design for **vehicle identification** designed to comply with the new regulation of a 1' square design.

With the funding ratio changed to 40% local & 60% federal (from 30%-70%), Ites was notified that **M-31 re-construction** has been included in the STP construction program.

Juvenile Probation Officer Bob Frtiz, and Sioux Central instructor Gene Grell, were present to discuss a de-cat program, a "before and after-school and summertime program for grades 3-6". It includes a supervisor at bus stops, providing activities to avoid fights, vandalism. They are applying for a federal 21st century grant for their 4 rural schools consortium and including 2 parochial schools contracting for services. The group is asking for a letter of commitment permitting the use of county parks and other county resources, and perhaps approving some funding. Parental support is being sought. Target ages are 8-12 yrs. BV Co parents lead the state and nation in the number of working parents, so, few homes have parents in them after school. One of the evaluating tools will be the improvement in Iowa Basic Skills test results. **Buena Vista County Community Learning Center** is the name of the consortium. Motion by Bruns, second by Burnside, to approve and to authorize the Chairman to sign a letter of commitment to the BV Co. Community Learning Consortium for use of county resources, and a financial commitment of \$1,600, for the "Before and After-school and Summertime Program" . Carried.

Motion by Vail, second by Burnside, to approve the **minutes** of the 2/11 meeting as printed. Carried.

There being no further business, motion by Burnside, second by Bruns, to adjourn the meeting until Friday, February 19 at 1:00 p.m. for a special session to finalize the budget.

Add to the February 16, 1999 minutes:

Pursuant to Chapter 50.24 of the Code of Iowa, and upon completion of the **Canvass** of the tally lists of the February 9, 1999, Special Sioux Central School Election, motion by Bruns, second by Burnside, to declare the results as follows, and to direct the Auditor to prepare an abstract as required:

Sioux Central Special School Election: Total voters: 832.

5 year-10% Instructional Support levy including a combination of property tax and income surtax for Iowa Code approved purposes. Yes—225; No—607; Not Approved. The vote on this motion carried.

**BOARD OF SUPERVISORS MEETING
TWELFTH MEETING, 1999 SESSION (12)**

FEBRUARY 19, 1999

The Buena Vista County Board of Supervisors met in special session on Friday, February 19, 1999 at 1:00 P.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, and Gustafson, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson. Nays—none. Abstentions—none.

With Assistant Co. Attorney Rick Kimble present, the board discussed designating the wildlife display as a natural history museum in order to qualify the **bald eagle** for a permit under that status. Kimble will work with the Conservation Department to determine if this option is feasible and/or appropriate.

The Board reviewed the final draft of proposed expenditures and revenues for the FY2000 budget. Supervisor Vail provided some feedback for the discussion via telephone. After review of the ending fund balances, it was the consensus of the board to set the tax askings for FY2000, other than BV Co. Hospital debt service, as follows: General Basic & Supplemental - \$250,000 less than FY1999 or \$2,631,144, MH-DD Services - \$50,000 over FY1999 or \$284,832, and Rural Basic \$100,000 less than FY1999 or \$930,831. (The Hospital Debt Service bond schedule calls for \$74,555 less than FY1999 or \$562,825.) The net result is a decrease in total tax collection of \$374,555. Motion by Burnside, second by Bruns, to set the date and time of **public hearing on the FY2000 budget** as March 10, 1999 at 10:30 a.m. in the public meeting room. Carried.

Motion by Bruns, second by Burnside, to approve and to authorize the Chairman to sign, a letter to Iowa Petroleum Equipment Company, Inc. Attn: Jerry Culbertson, authorizing Culbertson to apply on the county's behalf for a variance with the Iowa State Fire Marshal's Office in regard to **the aboveground tank** placement (location - inside the county care facility building leased to Spectra Health Care. Carried.

There being no further business, motion by Gustafson, second by Bruns, to adjourn the meeting until Tuesday, March 2 at 8:30 a.m. for a regular session.

Add to the March 2, 1999 minutes:

Pursuant to Chapter 50.24 of the Code of Iowa, and upon completion of the **Canvass** of the tally lists of the February 16, 1999, Special Alta School Election, motion by Bruns, second by Burnside, to declare the results as follows, and to direct the Auditor to prepare an abstract as required:

Alta Special School Election: Total voters: 394.

10 year-10% Instructional Support levy including a combination of property tax and income surtax for Iowa Code approved purposes. Yes—220; No—174; Approved. The vote on this motion carried.

**BOARD OF SUPERVISORS MEETING
THIRTEENTH MEETING, 1999 SESSION (13)
MARCH 2, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 2, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members Present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Sheriff Chuck Eddy requested changing the status of one part-time jailer to full-time during the absence of one jailer. Motion by Burnside, second by Gustafson, to approve **a temporary status change** for Mary Bolte from part time to full time jailer at \$9.09/hr effective Feb. 27. Carried.

Due to an error in the published budget hearing notice, motion by Gustafson, second by Vail, to set the date of public hearing on the **FY2000 budget** as corrected as March 15 at 10:30 a.m. Carried.

MH Director Anita Hallquist distributed copies of the FY2000 Managed Care Plan for Buena Vista County which is to be presented to the public at a hearing on March 10 at 1:00 p.m. She reviewed the additions and the changes from the 1999 plan.

Head Custodian Dewyne Stucynski reported on a courthouse security project to be paid from the jail room & board collected by the Sheriff of which 40% may be used for courthouse security.

Engineer Jon Ites received approval from the Board to dispose of excess used equipment by accepting sealed bids on a used scraper and a used computer printer.

Motion by Burnside, second by Vail, to approve advancing the following asphalt projects from FY2000 to FY1999 for letting purposes: L-FM-503 ACC re-surfacing on 120th Ave. from C-65 to Hwy 7, and STP-S-11(40) ACC resurfacing of C-49 from US Hwy 71 for 6.0 miles east; and, from FY2003 to FY2002 for letting purposes for FM-11(43) ACC resurfacing on M54 from C-49 to Hwy 7, and FM-11(48) ACC resurfacing of M-54 from C-49 to Hwy 3. Carried.

Motion by Vail, second by Bruns, to authorize the Engineer to install a 'school bus stop ahead' sign for southbound traffic on the west side of M-27 at 4477 20th Ave. as requested by Sioux Central CSD. Carried.

Ites discussed negotiating with city councils for agreements on resurfacing projects where the extension of the road to be resurfaced by the county extends into the city a short distance. This includes Newell and Lakeside.

The board signed the finalized 1999 asphalt plans.

Motion by Burnside, second by Gustafson, to approve the following items on the consent agenda:

- minutes of the 2/16 meeting as printed, & the 2/19 meeting as corrected,
- reports as follows: July-Sept Recorder's fees & Feb. Conservation Board minutes,
- Class C beer & Sunday Sales liquor license application of Pronto Market, Storm Lake, and to authorize the Chairman to sign. Carried.

Motion by Vail, second by Bruns, to employ Cynthia Seward (effective 3/1/99) and Connie Lappegard (effective 3/8/99) as full time radio operators in the Communications Center at \$8.31/hr.

Motion by Gustafson, second by Burnside, to change the vacation leave policy to: 1 week after 1 year, 2 weeks after 2 years, 3 weeks after 7 years, and 4 weeks after 15 years, effective on the date of adoption of the upcoming amended personnel policy. Ayes-Burnside, Gustafson, Vail. Nay-Bruns. Carried.

Regarding the use of 3 days of the annual sick leave day allotment/yr for caring for the spouse, parent or dependent child, motion by Vail, second by Bruns, to approve the following policy: "With department head approval, you may use up to three (3) days of sick leave per calendar year in the event your spouse, parent, or dependent child is ill or injured and requires medical care." Carried.

John Murray updated the board on the status of 2 delinquent tax parcels.

The board recessed temporarily for the Assessor's budget hearing.

There being no further business, motion by Gustafson, second by Vail, to adjourn the meeting at 2:30 p.m. until Wednesday, March 10 at 8:30 a.m. for the FY2000 budget hearing.

**BOARD OF SUPERVISORS MEETING
FOURTEENTH MEETING, 1999 SESSION (14)
MARCH 10, 1999**

The Buena Vista County Board of Supervisors met in special session on Wednesday, March 10, 1999 at 9:00 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members Present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Motion by Gustafson, second by Vail, to approved the minutes of the 3/2/99 meeting as printed. Carried.

The board reviewed budget materials prior to the public hearing.

The board recessed for a public hearing in the Magistrate Courtroom. 10:30 a.m. – The time having arrived for a **public hearing** on the proposed FY2000 budget, the Chairman opened the hearing with 27 persons present including 5 from the public, 3 media, and 14 department heads and employees. The auditor explained that, due to an error in materials submitted for publication, the corrected, proposed budget has now been published, and another public hearing has been scheduled for March 15. The Chairman gave an overview of the changes in the budget since last year. A number of questions were raised by the public including how the service level from the secondary road department would change with the reduction in property tax revenue from the rural fund; what cuts were made in other departments, if any, or were other departments unaffected; how local option sales tax revenue is utilized, what is the current status of the jail committee study. There being no further comments or questions, motion by Burnside, second by Bruns, to close the public hearing. Carried. No action on the budget was taken at the time, pending the second public hearing.

1:00 – the time having arrived for public meeting on the FY2000 Buena Vista **County Managed Care Plan**, the chairman welcomed the 4 persons. MH Director Anita Hallquist provided an overview of the few changes made to the FY1999 plan. There are several new services for clients. She noted that the FY2000 budget increase reflects both new consumers and provider fee increases. There being no further comments or questions, motion by Gustafson, second by Bruns, to approve the FY2000 Buena Vista County Managed Care Plan as presented, and to authorize the Chairman to sign.

There being no further business, motion by Gustafson, second by Bruns, to adjourn the meeting until Monday, March 15 at 8:30 a.m. for a regular session and the FY2000 budget hearing.

**BOARD OF SUPERVISORS MEETING
FIFTEENTH MEETING, 1999 SESSION (15)
MARCH 15, 1999**

The Buena Vista County Board of Supervisors met for a regular session on Monday, March 15, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, and Gustafson, and with Auditor Karen Strawn as clerk for the meeting. (The date of this meeting was moved up from Tuesday, March 16 for the purpose of holding the 2nd public hearing on the FY2000 budget.) Absent: Vail.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson. Nays—none. Abstentions—none.

The board reviewed the county's financial **auditor's comments and recommendations** letter, and directed the county auditor to respond.

Engineer Jon Ites advised the board of a number of employee absences due to illness and other medical conditions. The board approved sale of used equipment (oil distributor). The engineer will update the vehicle inventory for all but the Conservation and Sheriff's department, the inventory to be included in the insurance specifications. Ites discussed locations in Newell for a new secondary road building.

The auditor requested that the board consider increasing the compensation rate for township officials which has not been changed for over 5 years. Currently, township clerks receive \$50 per year for the first 5 hours of work, and \$6/hour for each additional hour. Trustees receive \$6 per hour. Mileage is paid at the going county rate, which is currently \$.27/mile. Claims are usually submitted once a year when budget certificates are submitted to the auditor. Motion by Gustafson, second by Bruns, to increase the rate of pay for **township officials** as follows: for township clerks-\$60 per year plus \$7.50/hr. for each additional hour after the first 5 hours; \$7.50/hour for township trustees; and, mileage at the same rate as for county employees, or currently \$.27/mile; all to be effective July 1, 1999. Carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign the

Class C liquor license applications plus Sunday and Outdoor Sales applications, for both the Little Sioux Golf & Country Club, Sioux Rapids, and, the Lake Creek Bar & Grill, Storm Lake. Carried.

The board recessed temporarily for a FY2000 budget hearing at 10:30 a.m. in the public meeting room. Chairman Crampton opened the hearing with 2 media present. It was noted that the notice of public hearing had been published as required by law. There being no questions or comments, motion by Gustafson, second by Burnside, to close the public hearing. Carried.

Motion by Gustafson, second by Burnside, to approve and to adopt the Buena Vista County FY2000 budget as published, and to authorize the Chairman and Auditor to sign. Carried. The board returned to the boardroom to complete today's agenda.

Zoning Director Kim Johnson discussed pending legislation in the Iowa State Legislature on a comprehensive land use plan, and its impact on Buena Vista County.

It was noted that the Barnes Township Officer Board has appointed Rich Noll, Barnes Township Trustee, to fill the vacancy created by the death of Nelvin Nelson.

Insurance agent for Buena Vista County, Clark Fort, presented a dividend check in the amount of \$11,349 (\$10,980-FY'97; \$369-FY'98) to the Board of Supervisors. The worker's compensation dividend was earned by maintaining a good safety record in FY 1998.

The board discussed formalizing a process for filling openings on boards and commissions. Burnside would like to have a policy in place before making any future appointments. The board has received the resignation of Rachel Nesheim from the Board of Adjustment.

Motion by Gustafson, second by Burnside, to approve the minutes of the 3/10/99 meeting as printed; the following reports: Feb. Clerk's fees, budget reports; and, payroll claims subject to future audit. Carried.

Motion by Burnside, second by Bruns, to approve a claim for Jt. DD #145 in the amount of \$24 to Pocahontas County Secondary Roads for materials. Carried.

There being no further business, motion by Gustafson, second by Burnside, to adjourn the meeting at 12:05 p.m. until Tuesday, March 23 at 9:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
SIXTEENTH MEETING, 1999 SESSION (16)
MARCH 23, 1999**

The Buena Vista County Board of Supervisors met for a special session on Tuesday, March 23, 1999 at 9:00 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Jim Gossett addressed the board about the housing assessment grant. Letters of support are needed. The board considered the following for appointment to the Buena Vista County Housing Committee: Herb Crampton, Kim Johnson, Dar Brummer, Bob Rebuhn, and Jim Gossett. The committee will help develop the assessment questions for the unincorporated area of the county.

Boardmembers reported on the ISAC seminars they had attended last week on economic development & tax increment financing, deferred compensation, mental health & the farm crisis, and Y2k.

Supervisor Gustafson left the meeting to attend a funeral.

Y2k Coordinator Sue Tempel reported on the progress of documenting Y2k compliance. Most of the departments are making good progress. In the meetings she has attended, the need to inform the community has been recognized. Emergency Management Coordinator Gloria Hadachek stated that preparations should be the same as for any type of disaster. The Chairman suggested that publishing information about readiness, and explaining the negative consequences of panicky activity, would be a service to the public. Hadachek has distributed emergency management information to department

heads. She emphasized contingency planning for interruption of electricity (heat, cooking, water, etc.) Burnside favors communication to the public through a grocery sack insert. Brochures could be distributed with property tax statements which will be mailed in August. Also discussed was the timing of articles and availability of information. Crampton suggested a hot line to receive phone calls about Y2k concerns. If a single person responds to all questions, a consistent message will be provided to the public.

Present for the jail funding discussion were Farm Bureau members Dean Baughman, Phil Sundblad, Vince Davis and 3 media. With Supervisor Gustafson and Sheriff Chuck Eddy absent due to a funeral, the Chairman asked Burnside to report the current status of the jail project. The D.L.R. Group has been requested to provide a preliminary plan and to project costs for both a 60 bed and an 80 bed facility. There was some discussion of the cost of a bond issue in the approximate amount of \$4,000,000. Local Option Sales tax was discussed. It is recognized that it would be quite difficult to reach consensus among cities and the unincorporated area to give up some of that revenue since it provides funding for so many different projects throughout the cities and county. The Chair asked for input from the Farm Bureau. They feel that without a creative financing method that doesn't utilize only property taxes, a bond issue will have a difficult time passing.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Bruns, Burnside, Vail. Nays—none. Abstentions—none.

Motion by Bruns, second by Burnside, to approve and to authorize the Chairman to sign Resolution No. 1999-03-23. The vote on this resolution carried.

RESOLUTION NO. 1999-03-23

MOTION OF THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY TO CALL FOR AN ELECTION ON THE QUESTION OF IMPOSITION OF A LOCAL SALES AND SERVICES TAX FOR SCHOOL INFRASTRUCTURE PURPOSES.

WHEREAS, pursuant to Iowa Code Chapter 422E, authority is extended to school districts and counties to hold elections to propose local sales and services taxes for school infrastructure projects; and

WHEREAS, an election on the question of imposition of a local sales and services tax for school infrastructure purposes may be initiated and proposed by motion or motions of the boards of directors of a school district or school districts located within a county and containing a total or a combined total of at least one-half of the population of the county; and

WHEREAS, this Board of Supervisors has been notified of the adoption of a Motion or Motions proposing such an election by the Board of Directors of School Districts containing at least one-half of the population of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa:

Section 1. The Commissioner of Elections of Buena Vista County, Iowa, is requested to cause to be submitted to the voters of the County the question of imposition of a local sales and services tax for school infrastructure purposes.

Section 2. It is the intention of this Board of Supervisors that the rate of the local sales and services tax for school infrastructure purposes be proposed as one percent (1%), with the tax to become effective beginning on Oct 1, 1999, and remain in effect for a period of ten (10) years thereafter until Sept.30, 2009.

Section 3. Moneys received from the local sales and services tax, if and when enacted and collected, shall be spent for school infrastructure as said term is defined by Iowa Code Section 422E.1, and the Commissioner of Elections of Buena Vista County is requested to so provide in the ballot measure, in the manner required by law and the regulations of the State Commissioner of Elections.

Section 4. The form of ballot is approved by this Board of Supervisors as follows:

SAMPLE BALLOT

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED: Yes_____

No_____

A local sales and services tax for school infrastructure projects shall be imposed in the County of Buena Vista at the rate of one percent. The tax will begin on Oct. 1, 1999. The tax will be in effect for a period of ten years until Sept. 30, 2009.

The money received from the tax shall be spent for school infrastructure as defined by Iowa Code Section 422E.1. "School infrastructure" is defined by law to include purchasing, building, furnishing, reconstruction, repairing, improving or remodeling of a schoolhouse or schoolhouses and additions thereto, gymnasium, stadium, field house, or school bus garage, and procuring a site or sites therefore or purchasing land to add to a site already owned, or procuring and improving a site for an athletic field, or improving a site already owned for an athletic field, the payment or retirement of outstanding bonds previously issued for school infrastructure purposes, or the payment or retirement of bonds issued under Iowa Code Section 422E.4, or for any one or more of such purposes.

Section 5. This motion and the motions representing the action of the School Districts are directed to be submitted to the County Commissioner of Elections for action as required by law.

Section 6. Subject to the compliance with all necessary requirements of law, it is requested that the special election be held on June 8, 1999.

PASSED AND APPROVED, this 23rd day of March, 1999.

/s/ Herb Crampton, Chairman

ATTEST: /s/ Karen M. Strawn, Auditor

The board recessed temporarily to move to the 2nd Floor Public Meeting Room to discuss a drainage improvement request in **DD #58**. Present were 11 interested landowners and tenants, Engineer Jon Ites, and Assistant Engineer Steve Petermeier. The major complaint is that after a heavy rain, water ponds, but the creek isn't very full. Perhaps a tile cleanout is needed so the water can get to the creek. An improvement was considered and an engineering study done in 1950, but the improvement was apparently never built, even though the engineer's report was accepted. The landowners and tenants wanted to know what could be done, the appropriate process, the cost, etc. The auditor will investigate the minutes of the district regarding the establishment of DD #58 sub 1. The engineer will do some very preliminary digging in the event that the location of the problem could be easily identified, and will contact an engineer to get a proposal for a preliminary engineer's study. After that, landowners will need to petition for an improvement and post a bond so that an engineer can be appointed to do the proper investigation of the feasibility and cost estimate for an improvement. Once the engineer's report is finished, the Board of Supervisors would either accept or reject it on the basis of cost, objections &/or environmental considerations. Supervisor Bruns recommended that the landowners should check with the Farm Services Administration prior to a petition to avoid any problems with environmental issues regarding wetlands. Engineer Ites cautioned that petitioners need to consider the fact that re-classification might also be necessary if an improvement is to be considered, with the cost of re-classification potentially as high as the improvement itself. At the mention of digging an open ditch to alleviate the problem, Jim Nelson stated that he and his father would be opposed to an open ditch. Regarding the approval of the engineer's report and a decision to proceed with an improvement, landowner objections could stop the process. A majority of the landowners representing at least 60% of the land in the proposed improvement, can petition to stop the improvement.

Burnside left to attend another meeting.

Motion by Vail, second by Bruns, to set the time and date for public hearing as April 13, 1999, at 8:30 a.m. for the **zoning reclassification request** of Marlin Weiland, Alta, from residential to commercial for a parcel on the east side of Alta. Carried.

Motion by Bruns, second by Vail, to set the time and date for public hearing as April 13, 1999, at 9:00 a.m. for **zoning reclassification request** of the First Coop from A-1 agricultural to commercial for a parcel near Truesdale. Carried.

Engineer Ites discussed a property in Newell as a potential shed site. It was the consensus of

those present to proceed to negotiate. The Chairman will consult with the absent members.

RESOLUTION 1999-03-23a

Motion by Bruns, second by Vail, to approve, to adopt, and to authorize the Chairman to sign, the "Policy Regarding the Administration of the Buena Vista County Sheriff Special Account". Carried.

Motion by Bruns, second by Vail, to approved the following items on the consent agenda:

- minutes of the 3/15 meeting as printed;
- proposed open ditch repair work order for DD #19-26 Jt. in the amount of \$12,620 for a site in Douglas Township, Sac County. Carried.

The Chairman noted that Burnside and Gustafson, by phone, were also in agreement for the engineer to negotiate for the property in Newell.

There being no further business, motion by Vail, second by Bruns, to adjourn the meeting at 1:05 p.m. until Tuesday, March 30 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
SEVENTEENTH MEETING, 1999 SESSION (17)
MARCH 30, 1999**

The Buena Vista County Board of Supervisors met for a regular session on Tuesday, March 30, 1999 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Bruns.

Unless otherwise noted, all actions were carried with the following vote: Ayes—Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Weed Commissioner Norm Lund and Deputy Weed Commissioner Dave Wiley reported that 2 bids had been received for weed chemicals for the upcoming season - Vegetation Management, Des Moines (\$16.98/gal. or \$9,339), and Ag Partners, Alta (\$17.70/gal. or \$9,735). Both had submitted cashiers checks in the amount of \$500 as required. Motion by Vail, second by Gustafson, to accept the low bid of Vegetation Management of Des Moines, in the total amount of \$9,339 for Hidep for the 1999 season. Carried. The weed commissioner will return the cashiers checks.

Motion by Burnside, second by Vail, to approve changes to today's agenda: 9:00—John Calhoun re: a 'probation officer in the schools' program, and 10:00—Paula Guerra re: general relief policy amendment for indigent burial expense. Carried.

John Calhoun, Assistant Chief Juvenile Officer, JPO Bob Fritz, and JPO Rich Detrick, discussed a proposed probation officer in the schools program for the schools in the county (1 for Storm Lake and St. Mary's, 1 for Alta and Newell-Fonda, and 1 for Sioux Central and Albert City-Truesdale). They are looking for an entity to be the employing agency, and the fiscal agent. The program would begin July 1, 1999. Funding for the program will come from a combination of state and federal grants, and in-kind contributions. The board was receptive to the program, and would be supportive in the manner requested. It was the consensus of the board to approve going forward with the grant applications.

Engineer Jon Ites updated the board on the effect of the budget reduction on the secondary road department. He projects a reduction in the number of structures which can be funded in upcoming budget years. Gustafson asked for figures on this year's snow removal budget.

General Relief Director Paula Guerra, and Funeral Director Craig Fratzke were present to discuss the cost of providing burial services to indigents. The board is considering a policy which formalizes what services can be provided with dollars from the general relief budget. Fratzke advised that the 2 plots in the Storm Lake Cemetery, which are owned by the county, are very poorly located, but that the cemetery officials are willing to make more suitable spaces available. He also reviewed actual costs to provide burial services which far exceed the proposed general relief allotment, not even covering actual expenses such as casket, vault and opening the grave. The board will discuss the issue further at their

April 6 meeting.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign a letter to **Wellmark Blue Cross** on behalf of one employee whose claim for services was denied. Carried.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign **the class C beer permit** and Sunday sales applications for Casino Beach Marina, Storm Lake. Carried.

Sheriff Chuck Eddy reviewed the potential **jail sites** which had been investigated by the citizen's advisory committee. A student committee from BVU also had done a site search. Necessary requirements included: sufficient size, access to water and sewer, adequate drainage, appropriate location. Both groups found a site in the Storm Lake MCS Addition as the most suitable. BV Co. Hospital owns most of the land, with a couple lots owned by private citizens. Another site considered included the old sale barn site at C-49 and old Hwy 71. The land located behind the old Hy-Vee building may also be available. The committee feels that the best location has been identified, and the next step is to negotiate the purchase of the site. Funding is still the problem. A letter to the cities is being discussed.

Motion by Vail, second by Burnside, to approve today's **payroll** subject to future audit. Carried.

RESOLUTION 1999-03-30

It was moved by Supervisor Gustafson, and seconded by Supervisor Vail as follows:

WHEREAS, Buena Vista County, Iowa, owns the following described real estate situated in Buena Vista County, State of Iowa, to-wit:

Parcel No. 1 (Treasurer's Tax Deed with Recorder's Document #984097)

A PART OF THE SOUTHEAST QUARTER (SE¼) OF SECTION SEVEN (7), TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-FIVE (35) WEST OF THE FIFTH P.M., more particularly described as follows: Commencing at a point 500 feet north of the southeast corner of the Southeast Quarter (SE¼) of Section Seven (7), Township Ninety (90) North, Range Thirty-Five (35) West of the Fifth P.M. Thence North 89°02' West a distance of 340 feet, thence due North a distance of 472 feet, thence South 89°02' East a distance of 340 feet to the East line of said Southeast Quarter (SE¼), thence due South along the East line of said Southeast Quarter (SE¼) a distance of 472 feet to the point of beginning and containing an area of 3.68 acres of which 0.54 acres are existing highway right-of-way.

Parcel No. 2 (Treasurer's Tax Deed with Recorder's Document #984095)

Lot One (1), Block Four (4), MCS Addition to the City of Storm Lake, Buena Vista County, Iowa.

WHEREAS, it is in the best interests of Buena Vista County to sell said property; and

WHEREAS, the Board of Supervisors proposes to sell said property at public bidder's tax sale auction;

BE IT RESOLVED by the Board of Supervisors of Buena Vista county Iowa, that a public hearing on the above proposal to sell said real estate be held on the 13th day of April, 1999, at 11:30 a.m. in the 2nd Floor Public Meeting Room of the Courthouse at Storm Lake, Iowa.

BE IT FURTHER RESOLVED that notice of the time and place of said public hearing shall be published pursuant to the requirements of Section 331.305, 1999 Iowa Code, to wit: at least once, not less than 4 nor more than 20 days before the date of the hearing in the Storm Lake Pilot-Tribune and the Buena Vista County Journal, both being official county newspapers. This motion carried unanimously.

Adopted this 30th day of March, 1999, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Herb Crampton, Chairman Date
Board of Supervisors

Attest:

/s/ Karen M. Strawn, Co. Auditor Date

Motion by Vail, second by Burnside, to approve the following items on the consent agenda:

- **minutes** of the 3/23 meeting;
- **reports** as follows – March Conservation Board minutes, Feb. 11 NWIPDC Council minutes, Juvenile Justice fund recovery.

Carried.

There being no further business, motion by Burnside, second by Vail, to adjourn the meeting at 12:15 p.m. until Tuesday, April 6 at 8:30 a.m. for a special session.

BOARD OF SUPERVISORS MEETING
EIGHTEENTH MEETING, 1999 SESSION (18)
APRIL 6, 1999

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 6, 1999, in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Deputy **Recorder** Mary Weiland advised the board on staffing in that office. One employee is on light duty, and another is absent due to illness.

Engineer Ivan Droessler, Kuehl & Payer, Ltd., met with the board to discuss the scope of work needed to investigate a petition for **DD #58**. Landowners are considering a petition for improvements. The board asked for an estimate of the cost to investigate. Droessler stated that a preliminary engineer's study would cost \$3-4,000. This cost would be paid by all of DD#58 since it would be a request for an improvement, not a new district. Droessler proposed that a preliminary study be done, followed by an informal meeting with landowners to outline what the options are and what the associated costs would be for the improvements (and for re-classification which would likely be necessary. The old classification methods did not use a very formal process for determining equitable assessments.)

In 1950, an engineer was appointed to investigate a request for improvements to the drain. The engineer submitted a report which was subsequently accepted and the improvements ordered by the Trustees. However, no improvements were ever made. No records have been found explaining what happened. A warrant which had been issued for damages to a landowner was voided and ordered destroyed by the Engineer due to it not being cashed after 2 years.

Droessler's proposed study would investigate the existing capacity, determine what capacity is needed, and request a wetland assessment from NRCS. The purpose of the informal landowners meeting would be to decide whether or not to proceed. If supported, the board could authorize the formal and more costly investigation. Re-classification (which is a costly procedure) could be recommended by the engineer, ordered by board at any time, or requested by a landowner. Droessler suggested that reclassification would probably be recommended if only a portion of the district is to be improved since not all landowners would benefit equally and since DD#169 uses DD #58 for an outlet. The board will consider his recommendation and proposal with no action being taken at this time.

Motion by Burnside, second by Vail, to sell **excess equipment** (an oil distributor) to Story-Bergdahl, a used equipment dealer for \$500. Carried.

Motion by Vail, second by Bruns, to authorize Environmental Resource Services, Ames, to perform Tier 2 **environmental testing** at the Storm Lake shop site on Hudson St. at a maximum cost of \$3,750. Carried. The state's environmental trust fund will pay \$3,700 of the cost.

Sac County has requested Engineer ltes' services for the interim until their new engineer is on the job (sometime later this year), to review plans and administer projects. The work would be done after hours and on the weekends. It was the consensus of the board to approve.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the **utility construction** application of US West to install buried cable between 120th Ave. and Railroad Ave. on 545th St. Carried.

The engineer reviewed the changes to the secondary road budget and construction program.

Supervisor Gustafson noted that he would not oppose the overall program, but does object to the nearly \$1.7 million cost estimate on the C-13 project. Motion by Burnside, second by Vail, to approve and to authorize all board members to sign the FY2000 Buena Vista County Secondary Road **Budget and 5-year Construction Program** for submittal to IDOT. Carried.

Community Services Director Anita Hallquist and General Relief Director Paula Guerra discussed expenses paid by the county for the poor (physically or mentally disabled, with legal settlement in the county) and the needy (qualify for general relief) persons. After discussion **of indigent funeral expense**, motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the following resolution:

RESOLUTION NO. 1999-04-06

A Resolution to implement the following rule to the Buena Vista County General Relief Rules.

Provided by the County:

1. Payment allowed by the County, to the funeral home, will be \$1,115.00 beginning July 1, 1999. On July 1st of each consecutive year the need for an increase in the amount will be evaluated.
2. Burial Plot. Any indigent person, whose burial expense is paid by the county, and who does not own a plot, shall be buried at the Storm Lake Cemetery in a plot owned by the County.
3. The County will pay, directly to the cemetery, the cost of opening and closing the grave, up to a maximum of \$250. The cemetery shall bill the County for this expense.

Provided by the Funeral Home:

1. Professional Services not to exceed:
 - a. Transfer remains to funeral home.
 - b. Basic service of the funeral director and staff.
 - c. Embalming and other preparation of remains. (Embalming not required if body is interred within 48 hours.)
 - d. Graveside Services.
 - e. Automotive equipment as specified by the funeral home.
 - f. Outer burial container.
2. The casket is to be specified by the funeral home. The casket provided will be the same for every indigent individual receiving a County burial at that funeral home. No additional funds by the deceased or family will be allowed to increase the quality of the casket.

WHEREAS, The Buena Vista County Board of Supervisors has thoroughly discussed the implementation of this such proposed amendment with the General Relief Services officer, and

WHEREAS, in the judgment of the Buena Vista County Board of Supervisors such changes should be made to the General Relief Rules.

THEREFORE, be it resolved that the foregoing proposed amendment to Buena Vista County General Relief Rules is adopted effective immediately.

/s/ Herb Crampton, Chairman of the Board Dated 4/6/99

Sheriff Chuck Eddy advised the board that jailer Andrea Dahlberg has resigned. Motion by Gustafson, second by Vail, to change the **employment status** of jailer Mary Bolte from temporary full-time to permanent full-time with benefits effective this date: 4/6/99. Carried.

Eddy and Deputy Doug Simons discussed a proposal to begin a **Sheriff's Reserve Unit** program. A number of counties have these units. The program would train interested persons over a 2-year period so that they could provide additional officer strength at times of high need such as Storm Lake July 4th Star Spangled Spectacular, Balloon Days, etc. The county's insurance carrier has given the program a positive review, noting that it would not be expensive to cover this program. The participants are not employees, but paying them a nominal amount (i.e. \$1) would cover them under the worker's compensation policy. After they are trained and begin carrying a firearm, there would be an increase in premium for liability of approximately \$126/reserve officer. Motion by Gustafson, second by Vail, to approve implementation of a Sheriff's Reserve Unit program. Carried.

Vail left the meeting for a medical appointment.

Motion by Burnside, second by Gustafson, to approve and to authorize all board members to sign the **Employee Orientation and Policy Handbook**, effective this date. Ayes—Bruns, Burnside, Gustafson. Nays—none. Abstentions—none..

It was noted that the **Elk Township** Trustees have appointed Merrill Rehnstrom to fill the vacancy on that board created by the death of Lee Mattson.

There being no further business, motion by Gustafson, second by Burnside, to adjourn the meeting until Tuesday, April 13 for a regular session. Carried.

BOARD OF SUPERVISORS MEETING
NINETEENTH MEETING, 1999 SESSION (19)
APRIL 13, 1999

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 13, 1999, in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

8:30 a.m.—The time having arrived for the public hearing on the **rezoning request of Marlin Weiland**, the Chairman opened the hearing with Mr. and Mrs. Marlin Weiland, Jim Eaton, and Zoning Director Kim Johnson present. It was verified that the notice of today's hearing was published as required, and that 2 written objections have been received. One of the objections was received after the Zoning Commission's meeting at which the Commission recommended approval. Jim Eaton, who is on Alta's Planning and Zoning Commission, stated that the city of Alta is in the process of completing their comprehensive plan. Weiland's property is adjacent to the city limits. Eaton is appearing before the supervisors with the City Council's approval, stating that the city would like the board to consider delaying their decision until the comprehensive plan is completed. One of their concerns is the proposed use - a used car business, with repair work to be done inside a building. There being no further objections, and no further discussion, motion by Bruns, second by Burnside, to close the public hearing. Carried.

Motion by Bruns, second by Vail, to accept the Zoning Board's recommendation to rezone from residential to commercial the following described property owned by Marlin Weiland:

LOT TWO (2) OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE¼ NE¼) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETY-ONE (91) NORTH, RANGE THIRTY-EIGHT (38) WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

Carried. The board indicated that the junkyard ordinance will be enforced.

Auditor Strawn & Treasurer Kathy Bach reviewed the financial condition of the various drainage districts for which the Board of Supervisors act as the Board of Trustees. Motion by Vail, second by Bruns, to order levies for the following drainage districts with a levy date of September 1, 1999, due and payable September 1, 1999, delinquent October 1, 1999, and 9% waiver interest: **DD#34** - 15%; **DD#47** - 25%; **DD#66** - 15%; **DD #71** - 10%; **DD#79** - 15%; **DD#101** - 15%; **DD#134** - 20%. Carried.

9:00 a.m.—The time having arrived for the public hearing on the **rezoning request of First Coop**, Alta, the Chairman opened the hearing in the 2nd Floor Public Meeting Room with Zoning Director Kim Johnson and 8 interested persons present. It was verified that the notice of today's hearing was published as required, and that no written objections have been received. Johnson reported that the Zoning Commission does not recommend approval of First Coop's re-zoning request from A-1 to commercial for refined storage, and that there were many objectors among the Zoning Commission's public hearing attendees. After the hearing, a representative for First Coop stated to Johnson that if no one was present for today's hearing, the Board of Supervisors was to assume that First Coop had decided not to pursue the re-zoning request. Supervisor Vail reported the same. John O'Leary would like the area to remain agland, instead of putting a commercial area in between agland and residential. This is a safety issue for the nearby home in Truesdale - just 85 feet from the site. There being no further discussion, motion by Vail, second by Bruns, to close the public hearing. Carried.

Motion by Gustafson, second by Burnside, to accept the Zoning Commission's recommendation

against approval, and to disapprove First Coop's request to rezone from A-1 to commercial the following described property:

AN APPROXIMATE PARCEL OF LAND LOCATED EAST OF THE WEST RIGHT OF WAY LINE OF THE FORMER MINNEAPOLIS AND ST. LOUIS RAILROAD IN THE NORTH HALF OF SECTION TWO (2), TOWNSHIP NINETY-ONE (91) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT AT THE NORTH EDGE OF THE WEST LINE OF THE FORMER MINNEAPOLIS AND ST. LOUIS RAILROAD LINE RIGHT OF WAY IN SAID SECTION TWO (2); THEN EAST 420 FEET; THEN SOUTH 685 FEET; THEN WEST 165 FEET, TO THE EAST LINE OF THE CITY LIMITS OF TRUESDALE; THEN NORTH 100 FEET, ALONG THE CITY LIMITS OF TRUESDALE TO THE NORTH LINE OF TRUESDALE CITY LIMITS; THEN WEST 325 FEET, ALONG THE NORTH LINE OF TRUESDALE CITY LIMITS TO THE WEST LINE OF THE FORMER MINNEAPOLIS AND ST. LOUIS RAILROAD LINE THE NORTH 602 FEET, ALONG THE WEST LINE OF THE FORMER MINNEAPOLIS AND ST. LOUIS RAILROAD TO THE POINT OF BEGINNING.

Carried.

Motion by Vail, second by Burnside, to set the public hearing date and place as April 27 in the Boardroom for the **re-zoning requests** on the following properties:

* at 8:30 a.m. from A-1 Agriculture to Commercial as requested by Zond Maintenance Corp for:
PARCEL C IN NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 35, T-92-N, R-35-W.

* at 8:45 a.m. A-2 Agriculture to Commercial requested by Randy Drey for:
A PART OF GOVERNMENT LOT 3, AND A PART OF HIGHWAY STREET AS PLATTED WHITNEY-PIERCE BEACH PLATTING DATED FEBRUARY 29, 1928, ALL IN THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 5, T-90-N R-37-W OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) corner of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 5; Thence on an assumed bearing of North, along the West line of said Southeast Quarter (SE $\frac{1}{4}$), 440.40 feet to the Point of Beginning.

Thence North along said West line of said Southeast Quarter (SE $\frac{1}{4}$) 224.40 feet to the North line of said Government Lot 3; Thence North 89° 04' 25" East, along said North line of said Government Lot 3, 175.00 feet to the West Right Of Way line of Iowa Highway No. 110; Thence Southwesterly along said Right Of Way line on a curve concave Easterly with a radius of 3,177.8 feet; a distance of 233.78 feet; Thence South 87° 21' 15" West, 102.40 feet to the Point of Beginning.

The vote on this motion carried.

Nurse Administrator Karole Graen presented a **grant** application for the chairman's signature. Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign the Community Services Bureau grant for FY'00, for home care, senior health care and Board of Health infrastructure. Carried.

Engineer Jon Ites presented the quarterly farm-to-market fund **report**.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the following resolution of agreement between City of Newell and County for **project #FM-11(43)—55-11** (as already approved by the City):

RESOLUTION FOR CONSTRUCTION AGREEMENTS BETWEEN
CITY AND COUNTY ON SECONDARY ROAD EXTENSIONS

Consenting to and approving the plans for the improvements of the extension of Secondary Road FAS Route 3207 within the City of Newell, Iowa.

WHEREAS, it is proposed to improve by Buena Vista County and the City of Newell jointly within the city of Newell, Iowa, in accordance with the plans filed in the office of the clerk of said City of Newell as follows:

Resurfacing approximately 4.8 miles from the junction of FAS route 3207 and Iowa Highway 7 North to the intersection of FAS route 3207 and FAS route 3017 thru the City of Newell thru East Sections 16 and 21, Twp. 90 North, Range 35 West identified as Project FM-11(43)--55-11, and

WHEREAS, the Council has informed itself as to the proposed improvement and has examined the plans thereof,

NOW, THEREFORE, BE IT RESOLVED by the said Council of Newell, as follows:

1. The Council hereby approves the plans and consents to the improvements in accordance with the plans.
2. The Council will take such legal steps and procedures to a conclusion, such legal action and/or proceedings as are now or may hereafter be required.
 - a. To legally establish the grade lines of the street in accordance with as shown by the project plans, and to cause any damage accruing therefrom to be determined and paid pursuant to Section 364.15, Code of Iowa.
 - b. To take such steps as may be necessary to secure the consent to the removal of any trees that may interfere with the construction of the project.
 - c. To remove existing and prevent encroachment and obstructions upon streets or highways covered by the project.
 - d. To remove or cause to be removed without expense to the County all water hydrants, curb boxes, electroliers and cables, poles, parking meters, traffic signals, and any other facilities of obstructions which interfere with the construction of the project.

All aboveground utilities shall be placed as close to the right of way line as practical.
3. Since this project may be partly financed with Federal Aid Funds, the grant of which requires that the Highway Division and the County comply with federal laws and regulations with respect thereto, the Council agrees to take such actions as may be necessary to comply with such federal laws and regulations. (Approval of the plans by the Council will be satisfactory).
4. The Council further agrees that within the limits of the proposed surfacing and for one foot outside thereof where the City or utility companies may be digging ditches prior to the proposed surfacing, the City will require that all backfilling and compaction of ditches shall be made in accordance to the approval of the County.
5. The Council will, by ordinance, prohibit or restrict diagonal parking throughout the project.
6. Upon completion of the project, the Council agrees that:
 - a. Any changes in the physical features of the project will be authorized only after approval has been secured from the County.
 - b. The Council will furnish and erect all signing in accordance with the Manual on Uniform Traffic Control Devices for East 3rd St., Walnut St., Williams St., Leroy Paulson Rd., Jensen St., and Chaney St.
 - c. All signing shall be approved by the County before placement.
7. Following completion of the paving project and its acceptance by the county, The City of Newell will reimburse Buena Vista County for one-half of the cost of the paving project with regard to the portion of the project which is between the City's Southern Corporate Line north to the Northern Corporate Line, including asphalt resurfacing, shouldering and pavement markings.

Passed this 5th day of April, 1999 City of Newell, Iowa

By: Rodney L. Johnson, Mayor Attest: Melinda Buchholz, City Clerk

Buena Vista Co, Iowa By: Herb Crampton, Board of Supervisors Attest: Karen M. Strawn, Co. Auditor

Ites discussed the status of the hiring process for **Sac County Engineer** and noted that he would like his status of interim Sac County engineer to conclude not later than June 30, 1999. Having previously

approved the arrangement by consensus, the board acknowledged Sac County's resolution appointing ltes as their interim engineer.

Motion by Vail, second by Burnside, to accept the low **quotes for gravel** (to furnish or to haul and spread) as follows: Area #1 (NW) @ \$1.78/ton from Reese Trucking, Albert City; Area #2 (W Central) @ \$3.80/ton from Hallett Construction, Lake View; Area #3 (SW & S Central) @\$1.75/ton from Hallett Construction; Area #4 (N Central) @\$1.70/ton from Hallett Construction; Area #5 (NE) @ \$1.60/ton from Reese Trucking; Area #6 (SE) @4.57/ton from Bedrock Gravel, Auburn. Carried.

Motion by Vail, second by Burnside, to approve and to direct the auditor to make an equity **transfer** from the Hwy 71 Transfer of Jurisdiction Fund (031) to the Secondary Roads Fund (020) when notified by the engineer, and prior to expenditure of the funds. Carried.

ltes reported that May 3 is the date for a rezoning hearing on the property which has been selected for the 60'x60' **shop building** in Newell.

Supervisor Bruns reviewed **insurance** specifications for the upcoming request for proposals.

MH Director Anita Hallquist and Case Manager Dawn Mentzer met with the board to discuss upcoming changes in their department. Hallquist will be retiring, and hopes to make a transition which has the most positive impact for clients. She recommended Mentzer to succeed her as CPC in a full-time capacity, at 35 hours/wk., and to promote Demers to case manager. Hallquist requested approval to advertise for a **social worker**. It was the consensus of the board to proceed with advertising for the social worker position.

ISU Ag-Extension Director Rhonda Christensen discussed current programming provided by her organization. Created by the Code of Iowa, **Ag-Extension** is responsible for outreach in the areas of agriculture, families, youth, communities, and business & industry. She highlighted a number of their programs including: agriculture—manure management, environmental safety & education; families—Girl Talk, Guy Talk, women's financial program; youth—4-H, Clover Kids, Ag-Citing, Safety Day Camp.

11:30 a.m. – The time having arrived for a public hearing on the proposal to dispose **of 'public bidder's tax sale properties'**, the Chairman opened the hearing with Treasurer Kathy Bach and 2 interested persons present. It was noted that the notice of public hearing had been published as required. The board discussed inspecting the properties, permitting interested parties to inspect them, and the method and terms for disposing them. There being no objections to disposal of the properties by the proposed public auction, motion by Burnside, second by Gustafson, to close the public hearing. Carried.

Motion by Burnside, second by Gustafson, to set the date and time of public **auction** of the below listed properties as May 4, 1999, at 1:00 p.m. in the 2nd Floor PMR, the terms to be 10% down at the time of sale, balance due in 30 days, with the county setting a minimum bid and reserving the right to refuse any and all bids:

Parcel No. 1 (Treasurer's Tax Deed with Recorder's Document #984097)

A PART OF THE SOUTHEAST QUARTER (SE¼) OF SECTION SEVEN (7), TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-FIVE (35) WEST OF THE FIFTH P.M., more particularly described as follows: Commencing at a point 500 feet north of the southeast corner of the Southeast Quarter (SE¼) of Section Seven (7), Township Ninety (90) North, Range Thirty-Five (35) West of the Fifth P.M. Thence North 89°02' West a distance of 340 feet, thence due North a distance of 472 feet, thence South 89°02' East a distance of 340 feet to the East line of said Southeast Quarter (SE¼), thence due South along the East line of said Southeast Quarter (SE¼) a distance of 472 feet to the point of beginning and containing an area of 3.68 acres of which 0.54 acres are existing highway right-of-way.

Parcel No. 2 (Treasurer's Tax Deed with Recorder's Document #984095)

Lot One (1), Block Four (4), MCS Addition to the City of Storm Lake, Buena Vista County, Iowa.

Attorney John Murray discussed remaining details regarding sale of 'public bidder's tax sale' properties including: a notice to vacate, preparation of a deed and doing a root title abstract.

Motion by Gustafson, second by Burnside, to approve and to authorize all Board members to sign the following

Motion by Vail, second by Burnside, to set the new date and time for public hearing for the zoning re-classification request of the Zond Corporation as May 4, 1999, at 12:45 p.m. in the Boardroom. Carried.

Zoning Director Kim Johnson discussed an interpretation of the zoning law requiring an amendment to the zoning ordinance each time a request for re-zoning is approved. She is working with Assistant County Attorney Dave Patton to develop the appropriate procedure.

8:45 a.m. – The time having arrived for the public hearing on the zoning re-classification request of Randy Drey from A-2 to Commercial for a parcel in Hayes Township, the Chairman opened the hearing with Zoning Director Johnson and Drey present. The notice was published as required. Johnson reported that the Zoning Commission has recommended approval of the request and that no written objections had been received. Drey plans to construct a 40'x60' building for storage of construction equipment. There being no objections, nor any further discussion, motion by Gustafson, second by Burnside, to close the public hearing. Carried.

Motion by Vail, second by Burnside, to accept the recommendation of the Zoning Commission to approve the zoning re-classification request of Randy Drey, from A-2 to Commercial for the following described parcel:

A PART OF GOVERNMENT LOT 3, AND A PART OF HIGHWAY STREET AS PLATTED WHITNEY-PIERCE BEACH PLATTING DATED FEBRUARY 29, 1928, ALL IN THE SW ¼ OF THE SE ¼ OF SECTION 5, T-90-N R-37-W OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) corner of the Southeast Quarter (SE ¼) of said Section 5; Thence on an assumed bearing of North, along the West line of said Southeast Quarter (SE ¼), 440.40 feet to the Point of Beginning.

Thence North along said West line of said Southeast Quarter (SE ¼) 224.40 feet to the North line of said Government Lot 3; Thence North 89° 04' 25" East, along said North line of said Government Lot 3, 175.00 feet to the West Right Of Way line of Iowa Highway No. 110; Thence Southwesterly along said Right Of Way line on a curve concave Easterly with a radius of 3,177.8 feet; a distance of 233.78 feet; Thence South 87° 21' 15" West, 102.40 feet to the Point of Beginning.

The above described parcel contains 0.71 acres, more or less, And is subject to all easements of record.

Carried. In recognizing that this approval requires an amendment to the zoning ordinance, and that the board plans to proceed with same, having given approval today, the board indicated that there would be no objection with Drey proceeding with the project prior to amending the ordinance.

As chairman of the Emergency Management Commission, Supervisor Burnside advised the board that Emergency Management Coordinator Gloria Hadachek has given notice of her pending resignation, effective late summer or early fall. The part-time position is being advertised.

Engineer Jon Ites presented drawings on the proposed maintenance building in Newell. Motion by Burnside, second by Vail, to set the letting date for the Newell maintenance building construction project for May 25th at 9:00 a.m. in the Boardroom. Carried.

Ites reported two upcoming openings in the secondary road department - Rick Greene plans to resign in May or June to move to California, and Charlie Rasch plans to retire prior to the next snow season. Ites has placed an ad requesting applications.

Motion by Bruns, second by Vail, to accept, and to authorize the Chairman to sign the agreement for joint funding of project# STP-S-11(40)—5E-11 which provides for federal funding up to 80% or a maximum of \$324,000 (estimated to be approximately 72% of the total projected cost), the project being to resurface C-49 East from new Hwy 71 for 6 miles. Carried. The project will be let 5/28/99.

Ites is investigating how to achieve control of the thistle problem at the Goldsmith Pit.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman and Auditor to sign, an amendment to the secondary road budget which is to be submitted to IDOT. Carried.

Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign the **underground construction utility permit** application of Allan Pedersen to install a 2" waterline under the road between Sections 19 and 20, Scott Township at the following address: 5166 80th Ave. Carried.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the **underground utility construction permit** application of Schaller Telephone Co. to replace the buried telephone cable at the following location: SW¼ Section 34 from Ken Suhr residence south to county line and east along south side of Section 34, Maple Valley Twp. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the 2 **underground utility construction permit** applications of Iowa Lakes Electric Co., to install 3-phase 7200/12470 volt underground distribution lines to replace existing, failing cable, on the north side of Section 17 & 18 Grant Township, and, on the north side of Section 13, Washington Township. Carried.

Motion by Vail, second by Gustafson, to direct the Auditor to have published the annual "Notice to Destroy Noxious **Weeds**" in the 3 official newspapers (Storm Lake Pilot-Tribune, The Times, Buena Vista County Journal) and the Alta Advertiser and Sioux Rapids Bulletin Press. Carried.

Motion by Gustafson, second by Bruns, to authorize the Chairman to sign a statement designating the **Seasons Center** as the community mental health center which Buena Vista County shall affiliate with for FY2000, this designation being required in order to qualify for community services dollars. Carried. MH Director Anita Hallquist presented a report of Season's Center spending for the current fiscal year. Gustafson volunteered to participate in the interview process for the new social worker.

County Attorney Phil Havens discussed the suspended program of billing the parents or the responsible person for the costs of detaining **juveniles** at the YES Center in Cherokee. He believes that the county has a good faith argument in Section 613.16 of the 1999 Code of Iowa, and has suggested a "demand for payment" if the board wishes to continue the program for adjudicated juveniles, and limiting the amount to \$2,000. Gustafson would like to continue billing, using the attorney's suggested language. It was the consensus of the Board to resume the program using the language provided by the County Attorney.

Ites discussed the need to replace a piece of **equipment**, a 1977 endloader with backhoe attachment. The board agreed as long as it is within the budget.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign a 2-year agreement effective July 1, 1999, with **DMG Maximus** for their services to prepare the annual cost allocation report for a maximum fee of \$5,500/yr. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign a agreement with Wellmark to provide renewal and **flex benefits** administration services for FY2000. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign a letter of support for NWIPDC's grant application for a **housing needs assessment** grant for Buena Vista County. Carried.

Motion by Vail, second by Burnside, to approve the **minutes** of the 4/13 meeting as printed, and the following **reports**: April Spectra lagoon test results, 3rd Qtr FY1999 General Relief and Veteran's Relief expenditures. Carried.

Attorney John Murray, Treasurer Kathy Bach, and Env. Health/Zoning Director Kim Johnson were present to discuss the status of the Nielsen **public bidder's tax sale** property north of Newell. The tax deed currently held by the county is not valid due to 1 person with an interest in the property not having been given proper notice as required. The county will not be able to give a warranty deed, and therefore can't go forward with the auction. The board directed Murray to start the process over.

Motion by Vail, second by Gustafson to postpone the sale of the Morgan **public bidder's tax sale** property until May 25 at 1:00 p.m. Carried.

Motion by Gustafson, second by Burnside, to appoint the following persons to the **Buena Vista County Housing Committee**: Herb Crampton, Kim Johnson, Jim Gossett, Bob Rebhuhn, and Dar Brummer. Carried.

Emergency Management Coordinator Gloria Hadachek informed the board that radio operator Sandy Nicolaisen was today receiving the "Iowa Telecommunicator of the Year" Award for her handling of the Albert City explosion and fire in which 2 fireman were killed. It was the consensus of the board to send a letter of congratulations and appreciation to her for her outstanding work.

There being no further business, motion by Vail, second by Bruns, to adjourn the meeting at 1:50 p.m. until Tuesday, May 4 for a special session.

**BOARD OF SUPERVISORS MEEETING
TWENTY-FIRST MEETING, 1999 SESSION (21)
MAY 4, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 4, 1999, in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

12:45 p.m.—The time having arrived for the public hearing on the zoning re-classification request of the Zond Corporation from A-1 to Commercial for a parcel in Nokomis Township, it was reported that the notice for the hearing had been published with errors in the legal description.

Motion by Gustafson, second by Burnside, to set the new date and time for public hearing for the zoning re-classification request of the Zond Corporation as May 11, 1999, at 8:30 a.m. in the Boardroom. Carried.

Motion by Burnside, second by Bruns, to amend today's agenda as follows: 12:45 p.m. -- Preston Jacobs re: change in bid letting date. Carried.

Motion by Vail, second by Gustafson, to change the date of the bid letting for the project to construct a new secondary road building in Newell as June 8 at 9:00 a.m. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the DD #183 Jt. claim for beaver bounty submitted by Patrick M. Lynch in the amount of \$75.00 (\$25/beaver). Carried.

Treasurer Kathy Bach communicated a proposal from Neal Nielsen to redeem his delinquent tax property north of Newell. The consensus of the Board was to refuse to accept the proposal, at this time.

As requested by Environmental Health Director Kim Johnson, motion by Vail, second by Gustafson, to approve and to authorize a letter of support for the application for funding under the waste tire program. Carried.

Motion by Vail, second by Burnside, to approve the minutes of the 4/27 meeting as corrected. Carried.

Deputy Sheriff Doug Simons advised the board on a prisoner needing medical care.

Steve Hallgren, NWIPDC planner, discussed the housing needs assessment grant application. Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the (HAP) Housing Needs Assessment grant application, (on behalf of 9 cities, excluding Rembrandt, and the unincorporated area). Carried.

The auditor advised the board of apparent errors in the new Employee Orientation and Policy Handbook. Following discussion, motion by Burnside, second by Vail, to amend the Employee Orientation & Policy Handbook adopted April 6, 1999 with the following changes:

1. In Section 5.1 Holidays, replace the paragraphs titled "Pay for Holidays" and "Pay for Holidays Worked" with the following –

Pay for Holidays

Full-time employees who do not work on a holiday listed above shall receive eight hours of compensation (holiday pay) for the holidays listed above, computed at one time their hourly wage rate times eight.

Pay for Holidays Worked

Full-time non-exempt employees who do work on a holiday listed above will be paid their regular hourly rate for the hours worked on a holiday and eight hours of holiday pay.

2. Add the following as **Appendices**:

- a) Statement and Policy for Workplace Safety (Worker Safety & Health)
- b) Hearing Conservation Program
- c) Employee Personal Protective Equipment Policy
- d) Substance Abuse Policy
- e) Employee Orientation Checklist
- f) Guidelines for Political Activity

The vote on the amendment to the "Employee Orientation & Policy Handbook" carried. It was noted that the normal number of hours in the work week for jailers is 43, and that vacation and sick leave shall accrue at the rate based on 8.6 hours/day. Although there was no specific language added to the policy, it was the consensus of the board that a full-time employee with a 35 hour work week, would received holiday pay of 8 hours times the normal hourly rate of pay, the same as all other full-time employees.

It was noted that Roger Kuhrts has been appointed Trustee by Maple Valley Township Trustees to fill the position vacated by Wendell Ewoldt.

There being no further business, motion by Gustafson, second by Vail, to adjourn the meeting at 3:00 p.m. until Tuesday, May 11 for a regular session.

**BOARD OF SUPERVISORS MEEETING
TWENTY-FIRST MEETING, 1999 SESSION (22)
MAY 11, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 11, 1999, in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

8:30 a.m. – The time having arrived for the public hearing on the Zond Maintenance Corp. request for a zoning re-classification, the Chairman opened the hearing with Ken Hach, Zond Regional Manager, and Zoning Director Kim Johnson present. It was noted that the notice of public hearing had been published as required, and that no written objections had been received. Johnson reviewed the request, and, the requirements of the zoning ordinance. Hach discussed the plans for the development offices to be housed in the operations and maintenance facility at the M-31 and Hwy 3 site. There being no objections, motion by Bruns, second by Vail, to close the public hearing. Carried.

Motion by Bruns, second by Burnside, to accept the Zoning Board's recommendation to approve Zond Maintenance Corp's zoning re-classification request, from A-2 to Commercial on the following property: Parcel C In NW¼ NW¼, Section 35, T-92-N, R-35-W. Carried.

Motion by Vail, second by Burnside, to add the following items to the agenda: 8:45—Steve Petermeier re: DD #81.

Assistant Engineer Steve Petermeier discussed the need for work on DD #81 where the outlet into the Raccoon is not draining. He suggested having the tile crew use a backhoe to remove soil in the ditch to re-establish the necessary fall for proper drainage. The consensus of the board was to authorize the work to be done when the tile crew has time.

Engineer Jon Ites reported that the request to re-zone in Newell for a **secondary road building** was denied due to objections from 2 persons who do not live inside the city limits. The request may be reconsidered.

A request has been received to close a road on the south side of Section 34, Maple Valley Township. The south side of the road is in Sac County. Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign a letter to the Sac County Board of Supervisors to initiate **the road closing** process. Carried.

Ites reported on the number of applications received for 2 **secondary road** equipment operator positions, the application deadline being May 14.

Motion by Vail, second by Burnside, to set the **bid letting** time and date for metal culvert project #L-C-103 as June 22, 10:00 a.m., the project located in Section 2, Barnes Township. Carried.

Motion by Burnside, second by Gustafson, to direct the Engineer to write a letter to the County Attorney requesting that he initiate the process to void the following **seal coat agreements**: Stoney Point, South Cove, 3 for Casino, and Bel Air Beach seal coat agreements. Carried.

Ites has received a response from Clyde Bartel, IDOT, regarding Ites' request that IDOT install guard rails on a **C-49** bridge, so that the road can be used as a detour route by IDOT. IDOT denies the request stating that there is no justification. Ites has submitted additional information and requested re-consideration of the request.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the following **utility construction permits** submitted by:

- Mid-American Energy, for installation of a 4" natural gas pipeline crossing 200th Ave. south of Hwy #7 on the west edge of Newell, the line to be bored under the roadway, and north in the east ditch to 1st St. in Newell;
- U.S.West, to re-issue the previously approved permit to install buried cable between 120th Ave. and Railroad Ave. on 545th St., the original having been lost;
- Iowa Lakes Electric Cooperative for installation of a single phase 7200 volt underground distribution line between Sections 4 & 5, Maple Valley Township and Sections 32 & 33, Nokomis Township;
- Iowa Lakes Electric Cooperative for installation of a 7200/12470 volt underground distribution line which will be a future tie line for the Hanover substation, along C-63 from M-31 east 2 miles, to be located in private right-of-way. Carried.

Present for the discussion of **DD #58** were Engineer Ites, Assistant Engineer Petermeier, and landowner Henry Bolte. At the board's April 6, 1999, meeting, Ivan Droessler, Kuehl & Payer Ltd., addressed the engineer's study (and cost), and work needed to alleviate the problems identified by landowners. The purpose of today's discussion is to determine how far Droessler's engineering study should go. Motion by Vail, second by Burnside, to employ Ivan Droessler, Kuehl & Payer, Ltd. to proceed to obtain a wetland determination, to prepare a preliminary study of the capacity of DD #58 and a rough estimate of the cost of proceeding with further work. Carried. An informal landowner's meeting will be held after the preliminary study and before proceeding with any additional work.

A request for a crossing of **DD #83** through Section 20, Barnes Township has been received. It was the consensus of the board to approve a 10 year flood as the design level for drainage structures.

Case Manager Dawn Mentzer updated the board on Community Services Director Anita Hallquist, and reported the hiring of a social worker. Motion by Gustafson, second by Bruns, to **employ** Wanda Woltman as a Social Worker in the Community Services Department effective June 1 at a salary of \$22,000. Carried.

Motion by Gustafson, second by Burnside, to approve a job change for Trish Demers from Social Worker to Case Manager with a **raise** to \$23,500/yr. effective June 1. Carried.

It was noted that the Buena Vista County FY2000 Case Management Plan has received preliminary approval from DHS.

Motion by Vail, second by Gustafson, to approve the following items on the consent agenda:

- minutes of the 5/4 meeting as printed;
- reports as listed: April budget reports, Conservation Board minutes, 3rd Qtr '99 Case Manager's report; also reviewed were 3/25/99 NWIPDC Council minutes and 4/22 Mangold test of Spectra lagoon;
- DD #181 Jt. work order for employing Lawn Manicurists to spray in the Big Cedar and the Little Cedar in a total amount of \$5,750;
- fireworks permit for the city of Rembrandt for July 4, 1999, with the city to assume all responsibility for safety and liability.

The above motion carried.

There being no further business, motion by Vail, second by Bruns, to adjourn the meeting at 12:05 p.m. until Tuesday, May 18 for a special session.

**BOARD OF SUPERVISORS MEEETING
 TWENTY-THIRD MEETING, 1999 SESSION (23)
 MAY 18, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 18, 1999, in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Treasurer Kathy Bach, Deputy Auditor Sue Kennedy, and Auditor Strawn discussed financial year end reports with the board.

Engineer Jon Ites delivered the applications for the 2 open Equipment Operator I positions to the board for review. Supervisor Vail volunteered to sit in on the interviews

Ites reported on the meeting with Newell City Council requesting re-consideration of our zoning re-classification request for our Newell building site. It was the consensus of the board to re-apply for the re-classification.

In a preliminary discussion prior to the teleconference with Sac County, regarding a proposal for a road closing, Supervisor Gustafson suggested personally notifying several of the surrounding farmers of the pending hearing since occasionally legal notices in the print media are missed by the public.

Nurse Administrator Karole Graen reviewed some changes in her department regarding Medicaid claiming. This will bring an additional \$12-14,000 to the county to be used for children's services only. Her department is serving as the fiscal agent for the schools. She inquired about the cost of nursing visits to the jail in relation to PH vehicle servicing by Sec'y Roads. Jail and nursing costs are General Fund expenditures. Services by the Sec'y Road department must be reimbursed to that fund.

Graen also report that her staffing level is the lowest it has been since '94. One reason is that fewer TB tests and shots are being given than previously. Also, they are doing less home-care due to cutbacks in Medicare. Her department has been trained, and is ready to implement the Oasis program (an assessment tool) by the federal government, but the program is now on hold due to concerns about the privacy act. Interpreter Fany Gonzales is out of the country for a month.

10:00 a.m.—The time having arrived for the teleconference with the Sac County Board of Supervisors, with Supervisors Laura Foell, Rebecca Hillmer and Russ Kroeger present in Sac County, Engineer Ites explained the purpose of the call, followed by the process to be followed in proceeding to close or vacate a joint road between BV & Sac Counties. Motion by Foell, second by Kroeger, to proceed to vacate Sac County's 160th St. north of Section 3, Eureka Township, and to set the public

hearing as Tuesday, June 15, 1999 at 1:30 p.m. in the Public Meeting Room of the Buena Vista County Courthouse, with the auditors to publish the public hearing notice. Ayes—Foell, Hillmer, Kroeger, carried.

Motion by Bruns, second by Burnside, to approve the following resolution, with the auditors to publish the public hearing notice.

RESOLUTION 1999-05-18

WHEREAS, a request has been filed with the Buena Vista County Board of Supervisors asking that action be taken to vacate and close a section of Buena Vista/Sac County Secondary Road, described as follows:

That portion of the local county secondary road on the south side of Section 34, Maple Valley Township, Buena Vista County, an the north side of Section 3, Eureka Township, Sac County, originally established as "Griffith Road No. 23" (Book1, page 90);

NOW, THEREFORE BE IT RESOLVED that a hearing on the proposed vacation be held in the Public Meeting Room, Buena Vista County Courthouse, Storm Lake, Iowa, at 1:30 p.m. on Tuesday, June 15, 1999, in accordance with Iowa Code Chapter 306.

IN WITNESS WHEREOF, I have hereunto signed my name, as Chairman of the Buena Vista County Board of Supervisors, and caused the official corporate seal of Buena Vista County, Iowa, to be attached hereto this 18th day of May, 1999.

/s/ Herb Crampton, Chairman of the Board, Storm Lake, Iowa ATTEST: /s/ Karen M. Strawn, Auditor

Senator Mary Lou Freeman, Representative Russ Eddie, and Ed Toomer were present for the discussion on the 2 proposed **Constitutional Amendments** to be voted upon at the June 29 statewide election. Freeman commented that this is the update of the Stanley Amendment, and that except for the 60% majority to raise taxes, the 99% expenditures have been in the Code since 1992. Eddie said the earlier amendments included limiting not just the state, but counties, cities, and schools. The current proposed amendment is much simpler. Several states have this in place, and it has shown to be successful in those states. In Des Moines, this has tended to be a political issue. Gustafson stated that only Iowa and Ohio don't fund all mental health with state dollars, and that limiting state spending will push it back onto counties. He is concerned that approval would create governing by the minority.

Motion by Gustafson, second by Vail, to approve and to authorize the Interim Boardmember (Burnside) to sign the work order for **DD #181 Jt.** for a site in the Main Open Ditch in Williams Twp, Calhoun Co. for an estimated cost of \$1750.00. Carried.

A letter from Doreen Loeffelholz, **Catholic Charities**, requesting approval for occasional, additional usage of the office space at E. Richland Annex was noted and approved, providing agreeable arrangements can be made with the Community Services Department.

Motion by Vail, second by Burnside to approve the following items on the consent agenda:

- **minutes** of the 5/11 meeting as printed;
- **reports** -- November, January, March and April Board of Health minutes;
- and appoint the following to fill vacancies on the **Eminent Domain Compensation Commission**: farmers-Kevin Cone, and cities-Virginia Moffitt and Jeff Elbert. Carried.

There being no further business, motion by Burnside, second by Vail, to adjourn the meeting at 12:10 p.m. until Tuesday, May 25 for a regular session.

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 25, 1999, in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Doug Keast, Regional Consultant-Iowa Workforce Development, Gary Woodward-Iowa Central Community College, and Terry Augustus-Regional Coordinator-Iowa Workforce Development, were present to discuss the **Workforce Investment Act** (replaces Job Partnership Training Act) which will be implemented 7/1/2000. They are currently in the process of setting up the new committees and boards required for the program. The goal is a more comprehensive and seamless service system with each region developing the system most appropriate for its needs.

Head Custodian Dewyne Stucynski discussed disposing of **excess equipment** (specialty shelving). It was the consensus of the board to allow Stucynski to negotiate with an interested party. He also discussed new installations of security alarms and smoke detectors. The Board will check with the insurance agents on whether these efforts will have an effect on the county's insurance premiums.

The Engineer advised the board that the DOT has reconfirmed that it will not stand the cost of adding guardrails to a bridge on **C-49** over the Raccoon which is to be replaced so that C-49 can be used as a detour route next year.

Motion by Vail, second by Burnside, to give approval and final acceptance on **project #BROS011(41)—8J-11** and to authorize the Engineer to sign. Carried.

Motion by Burnside, second by Gustafson, to approve the following as a provision of the Secondary Road Departmental Rules effective immediately:

HONOR GUARD LEAVE

“A county employee, provided he makes such a request in advance to his Department Head and on a case by case basis, shall be granted a leave of absence with pay to participate as an honor guard for funerals in a similar manner as requested to be a pallbearer.”

The vote on this motion carried.

County Attorney Phil Havens discussed the proposed agreement between DLR and the county for work as the county's **jail project** consultant. He has reviewed both the agreement and the attachments which set forth the work to be done, and the work product to be provided by DLR. The county would be responsible for a minimum of \$10,000 and a maximum of \$15,000 for these services plus reimbursable costs. Havens approved the agreement in form, and advised that the board proceed to put the agreement in place, if that is their intent, there being no written agreement between the consultant and the county at this time.

Special Deputy Auditor Jean Chindlund requested additional information regarding Section 3.7 - Employment of Relatives of the employee handbook. The board was advised that an oversight had resulted in an error in the section. Following discussion, motion by Vail, second by Burnside, to amend Section 3.7, paragraph 2 of the **Employee Orientation & Policy Handbook** adopted April 6, 1999, by adding the following relatives to the list of persons included in “family member” -- brother-in-law, sister-in-law, son-in-law, daughter-in-law. Carried.

Susan Hoss, **Child Support Recovery Unit**, met with the Board to present a new agreement for FY2000. Buena Vista County will no longer receive incentive payments, and will also no longer be responsible for a share of the office expense. Cherokee County will continue to act as fiscal agent, and will collect 11% for the indirect costs of providing the service. Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign the Cherokee Multi-County FY2000 agreement for services with the Child Support Recovery Unit. Carried.

Engineer Bob Payer, Kuehl & Payer Ltd., and Dave Wiley, **BV Co. Sanitary Landfill** Chairman, discussed proposed vertical expansion to the sanitary landfill. IDNR requests that the plan be presented to the Board of Supervisors, in addition to being approved by the Landfill Commission in part, to publicize the plans. With its limited capacity, expansion of BV Co's landfill in this direction (vertical) is the most cost

effective since the leachate collection and monitoring system is already in place. This expansion may add as much as 10 years to the life of the existing landfill. The proper procedure will be to request an amendment to the DNR permit under which the landfill currently operates. No action will be required by the Board of Supervisors. The Landfill Commission will also be requesting comments from the BV Co. Soil & Water Conservation District.

Weed Commissioner Norm Lund relayed a request from the City of Newell for the county weed department to spray the **Newell Golf Course**. The city will reimburse the county, and will be responsible for all liability for any damages. It was the consensus of the Board to approve.

Lund also inquired about additional publicity to inform the public of the proper procedure for posting "**No Spraying**" signs. The board suggested a news release to the media.

Due to: 1) a conflict between today's agenda and a published notice of public hearing for a FY'99 **budget amendment**, 2) publication of a notice of public hearing for a second budget amendment, and, 3) since no interested persons appeared for the hearing published for today, motion by Gustafson, second by Bruns, to delay today's hearing and hold it just prior to the next scheduled hearing on June 1st at 8:30 a.m. Carried.

After a brief discussion of the merits/hazards of formalizing the customary practice of making **board appointments**, motion by Burnside, second by Vail, that appointments to the Conservation Board, Board of Health, and the Board of Adjustment, be made by supervisors districts. Gustafson stated that this could cut people out when lines are drawn, and asked that the board be polled. The vote was: Bruns-aye, Burnside-aye, Gustafson-nay, Vail-aye, Crampton-aye. Carried.

Motion by Burnside, second by Gustafson, to appoint Cynthia (Mrs. Kent) Smith to **the Board of Adjustment** to fill the vacancy created by the resignation of Rachel Nesheim. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the following:

RESOLUTION NO. 1999-5-25
RESOLUTION DECLARING THE NEED FOR A HOUSING AUTHORITY
IN BUENA VISTA COUNTY, IOWA

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA, that the Board of Supervisors of Buena Vista County, Iowa, hereby determine, find, and declare that:

1. Unsanitary and/or unsafe inhabited dwelling accommodations exist in Buena Vista County, Iowa;
2. There is a shortage of safe and/or sanitary dwelling accommodations in Buena Vista County, Iowa, available to persons of low income or rentals they can afford; and
3. There is need for a housing authority to function in Buena Vista County, Iowa; and
4. That Buena Vista County, Iowa, will join with other counties and municipalities similarly situated for the purpose of creating a multi-county housing authority that can command the resources necessary to develop housing in Buena Vista County, Iowa, and other counties and municipalities similarly situated; and
5. That the Board of Supervisors of Buena Vista County, Iowa, shall join together with other counties and municipalities to create the Northwest Iowa Regional Housing Authority. Such Authority may exercise any power, privilege or authority, authorized by the Iowa Constitution or statute or charter, including the development and management of housing in Buena Vista County, Iowa, and similarly situated Counties and Municipalities; and
6. The shortage of safe and sanitary dwelling accommodations in Buena Vista County, Iowa, at rent which persons of low income can afford, compels that this resolution become effective without delay; and, therefore, the same shall take effect and be in force immediately upon its adoption.

WHEREAS, a resolution has been passed and adopted entitled "Resolution Approving and Authorizing of a Certain Joint Exercise of Powers Agreement for the purpose of Creating a Multi-County Housing Authority.'

NOW, THEREFORE, Pursuant to the provisions of Chapter 28E, Code of Iowa', and by virtue of our office as Board of Supervisors, we hereby appoint the one (1) person hereinafter named to serve as Representative of the Northwest Iowa Regional Housing Authority, representing Buena Vista County, Iowa and to serve for the number of years appearing after his/her name, respectively, from the 25th day of May 25, 1999. Name of Representative: Kim Johnson. Number of years: 3.

IN WITNESS WHEREOF, I have hereunto signed my name, as Chairman of the Buena Vista County Board of Supervisors, and caused the official corporate seal of Buena Vista County, Iowa, to be attached hereto this 25th day of May, 1999.

/s/ Herb Crampton, Chairman of the Board, Storm Lake, Iowa ATTEST: /s/ Karen M. Strawn, Auditor

The vote on the above resolution was: Ayes—Burnside, Gustafson, Vail; Nays-Bruns. Carried. Bruns stated that he does not feel that the county should be involved in any housing initiatives.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the following:

**CERTIFICATE OF APPOINTMENT
OF COUNTY REPRESENTATIVE TO REGIONAL HOUSING AUTHORITY**

WHEREAS, the County of Buena Vista has adopted a Resolution Declaring the need for a Housing Authority in the County of Buena Vista Iowa, on the 25th day of May, 1999, and;

WHEREAS, the County of Buena Vista has signed the joint Exercise of Powers Agreement For The Purpose of Creating a Multi-County Housing Authority, and;

WHEREAS, the County of Buena Vista's original representative's term has expired as the County's representative on the governing body of the Northwest Iowa Regional Housing Authority;

NOW, THEREFORE, PURSUANT TO THE PROVISION OF Chapter 28E of the Code of Iowa, and by virtue of our office as Board of Supervisors, we now appoint for a term of 3 years beginning on May 25, 1999.

IN WITNESS WHEREOF, I have hereunto signed my name, as Chairman of the Board of Supervisors of Buena Vista County, Iowa, and caused the official corporate seal of said County of Buena Vista, Iowa, to be attached hereto this 25th day of May, 1999. I understand this member cannot be a member of the Board of Supervisors.

/s/ Herb Crampton, Chairman of the Board, Storm Lake, Iowa ATTEST: /s/ Karen M. Strawn, Auditor

Upon taking the vote, the above motion carried.

Motion by Burnside, second by Vail, to approve the minutes of the 5/18 meeting. Carried.

Motion by Burnside, second by Bruns, to void the lost, stamped drainage warrant #47696 issued 2-25-93 in the amount of \$7.72 to the Storm Lake Pilot-Tribune, and to authorize the Auditor re-issue same. Carried.

There being no further business, motion by Gustafson, second by Burnside, to adjourn the meeting at 12:15 p.m. until Tuesday, June 1 for a special session, and to canvass today's special election. Carried.

**BOARD OF SUPERVISORS MEEETING
TWENTY-FIFTH MEETING, 1999 SESSION (25)
JUNE 1, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 1, 1999, in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

8:30 a.m.—The time having arrived for the delayed public hearing on the 1st **FY'99 budget amendment**, the Chairman opened the hearing with no interested persons present. After noting that the proper notices had been published as required, the auditor reviewed the proposed amendment by service area. There being no objections, motion by Burnside, second by Vail, to close the public hearing. Carried. Motion by Vail, second by Gustafson, to approve the 1st amendment to the FY'99 budget as published. Carried.

8:50 a.m.—Upon completion of the business of the first hearing, the Chairman opened the 2nd FY'99 **budget amendment** hearing, again, with no interested persons present. The auditor noted that the proper notices had been published as required, and then reviewed the details of this amendment. Hearing no objections, motion by Vail, second by Bruns, to close the hearing. Carried. Motion by Gustafson, second by Bruns, to approve the 2nd amendment to the FY'99 budget as published. Carried.

Motion by Bruns, second by Vail, to amend **appropriations** in the FY'99 budget as follows:

increase	activity 0220	fund 030	dept. 05 by	\$11,910
decrease	activity 0220	fund 030	dept. 29 by	\$4,950
decrease	activity 0220	fund 030	dept. 51 by	\$6,960
increase	activity 0220	fund 030	dept. 26 by	\$5,000 (new)
increase	activity 0220	fund 030	dept. 26 by	\$3,835
decrease	activity 0220	fund 030	dept. 52 by	\$3,835
increase	activity 3020	fund 001	dept. 23-San by	\$7,000 (new)
increase	activity 3040	fund 001	dept. 23-PH by	\$7,000
increase	activity 5200	fund 002	dept. 56 by	\$14,510 (new)
increase	activity 5200	fund 002	dept. 56 by	\$490 (from 1%)
increase	activity 7110	fund 020	dept. 20 by	\$160,000
decrease	activity 0200	fund 020	dept. 20 by	\$160,000

Carried.

Engineer ltes reported that the field of candidates has narrowed for the open positions, but no final selections have been made yet. The bids for this year's (5) asphalt projects have come in 20% over the estimates. Bid tabulations are still being completed, but it appears that a Minnesota contractor is low.

9:00—The time having arrived for opening **insurance proposals**, the Chairman opened 3, from Clark Fort-Colburn & Elk, Tim Pierce, Stille Pierce & Pertzborn, and Doug Svendsen, Olson Eaton Svendsen, who were all present. Peter Holt from Berkshire Hathaway (Olson Eaton Svendsen), was also present. Each agent reviewed their proposal and answered questions specific to their program. Bruns would like feedback from department heads before making a decision.

Pursuant to Chapter 50.24 of the 1999 Iowa Code, and upon completion of the **canvass** of the Special City of Storm Lake Franchise Election for DTG to operate a cable television system in Storm Lake, the election having been held May 25, 1999, motion by Vail, second by Burnside, to declare the results as follows: total number of voters: 425. Yes-412; No-13. Carried.

Motion by Burnside, second by Vail, to approve the following **salaries/raises** effective July 1, 1999: T French-\$38,600, and, \$.47/hr. for all classifications in the secondary road department. Carried.

Motion by Gustafson, second by Bruns, to approve the **minutes** of the 5/25 meeting as printed. Carried.

Motion by Vail, second by Gustafson, to appoint Jim Haraldson under the Cities classification for the Buena Vista County **Eminent Domain Compensation Commission**. Carried.

Motion by Vail, second by Gustafson, to approve the following resolutions ordering levies for Laterals 19-9, 19-61, 480 and 546, all of Jt. DD #22

Joint Drainage District #22 Lateral 19-61

The Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties hereby prepare to levy an assessment on the above named drainage district.

Motion by Palo Alto Co. Supervisor Mary Greene, seconded by Clay Co. Supervisor Sylvia Schoer. that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Lateral 19-61 of Joint Drainage District #22 and there being insufficient funds to make solvent said account of said Drainage District;

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties, Iowa, that there is hereby levied \$1,023.99 (all in Palo Alto County) or 140% against all lands, tracts, real estate, highways, and railroads in Joint Drainage District #22 Lateral 19-61.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes due September 30, 1999.

All members of the Joint Board voted "AYE". Motion carried and resolution duly adopted according to the last date of the participating Board's signature.

Date: 5-25-99 /s/ Leo E. Goeders, Chair Person, Palo Alto Co. Board of Supervisors

Date: 5-18-99 /s/ Joel M. Sorenson, Chair Person, Clay Co. Board of Supervisors

Date: 5-25-99 /s/ Herb Crampton, Chair Person, Buena Vista Co. Board of Supervisors

ATTEST: /s/ Carmen L. Maser, Palo Alto Co. Deputy Auditor

ATTEST: /s/ Marjorie A. Linn, Clay Co. Auditor

ATTEST: /s/ Karen M. Strawn, Buena Vista Co. Auditor

Joint Drainage District #22 Lateral 480

The Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties hereby prepare to levy an assessment on the above named drainage district.

Motion by Clay Co. Supervisor William Zinn, seconded by Palo Alto Co. Supervisor Mary Greene, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Lateral 480 of Joint Drainage District #22 and there being insufficient funds to make solvent said account of said Drainage District;

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties, Iowa, that there is hereby levied \$712.77 (all in Clay County) or 30% against all lands, tracts, real estate, highways, and railroads in Joint Drainage District #22 Lateral 480.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes due September 30, 1999.

All members of the Joint Board voted "AYE". Motion carried and resolution duly adopted according to the last date of the participating Board's signature.

Date: 5-25-99 /s/ Leo E. Goeders, Chair Person, Palo Alto Co. Board of Supervisors

Date: 5-18-99 /s/ Joel M. Sorenson, Chair Person, Clay Co. Board of Supervisors

Date: 5-25-99 /s/ Herb Crampton, Chair Person, Buena Vista Co. Board of Supervisors

ATTEST: /s/ Carmen L. Maser, Palo Alto Co. Deputy Auditor

ATTEST: /s/ Marjorie A. Linn, Clay Co. Auditor

ATTEST: /s/ Karen M. Strawn, Buena Vista Co. Auditor

Joint Drainage District #22 Lateral 19-9

The Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties hereby prepare to levy an assessment on the above named drainage district.

Motion by Palo Alto Co. Supervisor Mary Greene, seconded by Clay Co. Supervisor Kenneth Chalstrom, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Lateral 19-9 of Joint Drainage District #22 and there being insufficient funds to make solvent said account of said Drainage District;

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties, Iowa, that there is hereby levied **\$740.14** (Clay \$260.68 and Palo Alto \$479.46) or 15% against all lands, tracts, real estate, highways, and railroads in Joint Drainage District #22 Lateral 19-9.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes due September 30, 1999.

All members of the Joint Board voted "AYE". Motion carried and resolution duly adopted according to the last date of the participating Board's signature.

Date: 5-25-99 /s/ Leo E. Goeders, Chair Person, Palo Alto Co. Board of Supervisors

Date: 5-18-99 /s/ Joel M. Sorenson, Chair Person, Clay Co. Board of Supervisors

Date: 5-25-99 /s/ Herb Crampton, Chair Person, Buena Vista Co. Board of Supervisors

ATTEST: /s/ Carmen L. Maser, Palo Alto Co. Deputy Auditor

ATTEST: /s/ Marjorie A. Linn, Clay Co. Auditor

ATTEST: /s/ Karen M. Strawn, Buena Vista Co. Auditor

Joint Drainage #22 Lateral 546

The Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties hereby prepare to levy an assessment on the above named drainage district.

Motion by Clay Co. Supervisor Del Brockshus, seconded by Palo Alto Co. Supervisor Mary Greene, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Lateral 546 of Joint Drainage District #22 and there being insufficient funds to make solvent said account of said Drainage District;

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties, Iowa, that there is hereby levied \$584.29 (all in Clay County) or 40% against all lands, tracts, real estate, highway and railroads in Joint Drainage District #22 Lateral 546.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes due September 30, 1999.

All members of the Joint Board voted "AYE". Motion carried and resolution duly adopted according to the last date of the participating Board's signature.

Date: 5-25-99 /s/ Leo E. Goeders, Chair Person, Palo Alto Co. Board of Supervisors

Date: 5-18-99 /s/ Joel M. Sorenson, Chair Person, Clay Co. Board of Supervisors

Date: 5-25-99 /s/ Herb Crampton, Chair Person, Buena Vista Co. Board of Supervisors

ATTEST: /s/ Carmen L. Maser, Palo Alto Co. Deputy Auditor

ATTEST: /s/ Marjorie A. Linn, Clay Co. Auditor

ATTEST: /s/ Karen M. Strawn, Buena Vista Co. Auditor

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the law enforcement contract with the city of **Marathon** for 3 years commencing 7/1/99, with the city to pay \$5,000 per year. Carried.

Boardmembers left the boardroom for the Sheriff's office to view a short video on modular **jail** cells.

Zoning Director Kim Johnson discussed deficiencies in the 1988 **zoning map**. Many decisions made since 1966 by the Zoning Commission were not reflected on the 1988 zoning map. She is currently researching both zoning and supervisor minutes to prepare a complete map. Once completed, the zoning ordinance will need to be amended.

Motion by Vail, second by Burnside, to approve (retroactively) and to authorize the Chairman to sign a statement of need and proposed use, to accompany a request for a computer for the **Home Health Aide Agency**, at no expense to the county, provided through a NACo program matching qualified organizations needing equipment with companies having excess equipment. Carried.

The board resumed the discussion of the **insurance** proposals. Several employees addressed concerns with the current agent/carrier, most of which have been resolved. Motion by Bruns, second by Burnside, to accept the low quote from Penco/Clark Fort in the amount of \$105,237 for the following coverages for FY2000: tort liability, auto, property, computer equipment, E & O, umbrella, data processing, inland marine, contractor's equipment, crime, CCF boiler, law enforcement professional, medical professional, worker's compensation, and blanket bond. There being no further discussion, the vote was ayes—all. Carried.

There being no further business, motion by Burnside, second by Bruns, to adjourn the meeting at 12:15 p.m. until Tuesday, June 8 for a regular session.

**BOARD OF SUPERVISORS MEEETING
TWENTY-SIXTH MEETING, 1999 SESSION (26)
JUNE 8, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 8, 1999, in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Vail.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson. Nays—none. Abstentions—none.

John Calhoun, Juvenile Court Services, with Jean Drey, De-Cat Coordinator, advised the board that their application for a Criminal and Juvenile Justice Planning Agency grant of \$50,000 (1 yr. renewable) has been approved, as well as the Juvenile Court Services funding. All sources applied for have been approved for the "**Probation Officer in the Schools**" program. Approval of a 28E agreement is the next step. He will forward a copy to the Co. Attorney for his review.

Supervisor Bruns reported on the **Workforce Development** meeting he had attended in Fort Dodge. Beginning 7/1/2000, we will be part of a 7-county group. The program covers many employment issues.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the consulting agreement with the DLR Group Inc. for special services regarding planning for a new **jail**. Carried.

Recorder Shari O'Bannon updated on the staffing in her office, with one person gone due to having had surgery (she is on FML).

Engineer Jon Ites introduced Tom Smith from Swaney Equipment to discuss an **equipment purchase**. Ites recommended accepting the low quote from Swaney, John Deere having also submitted a proposal. Motion by Gustafson, second by Burnside, to accept the low proposal of Ziegler Caterpillar, Des Moines, in the amount of \$80,600 (which includes a \$15,000 trade-in on the old equipment) for a Caterpillar endloader 928G, delivery to be in 6-8 weeks. Carried.

Ites has received notice from IDOT that bids received for the county's 4 asphalt **projects** (C-49, Lakeside blacktop and the two M-54 projects) have been rejected since they came in significantly higher than the estimates, there being only 2 bidders. It was the consensus of the board to have the plans revised for August letting.

Motion by Burnside, second by Bruns, to authorize the Chairman to sign the final estimate on **project #BROS 90--11(41)-8J-11**. Carried.

A request has been received from the city of Albert City to close a **road** during the Albert City Centennial celebration. Motion by Bruns, second by Burnside, to approve and to authorize the Chairman

to sign a letter of approval to close the gravel road north of Albert City between Sections 11 and 14, Fairfield Township, from the railroad tracks to N-14 on June 26, 1999 for the **Albert City Centennial** celebration, the Centennial organization/city of Albert City to be responsible for signing, to indemnify the county for any liability, and to provide a certificate of insurance or some other form regarding indemnification. Carried.

Engineer Ites reported that the request for a zoning re-classification of a site in **Newell** for a new **secondary road building** has been approved. Motion by Burnside, second by Gustafson, to proceed with the steps necessary to acquire the property and to proceed with letting and construction during FY2000. Carried. Funding will come from local option sales tax dollars. Building design was discussed with no plans finalized.

Supervisor Gustafson suggested long range planning on the use of **local option sales tax dollars**, given that the tax sunsets in 2005. He suggested setting a small amount aside each year in anticipation that a new vote would not approve renewal of the tax. The set-aside funds would be used to reduce the need for a 1-year sharp increase in property taxes due to the loss of the local option dollars.

Ites discussed replacing the forklift (**shop equipment**) with one powered by LP which is included in the FY2000 budget. Motion by Gustafson, second by Bruns, to accept the low quote of Two Rivers, Des Moines, for a Mitsubishi LP powered forklift for a total amount of \$17,974 which includes trade-in, delivery to be in 13 weeks. Carried.

The board discussed purchase of a 'gravel retriever' in the amount of \$6,975 to be mounted to a motorgrader. Its purpose would be to retrieve gravel that would otherwise go into the ditch thereby save the cost of material that would otherwise need to be applied to a road. In a previous demonstration Gustafson was not convinced that the **equipment** worked. No action was taken.

Quotes have been received on the **nurse's** car and will be considered by the Board of Health at their next meeting.

MH Director Anita Hallquist reviewed a copy of the projected costs for the case management program for FY2000. With increases in salary and the addition of benefits for a full-time employee, the budget will increase over the current year. Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign, the Financial and Statistical Report for Purchase of Services Contract with the Iowa DHS for the **case management** program for FY2000. Carried.

Hallquist requested approval for several budgetary items. She also reported on proposed restructuring of the mental health system.

Attorney John Murray and Treasurer Kathy Bach updated the board on the status of **a tax sale certificate property**.

Engineer Ites was present to discuss family medical leave for 1 employee. Motion by Bruns, second by Gustafson, to designate the beginning of **Family Medical Leave** for Stewart Jessen, effective immediately, the ending date to be 12 weeks following, or August 31. Carried.

The board discussed providing funds for an infrastructure fund for the **Season's Center**. Roof repair was needed without the necessary funds being available. The request will be considered for payment on June 30.

The county was notified that Robert L. Anderson, Marathon, has been appointed to fill the vacancy created by the resignation of Arlin Hinkeldey on **the BV Co. Soil & Water Conservation Commission**. He will serve until the November, 2000 election, after which the winner will take office for the remainder of the term which ends 12/31/2000.

Motion by Burnside, second by Bruns, to approve the **minutes** of the 6/1/99 meeting as printed. Carried.

There being no further business, motion by Gustafson, second by Burnside, to adjourn the meeting at 2:15 p.m. until Tuesday, June 15 for a special session.

**BOARD OF SUPERVISORS MEEETING
TWENTY-SEVENTH MEETING, 1999 SESSION (27)
JUNE 15, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 15, 1999, at 1:00 p.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

John Calhoun, Juvenile Court Services, presented a 28E agreement, which has been reviewed by the county attorney, for the Juvenile Probation Officer in the Schools. Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the 28E agreement for School Based Supervision Programs (Juvenile Probation Officer in the Schools) to begin July 1, 1999, and terminating June 30, 2004. Carried.

Motion by Burnside, second by Bruns, to approve the minutes of the 6/8/99 minutes as printed. Carried.

Case Manager Dawn Mentzer discussed a grant application for a community investment project. Funding is being provided by Merit Behavioral. The application, which is being submitted by a consortium of local service providers, proposes a program providing a community support system for persons newly discharged from an MHI or hospital, to help stabilize the consumer in the community. The program will help to provide better coordination of services. Motion by Gustafson, second by Bruns, to approve and to authorize the chairman to sign the letter of notification (of collaboration with the Board of Supervisors on the grant application process), and the grant application to Merit Behavioral. Carried.

1:30 p.m.--After moving to the 2nd Floor Public Meeting Room, and the time having arrived for the public hearing on the request of a road closing, the Chairman opened the hearing with the following persons present:

Buena Vista County: Supervisors Crampton, Bruns, Burnside, Gustafson, Vail; Engineer Jon Ites; Auditor Strawn.

Sac County: Supervisors Rebecca Hillmer, Laura Foell, Russell Kroeger; Engineer John Johnson.

Landowners/Interested Persons: Don Henson, Pat Sand, Lester Suhr, and 2 persons from the media.

Engineer Ites reviewed the request which was to close the road lying south of Section 34, Maple Valley Township, Buena Vista County, and north of Section 3, Eureka Township, Sac County. The public hearing on this request was properly advertised, and notice by certified mail was sent to all landowners/residents within a 3 mile radius of the proposed road closing. The purpose of the hearing is to consider the reasons and the estimated costs for the proposed action. The eligibility for a remonstrance is reserved for persons who are landowners with land adjacent to the road and with a house fronting on the road.

Ites reviewed the map of the road, pointing out the large number of cottonwood trees at both ends of the mile, on the north side. The number of trees and their size (up to 52" in diameter) will require a substantial expenditure if they are all to be removed and burned. There would be additional costs in obliterating the road. The time required to do both would probably be in excess of 1 week. Additionally, there are fence lines on both sides of the road, and the road itself is lower than its shoulders. As is, the road frequently attracts persons with no business on the road, who often get stuck when it is muddy, causing damage to the road, and then cost to repair the road. The time and expense for road repair is a nuisance to the counties, and pulling out those persons who get stuck is a nuisance to the landowners.

Several options were discussed including leaving the trees and the fences, gating the road entrances and fixing the culvert, all the way to a complete closing and vacating of the road. Sharing the cost of tree removal between counties and landowners was also mentioned.

There being no further discussion until approximate costs for tree removal are known, motion by Vail, second by Foell, to close the public hearing, and to direct Engineer Ites to obtain a cost estimate on

tree removal. Carried. If an estimate is available in time, the boards will discuss the matter further by telephone on June 30.

The board returned to the boardroom to complete their meeting.

Engineer Ites presented a request from the city of Linn Grove to rent an endloader. It was the consensus of the board to approve.

Ites also asked the board to consider allowing an employee to gift a portion of his/her vacation leave to another employee who has exhausted his paid vacation and sick leave. Motion by Burnside, second by Vail, to allow secondary road employees to give up to 2 days of their accumulated vacation leave to S. Jessen with the following provisions: Jessen is to receive the gift at his current rate of pay regardless of donor's payrate; approval is given on a 1 time basis only; any and all gifts will be confidential; Jessen is responsible for his insurance premiums after his family medical leave is exhausted, and may use this gifted income towards his premium. Carried.

Supervisor Burnside left for other meetings.

Upon receipt of an amended request for a July 28 starting date for family medical leave, motion by Gustafson, second by Vail, to change the starting date of S. Jessen's family medical leave to June 22. Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

NRCS has asked for a ruling on how much soil cover the Board of Supervisors, as Drainage District Trustees, will require over drainage district tile. In one location, the cover is at 1.3'-1.7', instead of the 2' minimum the board would prefer. Motion by Gustafson, second by Bruns, to require a minimum soil cover of 1.6' over drainage district tile, to require that a landowner sign an agreement in which he acknowledges that any district tile repairs necessary due to the shallow cover shall be the expense and responsibility of the landowner, to notify Loras Boge that the agreement requiring his signature is forthcoming, and, to notify Boge that he must modify his plan to achieve the 1.6' of cover. Ayes—Bruns, Gustafson, Crampton. Abstentions--Vail. Carried. Gustafson suggested noting in the letter that if he has any questions, Boge is invited to meet with the board.

Motion by Vail, second by Bruns, to promote Dave Fassler from Equipment Operator 1 to Equipment Operator 2 effective July 1, 1999. Carried.

The board again discussed the gravel retriever. No motions were made, but the item will be included on the 6/22 agenda when all board members are present.

Weed Commissioner Norm Lund asked about levying fines on landowners where weeds have not been destroyed by published deadlines. He will meet with the board at the next meeting.

Pursuant to Chapter 50.24 of the 1999 Iowa Code, and upon completion of the Canvass of the June 8, 1999, Local Option Sales Tax for School Infrastructure Election, motion by Bruns, second by Vail, to declare the results as follows: total voters—1,947; Yes—683, No—1,264; the public measure was declared defeated. Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

There being no further business, motion by Gustafson, second by Vail, to adjourn the meeting at 4:10 p.m. until Tuesday, June 22 for a regular session.

**BOARD OF SUPERVISORS MEEETING
TWENTY-EIGHTH MEETING, 1999 SESSION (28)
JUNE 22, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 22, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Weed Commissioner Norm Lund and Assistant Weed Commissioner Dave Wiley discussed increasing the penalty for non-compliance with the weed destruction notice. They recommended taking some action to increase the penalty prior to next year's publication of the weed notice, to some level that would encourage compliance. The penalty is not large enough to be an incentive for getting the weeds under control. Enacting a higher penalty would probably require an ordinance.

Motion by Gustafson, second by Bruns, to approve the **minutes** of the 6/15 meeting as printed, and the following **report**: June Conservation Board minutes. Carried.

Motion by Burnside, second by Vail, to **employ** Jaci Teut (Cranston) as a temporary full time employee in the Auditor's office effective 6/29/99 at \$7.16/hr (45% of the auditor's salary). Carried.

Supervisor Gustafson explained that a resolution on the size of the **jail** to be considered is needed. Motion by Gustafson, second by Burnside, to approve the recommendation of each: the Jail Planning Committee, the Criminal Justice Committee and the Citizen's Advisory Committee, on jail size - for a 60/80 bed jail, so that conceptual drawings can be prepared by the DLR Group. Carried.

Engineer Jon Ites presented two proposals - from 1st Coop, Cherokee, and FS Energy, Storm Lake, for the season's supply of fuel. Motion by Vail, second by Burnside, to accept the low **quote** of FS Energy, Storm Lake, for the FY2000 fuel supply. Carried.

Motion by Vail, second by Burnside, to **employ** Terry Galvin, Alta, and Luke Warkentin, Linn Grove, each in the position of Equipment Operator I in the Secondary Road Department, effective June 28, 1999, at \$2.00 under the regular rate for that position, with eligibility for 50 cent raises at 6 month intervals until reaching the base rate for Equipment Operator 1. Carried.

Ites requested discussion of a request from a contractor on a Hwy 10 project to use the **Goldsmith Pit** as a set-up location. Ites noted that the site is not large enough to be used for two projects simultaneously. The location is scheduled for another project, but the precise dates for each aren't currently known. Ites also asked if the board would charge a fee for its use, in addition to any costs for dust control and road repair. The board requested that he check whether other counties charge in similar situations. Ites also recommended against selling material from the site to the contractor due to the likely increase in the county's cost to quarry additional material.

Purchase of a **gravel retriever** was discussed. Ites believes that it could cut hours of operation including man and equipment hours, when re-working a road. Bruns said after visiting with other counties, they like the equipment, but don't use it very often. Motion by Vail, second by Bruns to purchase a gravel retriever in the amount of \$6,975. Bruns suggested selling one of the older mower tractors to offset the cost. Ayes—Bruns, Burnside, Vail. Nay—Gustafson. Abstentions—none. Carried.

Regarding a motion on the books in the last fiscal year, Ites asked whether Secondary Roads or the Board should be charged for the **dust control** at Vetter Equipment pursuant to last year's agreement to re-apply the dust control this year --- Secondary Roads.

10:00—The time having arrived for the bid letting on project #L-C-103-73—11, 7 bids were received from Beck Construction, Estherville, IA, Dixon Construction, Correctionville, IA, Don Doyle, Sioux Rapids, IA, Godberson Smith, Ida Grove, IA. Motion by Vail, second by Bruns, to accept the apparent low quote of Dixon Construction, Correctionville, IA, in the amount of \$147,205.60, for box culvert **project #L-C-103-73—11**. Carried.

Nurse Administrator Karole Graen discussed a grant application being submitted jointly with Crawford and Sac Counties and DHS for the "Safe & Stable Families" project. The program will be a cooperative effort with the hospital to follow their infant after-care project. Public Health will work with at-risk families to keep them in touch with their doctors. The program will address psycho-social problems and will involve other agencies including AEA, the BV Co. Homecare Agency. A part of the grant will pay for training homecare aides so they are qualified to teach parenting skills. Other agencies will include the Seasons Center and Iowa State Extension. The \$100,000 application would be divided three ways to each: Sac, Crawford, and Buena Vista Counties. The need in this county is apparent with the number children going to family foster care rising. Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign a letter of support for the "Hopes" like program grant joint application with Crawford and Sac Counties for the "**Safe and Stable Families**" program. Ayes—Burnside, Gustafson, Vail. Nays—Bruns. Carried. Bruns noted that tax dollars are being used to subsidize employers who do not pay high enough wages.

Graen also discussed the **Buckingham Estate Trust Fund**, which the board administers and which provides a source of funds for medical care for indigent children in BV County. There are few guidelines in the trust document identifying who is eligible and for what type of care. Requests for funds have previously come through the Community Services Department. Rather than developing an application form and guidelines, the board suggested that requests be submitted on a case by case basis.

Graen reviewed June **Board of Health** minutes.

SLADC Executive Director Jim Gossett and SLADC Board members Tim Pierce and Tim Brown, met with the board of supervisors to discuss the forgivable loan made to Tuscarora. The county provided \$50,000 of the total received by Tuscarora. Under the terms of the loan, Tuscarora was to repay the loan on a pro rata basis for any jobs not developed per terms of the loan agreement. \$22,410 of the county's original \$50,000 is being repaid. In addition, due to its satisfaction with the economic development incentives provided by SLADC, Tuscarora has made a contribution of its own to the SLADC Revolving Loan Fund. SLADC representatives were present to ask the supervisors to consider contributing the county's pro rata share of returned funds to the **SLADC Economic Development Revolving Loan Fund**. Motion by Burnside, second by Vail, to receive the Tuscarora repaid loan funds, and to contribute them to the SLADC Economic Development Revolving Loan Fund. Carried.

Case Manager Dawn Mentzer updated the board on Anita Hallquist who is ill. During her absence Mentzer fill in, and will come in 4 hours/week during her maternity leave to provide the necessary supervision for the department. Motion by Gustafson, second by Burnside, due to the illness of the BV Co. CPC, to **promote** Dawn Mentzer to **Assistant CPC**, effective July 1, 1999, with an increase in wage to \$30,000/yr and a 35 hour workweek. Carried.

Supervisor Lorna Burnside, Chairman of the BV Co. Emergency Management Commission, announced that Bob Christiansen has been hired as **Emergency Management Coordinator** to fill the vacancy created by the resignation of Gloria Hadachek.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the FY2000 agreement for **S.H.I.E.L.D.** services with NWIPDC, this being a renewal of the current agreement. Carried.

Before approving an agreement for services from Chem-trol for **drainage districts**, the board requested that a representative of the company meet with them.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign a grant agreement in the amount of \$6,752 for **Emergency Medical Service** training funds with the Iowa Dept. of Public Safety for FY2000. Carried.

Supervisor Vail relayed two inquiries regarding **delinquent tax properties** to the board for their consideration.

The board discussed making an offer on the lot(s) for the new **jail construction**. The Chairman will meet with a representative of the owner.

There being no further business, motion by Gustafson, second by Vail, to adjourn the meeting at 12:20 p.m. until Wednesday, June 30 for a special, end of fiscal year session.

**BOARD OF SUPERVISORS MEEETING
TWENTY-NINTH MEETING, 1999 SESSION (29)
JUNE 30, 1999**

The Buena Vista County Board of Supervisors met in special session on Wednesday, June 30, 1999, at 1:00 p.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Vail, and with Auditor Strawn as clerk for the meeting. Absent: Burnside, Gustafson.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Vail. Nays—none. Abstentions—none.

Motion by Bruns, second by Vail to amend today's agenda by adding the following items: approve fireworks display request, approve appropriations amendments, and order Jt. DD 64-105 levy. Carried.

Motion by Vail, second by Bruns, to approve the request of Howard Stille to put on a fireworks display on July 4, 1999 at his home, 6445 Hwy 110, Alta, located in Section 26, Maple Valley Township. Carried.

Courthouse Head Custodian Dewyne Stucynski discussed plumbing problems in the jail caused by prisoners. Also, the sump pumps, which were original with the building, are not working properly and need to be replaced, along with the controls. The board approved purchasing replacement pumps from original supplier for an approximate total cost of \$1,600. The existing control panel will be used.

The board discussed an increase in rates for the DHS & the E.R. Annex custodial agreements, and some changes other terms in the agreements. Action will be taken at a later date. Stucynski also discussed the telephone systems in the courthouse, and how best to achieve voice mail capability for those departments which will eventually need it.

Engineer Ites presented several items for approval. Motion by Vail, second by Bruns, to approve the utility construction permit application of GTE Midwest, Grinnell, IA, to install an underground telephone cable for culvert project #L-C-103—73-11 in Section 2, Barnes Township. Carried.

Motion by Bruns, second by Vail, to approve the utility construction permit application of IA Lakes Electric Cooperative, Estherville, IA, to install an overhead single phase 7200v distribution line in the north side of Section 27, Lincoln Township to provide service to NutraTech, Inc. Carried.

Motion by Bruns, second by Vail, to approve and to authorize the chairman to sign the final estimates to IDOT for bridge and culvert project inspections: project #STP-11(33)—5E-11, contractor-Christensen Bros., in the amount of \$1,078.95; and project # BROS-9011(5)—5F-11, contractor-Graves Construction, in the amount of \$1,504.88. Carried.

Ites relayed to the board a request that he serve on a DOT committee to help write asphalt specs. It was the consensus of the board to approve that he serve on the committee.

Ites discussed a new law passed in this year's session of the legislature on the implements of husbandry, recommending that the board be the signing authority on the permit applications. He provided information for their review.

Several employee handbook sections were discussed included the 3 days of sick leave which can be used as personal leave, and who the approving authorities should be for unpaid leaves, and leave renewal. The auditor was directed to write some interpretative language for the board's consideration so that administration of these sections can be consistent from one department to the next.

De-Cat Coordinator Jean Drey and Juvenile Probation Officer Robert Fritz, presented a request from Juvenile Corrections Officer John Calhoun that the board of supervisors consider vacation leave for the juvenile liaison officers (in the schools) in the amount of 2 weeks after 1 year, rather than the 1 week after 1 year, as is standard for all other county employees. The juvenile court system would like to achieve uniformity for this position across the state (under other programs, but for the same position).

Motion by Vail, second by Bruns, to appoint Herb Crampton to the local County Empowerment Board for a term of 3 years effective 7/1/99. Carried.

Motion by Bruns, second by Vail, to order a 29.5% levy for Jt. DD # 64-105, a 25% levy having originally been levied by the joint boards of Sac and Buena Vista Counties 2 years prior on 1-25-96, but having been omitted until the current year by Buena Vista County, and the increase in levy needed to pick up the additional interest. Carried.

Motion by Vail, second by Bruns, to amend appropriations in the FY'99 budget as follows:

increase	activity 8010	fund 002	dept. 02 by	\$16,250
increase	activity 9000	fund 001	dept. 01 by	\$150
crease	activity 9010	fund 001	dept. 02 by	\$150

Carried.

Motion by Vail, second by Bruns, to approve the minutes of the 6/22 minutes as amended. Carried.

Supervisors Vail, Bruns and Crampton all served on the cash count committee in the Sheriff's and Treasurer's office for close of FY'99 business.

There being no further business, motion by Vail, second by Bruns, to adjourn the meeting at 3:35 p.m. until Tuesday, July 6 for a regular session, and to canvass the June 29, 1999 special election.

**BOARD OF SUPERVISORS MEETING
THIRTIETH MEETING, 1999 SESSION (30)
JULY 6, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 6, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

De-Cat Coordinator Jean Drey and Juvenile Probation Officer Robert Fritz returned to meet with the full board regarding their request for an increase in vacation leave for juvenile liaison officers. Providing benefits to these employees at the same level as other juvenile liaisons across the state, versus equivalent to county employees, was discussed. Motion by Burnside, second by Gustafson, to approve an exception to the employee handbook to grant juvenile liaison officers 2 weeks of vacation after 1 year of employment, this to be a departmental rule for the juvenile liaison officer department. Ayes—Burnside, Gustafson, Crampton. Nays—Bruns, Vail. Carried.

Recorder Shari O'Bannon updated the board on her department

Motion by Gustafson, second by Burnside, to approve and to authorize the chairman to sign an agreement for services with the Regional Transit Authority, Spencer, for FY2000. Carried.

Motion by Bruns, second by Vail, to approve the consent agenda as follows:

- minutes of the 6/30 meeting as printed;
- reports – 2nd Qtr FY'99 Recorder's fees, May Clerk's surcharges, fines and costs, June Sheriff's fees; also reviewed NWIPDC Policy Council minutes;
- minutes of the Sac County Board of Supervisors as Trustees for DD #19-26 Jt. and DD #16-30-92 Jt.;
- 2 resolutions as follows:

APPROPRIATION RESOLUTION 1999-07-06a

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year commencing July 1, 1999 in accordance with section 331.434 (Sec 6) 1999 Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. The amounts itemized by department or office on the certified County Budget for 1999-00 are hereby appropriated at 100% from the resources of the funds, to the department or office listed in the 1999-00 budget (see budget by department document).

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from county funds effective July 1, 1999.

Section 3. In accordance with section 331.437 Code of Iowa, no department or officer shall expend, or contract to expend, any money, or incur any liability, or enter into any contract which by its terms involves

the expenditure of money, for any purpose in excess of the amounts appropriated pursuant to their resolution.

Section 4. If at any time during the 1999-00 budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriation she shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amount charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers monthly during the 1999-00 budget year. The Auditor shall also provide a summary report of all departments to the Board monthly.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2000.

RESOLUTION FOR INTERFUND OPERATING TRANSFERS 1999-07-06b

WHEREAS, it is desired to transfer monies from the General Basic Fund to the General Supplemental Fund and to the Secondary Road Fund; and to transfer from the Rural Services Basic Fund to the Secondary Road Fund; and

WHEREAS, said operating transfers are in accordance with section 331.432, Code of Iowa,

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Buena Vista County, Iowa as follows:

Section 1. The sum of \$0 is ordered transferred from the General Basic Fund to the General Supplemental Fund, with one-half the amount to be transferred no earlier than July 1, 1999 and the last one-half to be transferred no earlier than January 1, 2000. The sum of \$95,000 is ordered transferred from the General Basic Fund to the Secondary Road Fund with one-half the amount transferred no earlier than July 1, 1999 and the last one-half transferred no earlier than January 1, 2000. The sum of \$835,000 (Rural Basic levy) plus \$371,203 (estimated, the actual transfer to be 70% of the local option sales tax collected for FY'99) is ordered transferred from the Rural Services Basic Fund to the Secondary Road Fund (levy and FY'99 L.O.S.T. collections) with one-half the amount transferred no earlier than July 1, 1999 and the last one-half transferred no earlier than January 1, 2000. Note: county assistance/personal property receipts from the state of Iowa shall be deposited in General Basic for expenditure in that fund.

Section 2. The total maximum transfer from the General Basic Fund to the Secondary Road Fund shall not exceed \$95,000 (levy) and the total maximum transfer from the Rural Basic Fund to the Secondary Road Fund shall not exceed \$835,000 (levy) plus 70% of the actual local option receipts for the tax collected for FY'99), all for the fiscal year beginning July 1, 1999.

Section 3. The Auditor is directed to correct her books accordingly and to notify the Treasurer and Engineer of these operating transfers, accompanying the notification with a copy of this resolution and the record of its adoption.

Carried.

The chairman introduced discussion on tendering an offer for a property on which to build a new jail. Citing the 1999 Iowa Code, Chapter 21.5(1j), which provides for a **closed session** "to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.", motion by Gustafson, second by Burnside, to close the meeting for the purpose of discussing the offer to be made on a jail site. Bruns-aye, Burnside-aye, Gustafson-aye, Vail-aye, Crampton-aye. Carried.

Upon returning to open session, Mike Lewis, DLR Group, Sheriff Chuck Ed Eddy and Deputy Don McClure, were present to discuss the next stage in the **jail planning** project. An election could be held as soon as mid-October, which would give adequate time to educate the public on the issue. Prior to the election the county may wish to obtain the services of both a financial advisor, and of bond counsel. The board agreed to meet Friday, July 9 at 12:30 p.m. to discuss these matters further.

There being no further business, motion by Burnside, second by Vail, to adjourn the meeting at 12:15 p.m. until Friday, July 9 at 12:30 p.m. for a special session.

**BOARD OF SUPERVISORS MEEETING
THIRTY-FIRST MEETING, 1999 SESSION (31)
JULY 9, 1999**

The Buena Vista County Board of Supervisors met in special session on Friday, July 9, 1999, at 12:30 p.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes--Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Motion by Gustafson, second by Vail to approve the minutes of the 7/6 meeting as printed. Carried. Motion by Burnside, second by Bruns, to add to today's minutes the following items which were omitted from the meetings as noted:

From 6/22/99 -- Motion by Vail, second by Burnside, to amend appropriations in the FY'99 budget as follows:

- increase activity 1000, fund 001 dept. 05 by \$9,000
- increase activity 1030, fund 001 dept. 05 by \$2,500
- increase activity 1050, fund 001 dept. 29 by \$9,000
- increase activity 8110, fund 001 dept. 07 by \$1,005 (from 1%)
- increase activity 8110, fund 001 dept. 07 by \$5,095 (new) Carried.

From 6/30/99 -- Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the final estimate on project #BROS 11(41)—8J-11, (twin box culvert at Marathon Park), contractor-Christenson Bros., in the amount of \$160.49. Carried.

From 6/30/99 -- Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign, the contracts and form of bonds of Dixon Construction on metal culvert project #L-C-103 to be located in Section 2, Barnes Township. Carried.

From 6/30/99 -- Ites discussed the condition of the roof on a secondary road building in Linn Grove. It was the consensus of the board to approve purchasing steel (approximately \$1,500) for installation by county employees.

From 7/6/99 -- Having completed the canvass of the June 29, 1999 statewide Iowa Constitutional Amendments Election pursuant to Chapter 50.24 of the 1999 Iowa Code, motion by Burnside, second by Vail to declare the results as follows: Total voters: 2,572; Amendment #1-99% expenditure limitation - Yes-1,636, No-873; Amendment #2-60% majority for new or increased taxes - Yes-1,642, No-892; and to direct the auditor to complete and forward abstracts to the Secretary of State, as required. Carried.

Three persons were present to discuss the services their firms offer in the area of public finance. Attending were Gary Bauer, Kirkpatrick-Pettis, West Des Moines; John Geist-Ruan Securities, Corp., Des Moines; and Mark Sorfonden-1st Federal Savings Bank, Storm Lake. Sorfonden indicated that his interest was in purchasing only (general obligation bonds). Bauer, followed by Geist, introduced their respective companies, and discussed the types of services they offer. Both can act either as an underwriter of the bonds, or a financial advisor to oversee the sale or both. They can also provide assistance with the election process in developing appropriate information pieces to explain the property tax impact of the proposed jail project. After questions and answers, motion by Burnside, second by Vail, to prepare RFP's for selection of a financial advisor on the jail project. Carried.

The board also discussed obtaining the services of bond counsel to see the county through the election, and if successful, through the issuance of general obligation bonds. The board proposed Bob Josten, Dorsey Whitney, Des Moines, if he is available.

Regarding a letter from John Murray, Attorney, the consensus of the board was to proceed with action to obtain tax deeds on tax certificate #'s 9246, 1692, 1699, and 1878.

There being no further business, motion by Vail, second by Gustafson, to adjourn the meeting at 2:00 p.m. until Tuesday, July 20 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-SECOND MEETING, 1999 SESSION (32)
JULY 20, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 20, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson and Vail, and with Deputy Auditor Kennedy as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Motion by Vail, second by Bruns to approve the minutes of the 7/9 meeting as printed. Carried.

Motion by Vail, second by Bruns to approve the items on the consent agenda: approving 2 drainage work orders for DD 181 JT, in the estimated amount of \$1,500 for a site in Br 976, Douglas Twp, Sac Co.; and in the estimated amount of \$3,500 for a site in Br 976 in Williams Twp, Calhoun Co.; and the election expense statements for the 2/9/99, 2/16/99, 5/25/99, and 6/29/99 elections. Carried.

Motion by Vail, second by Bruns to approve reports submitted as follows: Revised 3rd Qtr FY '99 Farm-to-Market Fund, 4th Qtr FY '99 Farm-to-Market Fund, Clerk's fees and surcharges, Mangold Environmental tests of Spectra lagoon, FY'99 Medical Examiner case log, June Clerk's fees and surcharges, budget reports. Carried.

Motion by Vail, second by Bruns to approve the following waivers on several drainage districts: DD #47—3 year, DD #66—2 year, DD #71—2 year, DD #79—2 year, DD #101—2 year, DD #134—2 year, JT. DD #105-64—3 year. Carried.

Treasurer Kathy Bach and Deputy Auditor Sue Kennedy met with the Board to review the Treasurer's semi-annual report and the Auditor's cash flow report.

Motion by Gustafson, second by Burnside, to abate the drainage assessment on receipt #142053 for Iowa Illinois Telephone Co for \$5, and to abate the delinquent taxes on parcel #5693.02 of \$89.00. Carried.

Assistant CPC Dawn Mentzer updated the Board on the status of her department. She also discussed the provider contracts with Seasons Center, Genesis Development, Lutheran Family Services, and Horizons Unlimited. David Vestal, ISAC Counsel, has made changes to the CCMS 28E agreement. The Board gave the agreement to Phil Havens to review before any action is taken.

Motion by Gustafson, second by Bruns, approving and authorizing the Chairman to sign the FY2000 services contract with Seasons Center. Carried.

Motion by Burnside, second by Vail, approving and authorizing the Chairman to sign the FY2000 services contract with Genesis Development. Carried.

Motion by Burnside, second by Gustafson, approving and authorizing the Chairman to sign the FY2000 services contract with Lutheran Family Services. Carried.

Motion by Gustafson, second by Bruns, approving and authorizing the Chairman to sign the FY2000 services contract for Horizons Unlimited. Carried.

Motion by Bruns, second by Vail, approving and authorizing the Chairman to sign the FY2000 services the FY2000 Substance Abuse Reimbursement Contract with the Iowa Department of Public Health. Carried.

Assistant CPC Mentzer asked the Board about a court ordered evaluation at Oakdale on a criminal case. Co. Attorney Phil Havens thought it should be paid from mental health funds. Mentzer talked to Robin Wilson, who thought that the Sheriff could pay the charges. It will be up to the Board to decide when the actual bill arrives.

Assistant CPC Mentzer handed out drafts of the **CPC Restructuring** Task Force Plan to each Boardmember.

Engineer Ites reported on the quarterly Farm-to-Market Funds, and requested 2 **bid lettings** for culvert replacement. Motion by Burnside, second by Vail to set the letting date as August 31 for receiving bids on the 2 culvert replacement projects #L-C-602 & #L-C-603. Carried.

Motion by Burnside, second by Vail, to set September 7 as the date to receive **bids** on the Newell Maintenance Building project. Carried.

Engineer Ites advised the board of the need to define "**ag hardship**" as it appears in the new law about implements of husbandry.

Motion by Gustafson, second by Burnside approving and authorizing the Chairman and other members to sign **Resolution of Support for H.R.1452** and to send copies to all of the Iowa legislators. Carried.

RESOLUTION OF SUPPORT FOR H.R. 1452 - #1999-07-20a

Whereas, the Buena Vista County Board of Supervisors must from time to time issue bonds to finance capital projects that are necessary to ensure the health and welfare of the citizens of our county; and

Whereas, the Buena Vista County Board of Supervisors recognizes the fact that the cost of interest for bonds issued to fund capital projects is a great burden on the taxpayers of Buena Vista County; and

Whereas, H.R. 1452, short title, "The State and Local Government Economic Empowerment Act" would make interest-free loans available to state and local governments from Federal Government-created money to be used only for building and repairing capital projects; and

Whereas, the "State and Local Government Economic Empowerment Act" (H.R. 1452) has the potential of saving citizens millions of dollars in taxes, building more of the public infrastructure, increasing employment, and reducing federal, state, and local government debt;

NOW, THEREFORE BE IT RESOLVED BY THE BUENA VISTA COUNTY BOARD OF SUPERVISORS that it supports H.R. 1452, the "State and Local Government Economic Empowerment Act" and requests that the United States Congress vote in favor of enacting H.R. 1452. We, also request that our Congressman Tom Latham go on record both in support of H.R. 1452 and that he sign on as a co-sponsor of H. R. 1452. We also request the support of Rep. James Leach (R-IA), Chairman of the Banking Committee and Rep. John Kasich, (R-OH) Chairman of the Budget Committee in getting H.R. 1452 reported favorably out of their committees to the House of Representatives so that a vote can be taken on this vital legislation in this legislative year. Resolution adopted this 20th day of July, 1999.

/s/ Herb Crampton, Chairman, Board of Supervisors /s/ Lorna Burnside, Supervisor
/s/ Doug Bruns, Supervisor /s/ Jim Gustafson, Supervisor
/s/ Richard Vail, Supervisor

Veterans Services Officer, Clint Hoferman and Veterans Secretary Paula Guerra met with the Board to discuss an option presented them by General Services Voluntary Service of Des Moines. General Services will purchase a van for Buena Vista County for **veterans' transportation** to the Des Moines and Sioux Falls Veterans Hospitals. General Services provides a fuel card to use, maintains the insurance on the van, and provides all maintenance to the vehicle. Because this is a volunteer program, the county will be asked for a contribution of \$185/mo. The Board requested that Hoferman obtain a copy of the contract for this service for their review before making a decision.

RESOLUTION 1999-07-20b

Motion by Bruns, second by Vail to approve and to authorize the Chairman to sign the Articles of Agreement (28E) for the Region 5 Chief Elected Official Consortium Workforce Investment Act of 1998. Carried.

Motion by Bruns, second by Vail to approve and to authorize the Chairman to sign Resolution 1999-07-20c creating the Region Five Workforce Investment CEO Board. Carried.

**RESOLUTION 1999-07-20c
A RESOLUTION PROVIDING FOR THE CREATION
AND OPERATION OF THE WORKFORCE INVESTMENT ACT
REGION 5 CHIEF ELECTED OFFICIALS BOARD**

WHEREAS, the Governor of Iowa determined that on March 25, 1999, the counties of Buena Vista, Calhoun, Hamilton, Humboldt, Pocahontas, Webster and Wright shall comprise Workforce Investment Region 5 pursuant to the Workforce Investment Act of 1998, and

WHEREAS, the Workforce Investment Act (WIA) of 1998 requires, and Chapter 28E The Code of Iowa (1997) allow, units of local government to indicate their joint participation in the WIA, by executing a joint exercise of powers agreement in accordance with those laws and regulations, and

WHEREAS, the heretofore-named counties desire to participate in, and be a member of Workforce Investment Region 5 as designated by the Governor:

NOW THEREFORE BE IT RESOLVED BY the county of Buena Vista, Iowa, that it does hereby pledge its cooperation with the governing bodies of other cooperating governmental units in the creation and operation of the Workforce Investment Region 5 Chief Elected Officials Board by adopting the Intergovernmental Cooperation Agreement of such Board which is attached hereto and by this reference made a part hereof.

Passed and approved this 20th day of July, 1999.

/s/ Herb Crampton, Buena Vista County Board of Supervisors Chairperson
Attest: /s/ Sue Kennedy, Deputy Auditor of Buena Vista County

There being no further business, motion by Vail, second by Burnside, to adjourn the meeting at 12:00 noon until Tuesday, July 27 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
THIRTY-THIRD MEETING, 1999 SESSION (33)
JULY 27, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 27, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Gustafson.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Vail. Nays—none. Abstentions—none.

Veterans Services Officer Clint Hoferman discussed the veterans' transportation van which is being offered to the county. The Department of Veterans Affairs provides the van, accepts a donation of \$194/mo., and pays all associated costs including gas, oil, insurance, etc. Motion by Burnside, second by Vail, to accept a van, for a 1 year trial period, from the Department of Veterans Affairs for transportation of veterans to Des Moines and Sioux Falls Veterans Hospitals, and to make a contribution of \$194/mo. to the volunteer services of the Department of Veterans Affairs, the drivers to be volunteer veterans from the county. Carried.

Zoning Director Kim Johnson suggested bringing zoning education to the county in the form of videos or a speaker, to assist with the understanding, interpretation and amendment of the county's zoning ordinance. She will try to arrange a meeting for September 22, 1999.

With Johnson, Sheriff Chuck Eddy, and Engineer Jon Ites present, the board reviewed the recommendations of the Risk Manager from the county's insurance carrier who surveyed the county earlier this year.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the "Notices of Election to Terminate Contract" on the sealcoat agreements for the following subdivisions: Casino

Beach (South Road, Central Road, and North Loop), Stoney Point Beach, Schaller's Subdivision, South Cove Addition. Carried.

Steve Hansen, **Chem-Trol**, discussed the proposals his firm had submitted, one to re-treat the drainage districts, and the other to both re-treat and additionally, to treat the larger growth. A previous contract with the company guaranteed the treatment which was not effective due to having a short season, and other delays. Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign Chem-Trol's proposal in the amount of \$12,171.88 to re-treat the smaller brush, and to treat brush over 6", (proposal #99040) for the following districts: DD 1 Main Lateral 1, DD 20 Main, Jt. DD 274 Main, DD 14 Ext., DD 183 Main, DD 32 Main, DD 205 Main, DD 106 Main, and DD 180 Main, a total of 51.25 miles. Carried.

Nurse Administrator Karole Graen discussed the requirements of the IA Dept of Human Services for the 1999-2000 **public health nursing funding agreement**. It requires that the county retain 10% of the reimbursement for services provided to Medicaid recipients. The funds are to be reserved in the event re-payment is necessary due to a decrease in the audited service fee. Motion by Vail, second by Burnside, to adopt and to authorize the Chairman to sign the following resolution: Resolution #1999-08-03. Ayes—Burnside, Vail. Nays—Bruns. Abstentions—none. Carried.

RESOLUTION NO. 1999-08-03

RESOLUTION AUTHORIZING A DESIGNATED RESERVE ACCOUNT FOR MEDICAID ADMINISTRATIVE CLAIMING AND DIRECTING TREASURER TO MAKE AUTOMATIC TRANSFERS INTO AND OUT OF SAID RESERVE ACCOUNT

WHEREAS, the Department of Human Services for Medicaid Administrative Claiming is requiring those entities seeking reimbursement for Medicaid administrative fees to hold 10% of the reimbursement in a reserve account for a minimum of five years from the time of receipt.

THEREFORE, IT IS HEREBY RESOLVED that the County Treasurer designate a subsidiary reserve account in the general basic fund to reserve 10% of the reimbursement for a period of five years from the time of the receipt; and the Treasurer is directed to automatically transfer 10% of the reimbursement received into the reserve fund upon receipt of the same without further resolution of the Board of Supervisors.

IT IS FURTHER RESOLVED that upon completion of the five year period, the County Treasurer is hereby directed to automatically transfer amounts which have reached the five year threshold out of the reserve account into the general basic fund without further resolution of the Board Of Supervisors.

IT IS FURTHER RESOLVED that in the event the Department of Human Services abolishes the requirement to reserve the 10% Medicaid Administrative Claiming, the County Treasurer shall cease transfers into the reserve fund and shall remove, when permitted by Department of Human Services, any reserve fund then being held pursuant to this Resolution.

Graen requested a volunteer to draw up some guidelines for use of the **Buckingham Estate** funds. Crampton will work with Graen.

Proposals for **financial advisors** for the proposed jail were received from Ruan Securities, Springsted & Associates, Evenson-Dodge, and Piper Jaffray. John Geist, Ruan Securities, was present for the discussion and questions. It was the consensus of the board to make their selection at the August 3rd meeting.

The time having arrived for discussion of a counter-offer on land for the proposed jail, the chairman noted that the Hospital Foundation had requested no disclosure of price until 12/31/99, or the bond issue passes. Citing the 1999 Iowa Code, Chapter 21.5(1j), which provides for a **closed session** "to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.", motion by Vail, second by Bruns, to close the meeting for the purpose of discussing the offer to be made on a jail site. Bruns-aye, Burnside-aye, Vail-aye, Crampton-aye. Carried.

Motion by Vail, second by Bruns, to approve the **minutes** of the 7/20 meeting as printed, and the following **report**: June Conservation Board minutes. Carried.

Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign the revised 28E **CCMS (County Case Management Services) agreement** with the Iowa State Association of Counties. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign, "**Administrative Guideline** - #1, interpreting *Section 5.8-Unpaid Leaves of Absence* of the Employee Handbook. Carried.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign, "**Administrative Guideline** - #2, interpreting *Section 5.3-Use of Sick Leave for Family Illness* of the Employee Handbook. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign, "**Administrative Guideline** - #3", interpreting *Section 5.2-Vacation* of the Employee Handbook. Carried.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign, "**Administrative Guideline** - #4", interpreting *Section 3.13-Reimbursable Expenses* of the Employee Handbook. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign a voucher to the Iowa Department of Revenue and Finance claiming reimbursement in the amount of \$404.02, this being the second billing for expenses incurred in conducting the June 29, 1999 special **statewide election**. Carried.

There being no further business, motion by Burnside, second by Bruns, to adjourn the meeting at 3:00 p.m. until Tuesday, August 3 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-FOURTH MEETING, 1999 SESSION (34)
AUGUST 3, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 3, 1999, at 8:30 a.m. in Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Burnside who was attending a state meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none.

Paul Donna, Springsted & Associates, was present to answer the board's questions regarding his firms' proposal for **financial advisor** on the proposed jail project. Timing of the project was discussed – whether or not to bring the issue to a vote now or at a later time. It was noted that the ag economy is not very good right now, but with the current low interest rates, waiting could result in higher rates and cost. Employing a financial advisor now would help in developing a time line for the project. A projection of operating costs for a new jail has not been developed, but is needed. In order to keep with today's agenda, the board delayed their decision until a later time today.

Engineer Jon Ites discussed a request from the city of **Marathon** for a reduction in speed limit, on the hard surface, stub road leading into town, due to traffic problems. Upon recommendation of the county engineer, motion by Vail, second by Bruns, to adopt the following Resolution 1999-08-03. Carried.

RESOLUTION 1999-08-03

The Buena Vista County Board of Supervisors hereby designates the following speed limits be changed on 215th Street and directs the County Engineer to sign it accordingly.

North Bound

- I. From its intersection with 460th Street (Hwy 10) there is established a speed limit of 45 mph to be maintained until the Corporate Limits of the City of Marathon, approximately .25 miles north of the intersection with 460th Street (Hwy 10); then reduced to 35 mph for approximately 580' north of the Corporate Limits of the City of Marathon, then reduce to 25mph (as currently posted).

South Bound

- II. On 215th Ave. from the intersection of Birnice Street south 750' there is established a speed limit of 25 mph, then increased to 35 mph to the Corporate Limits of the City of Marathon, then increased to 45 mph to the intersection with 460th Street (Hwy 10).
-

It was the consensus of the board to approve destruction of **secondary road** time books older than 7 years.

Ites reported on a request from Phil Driver regarding construction of a concrete storage facility under a **hog building**. Though he has a permit to build the building, a variance on the state permit is needed to add the concrete storage.

It was the consensus of the board to negotiate a price, rather than take quotes, on **slurry leveling**. Motion by Bruns, second by Vail, to accept the proposal of Fort Dodge Asphalt in the amount of \$1,600/mi for slurry leveling of transverse cracks, plus \$300 per location for spot leveling, to be done in FY2000 in the following locations: C-16 from the west county line for 1 mile east to M-27, C-16 from its intersection with M-27 for 6 miles east to M-36, C-25 from the west county line for 1 mile east to M-27, C-25 from its intersection with M-31 for 2 miles east to M-36, M-27 from its intersection with Hwy 7 south for 6+ miles to its intersection with C-65, M-31 from its intersection with Hwy 3 for 5 miles south to the corporate limits of the city of Alta, C-49 from its intersection with M-31 east for 1 mile, and 549th St. from its intersection with Hwy 71 west and south (for 1+ mile) to the corporate limits of the city of Truesdale. Carried.

Genesis Exec. Director Terry Johnson reviewed the FY1999 activity for the Storm Lake site, as well as the status of the organization. He asked the board to re-consider funding Genesis for the wall added at the Maywood Home.

Home Health Agency Director Marilyn Monson gave her agency's FY'99 report including number of persons served, hours of service, total expenditures and total revenues.

Mark Redenbaugh met with the board to ask about the county's **hazmat** plan. He is concerned about what would happen between the time the Sioux City team is notified of a hazmat event, until it arrives. Redenbaugh would like to volunteer his services to see that all departments get trained to the same operations level. He would need to get re-certification to provide the training. The board took no action.

The board took up the discussion of the selection of a **financial advisor**. Motion by Gustafson, second by Bruns, to employ Ruan Securities as the county's financial advisor for the proposed jail project pending a final interview with Ruan's representative. Carried.

Gustafson reported that the air conditioning system at **Spectra** is not working properly. The Architect Greg Kooker, Ron Neulieb-Control Systems Specialists, and Spectra Administrator Sue Morrow will be asked to meet with the board to discuss the problem.

Citing the 1999 Iowa Code, Chapter 21.5(1j), which provides for a **closed session** "to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.", motion by Vail, second by Gustafson, to close the meeting for the purpose of discussing the counter offer to be made on a jail site. Bruns-aye, Gustafson-aye, Vail-aye, Crampton-aye. Carried.

Motion by Vail, second by Gustafson to re-open the meeting for additional business. Carried.

Assistant CPC Dawn Mentzer reported on CPC Anita Hallquist and delivered provider service contracts for approval. Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign a FY2000 provider service contract with **St. Joseph Community Hospital**, Heritage Residence, New Hampton, IA. Carried.

Mentzer discussed the bill for **court-ordered evaluation** of one person at Oakdale, and which department will be responsible for the cost.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the Class C and Sunday sales **liquor license** application of Al's Corner Oil Co. for Sparky's One-Stop. Carried.

Clark Fort reported that his company will be forwarding a letter advising the county that the professional liability for the juvenile liaison officers is covered under the county's general liability policy. Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign the following contracts with the Iowa Department of Human Services for the Buena Vista County School Liaison Project: for \$17,413 in De-Cat funds, for \$25,000 in formula grant funds, for \$10,811 in JAIBG funds, and for \$56,250 in Juvenile Court Services funds. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign, "Administrative Guideline - #5", interpreting *Section 5.2-Vacation* of the Employee Handbook. Carried.

Motion by Vail, second by Bruns, to approve the minutes of the 7/27 meeting as amended. Carried.

Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign letters to the Chairman and Ranking Members of the U.S. Congressional Commerce-Justice-State Appropriations Subcommittees, and to the Director of the U.S. Bureau of Justice Assistance, to encourage additional funding of the State Criminal Alien Assistance Program (SCAAP). Carried.

It was noted that minutes, of the 7/20/99 meeting of the Sac County Board of Supervisors as Trustees for Jt. DD #16-30-92 MOD approving a claim from ChemTrol in the amount of \$428.40 for chemical treatment-trees/shrubs, were received.

There being no further business, motion by Gustafson, second by Bruns, to adjourn the meeting at 2:40 p.m. until Tuesday, August 10 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
THIRTY-FIFTH MEETING, 1999 SESSION (35)
AUGUST 10, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 10, 1999, at 8:30 a.m. in the Boardroom with Vice-Chairman Burnside presiding, and with the following other members present: Bruns, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Crampton.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none.

Engineer Ivan Droessler reviewed his work to date on DD #58. Wetland mitigation will be a major factor in providing any drainage relief to the district. Approximately 100 acres would need to be purchased to get the necessary 45 acres of wetlands. That assessment to landowners would be about \$150/ac, before any drainage work could begin, thus probably making the project unfeasible. He recommended an informal letter report to the board, followed by an informal meeting with the landowners. Without approval of the cost by the landowners, there is no point in proceeding. September 21st at 7:30 p.m. was suggested as a date and time for the informal meeting to be held somewhere in Albert City.

At the request of Zoning Director Kim Johnson, Vail moved, seconded by Bruns, to set the date and time of a public hearing as August 31st at 8:30 a.m in the boardroom, to consider the subdivision request submitted by Lael Nueman for a location in Section 20, Grant Township. Carried.

Engineer Jon Ites discussed a request from a railroad-removal contractor to use the county's gravel site (old Marathon dump site) on Hwy 10. Two other projects will be using that site. No action was taken at the present time.

Phil Driver discussed the DNR permit he obtained several years ago to build 4 hog buildings (only 3 were built). He would like to put up the fourth building with a concrete storage facility under it at a location 30' from the road right of way. The storage facility can't be built without either a variance which requires approval from the Board of Supervisors allowing it to be built within the 100' distance from the road, or planting permanent vegetation between the facility and the right-of-way. Prior to making a decision, the board will seek additional information from the DNR.

County Attorney Phil Havens, Ron Neulieb-Control Systems Specialists, Greg Kooker-Architects Collaborative, and Sue Morrow-Spectra Administrator were present to discuss the problems with the

Spectra air-conditioning system. Gustafson, member of the CCF Committee, reviewed the problem which is that after 3 operating seasons, he believes the A/C system is a failure, resulting in damage to the facility, in addition to it not working. He asked how Control Systems and Kooker will solve the problem. Neulieb stated that the system works, but that condensation is the problem. Kooker has not viewed the site, but stated that after speaking to Control Systems, he believes that the humidity above the ceiling is higher than was expected, and that the pipe insulation may not be sufficient to handle the amount of humidity that is/was present. There might also be leaks in the roof. He would like to inspect for air leaking into the cavity between the ceiling and the roof. Neulieb noted that there really wasn't a problem until the week of the really high temperatures and the high dewpoint. After reviewing some product information, Kooker stated that we don't currently know if there is a product problem. Morrow confirmed that the facility is kept at the same temperature, rather than turning the air-conditioning on/off when the temperature goes up or down. She also noted that Control Systems takes care of that control, that there are no controls at the facility. Neulieb and Kooker will investigate and meet back with the board later today.

Upon the recommendation of Engineer Jon Ites, motion by Vail, second by Bruns, to approve and to authorize the Engineer to sign the proposal of Hallett Materials for crushing up to 60,000 tons of **road maintenance gravel** at \$2.37/ton from the Railroad pit. Carried.

Ites reviewed **specifications** for an inspector's ¼ ton pick-up and for an engineer's vehicle. The shop foreman would like to negotiate for the tandem truck instead of taking bids. The consensus of the board was take bids.

Motion by Vail, second by Gustafson, to approve and to authorize the Vice-Chairman to sign **Resolution 1999-08-10**, and, the agreement between NWIPDC and Buena Vista County to provide planning services to conduct the Housing Market Survey. Carried.

RESOLUTION 1999-08-10

A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA, TO REQUEST THE ASSISTANCE OF THE STAFF OF THE NORTHWEST IOWA PLANNING AND DEVELOPMENT COMMISSION.

WHEREAS, Buena Vista County, Iowa, has agreed to the Intergovernmental Cooperation Agreement creating the Northwest Iowa Planning and Development Commission (hereinafter called the Planning Agency) and is a member in good standing; and

WHEREAS, the County wishes to engage the Planning Agency to provide certain technical and professional services in connection with the...

Housing Market Assessment

WHEREAS, Article III.E of the Intergovernmental Cooperation Agreement gives the Planning Agency the responsibilities outlined in Chapters 28H and 28I, Code of Iowa;

NOW THEREFORE, it is hereby resolved by the Board of Supervisors of Buena Vista County that the Planning Agency be requested to provide staff assistance in the above mentioned project; and

THAT, the Board of Supervisors understands and will comply with Policy Council guidelines regarding the assessments of costs of the Planning Agency staff assistance.

Passed, approved and adopted this 10th day of August, 1999.

/s/ Lorna Burnside, Vice-Chair, Board of Supervisors: Buena Vista County, Iowa. Attest: /s/ Karen M. Strawn, County Auditor: Buena Vista County, Iowa.

John Geist, Ruan Securities, answered several questions from the board about his firm's services. Gustafson asked about the role of **financial advisor** vs. underwriter. Ruan probably will request to be an underwriter, which provides an additional bidder and which should work to the county's benefit in getting the lowest interest rate possible. He noted that Ruan often bids as part of a syndicate. Burnside asked who determines whether the county requests a Moody's rating, or whether credit enhancement insurance

would benefit the county more. He responded that Ruan makes a recommendation to the county, but it is the county's decision. Burnside asked whether fees to the advisor for interim financing would be covered by the fee specified in the proposed agreement. Geist stated that it is not in the initial agreement but that the fee could be handled by an underwriting discount. Motion by Gustafson, second by Vail, to approve and to authorize the Vice-Chair to sign the agreement with Ruan Securities Corporation to act as financial advisor to the county for the proposed jail project. Carried.

Architect Greg Kooker reported after his inspection of Spectra, that he believes the problem is failure of the old, existing pipe insulation. Since today's outside temperature is moderate, it was not possible to tell if excessive heat in the space between the ceiling and the roof is a part of the problem. Kooker will look into the matter further, draw up some plans, and provide the board an estimate of the cost to replace the pipe insulation.

Ites reported to the board that Kelly Stone from the DNR stated: "Phil Driver can proceed with his construction (at a distance of 30' from the road) by either planting trees (which does not require board approval), or instead, get the board of supervisors' approval for the 30' distance." Gustafson stated that the board needs a policy so that everyone is treated the same way. Bruns would prefer to see Driver plant trees, rather than have the board approve the variance. Driver stated that he wanted to be sure what he did was not in opposition to what the board wanted. Motion by Gustafson, second by Bruns, to deny approval of a waiver to allow construction of the concrete manure storage facility at a distance of 30' from the road. Carried. The board agreed to provide a letter to Driver stating the reasons for the denial.

Motion by Vail, second by Gustafson, to approve the minutes of the 8/3/99 meeting as printed, and the following reports: July Clerk's surcharges and July budget reports. Carried.

There being no further business, motion by Bruns, second by Gustafson, to adjourn the meeting at 12:20 p.m. until Monday, August 16 at 10:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-SIXTH MEETING, 1999 SESSION (36)
AUGUST 16, 1999**

The Buena Vista County Board of Supervisors met in regular session on Monday, August 16, 1999, at 10:00 a.m. in the Boardroom with Vice-Chairman Burnside presiding, and with the following other members present: Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Bruns and Crampton. (Regular meeting date changed from August 17).

Unless noted otherwise, the motions were carried with the following vote: Ayes—Gustafson, Vail. Nays—none. Abstentions—none.

Upon request of the Zoning Director Kim Johnson, motion by Vail, second by Gustafson, to set a public hearing on the zoning re-classification request of Cecil Stethem for August 31, 1999 at 8:45 a.m. Carried. The property is located in Section 15, Poland Township.

Tom Neal, Iowa Dept. of Natural Resources, with Assistant Engineer Steve Petermeier providing information on the drainage district, met with the board to discuss the U.S. Fish and Wildlife program under which Iowa land is purchased for restoration of habitat for ducks and geese. A possible location is in DD #47. This purchase would take the land off the tax rolls, although currently, the USFWS does make an annual payment to the county. Neal will keep the board up-to-date on his investigation.

Engineer Jon Ites presented a proposal for maintenance sealing of 4 bridge decks. Motion by Gustafson, second by Vail, to approve and to authorize the Engineer to sign the proposal of Equity Contracting, Inc., Adel, IA, for maintenance sealing of 4 bridge decks, (option 1 with the contractor providing all cleaning, road control, and flaggers) in the total amount of \$2,918.76. Carried.

RESOLUTION 1999-08-16

Motion by Vail, second by Gustafson, to approve and to authorize the Vice-Chair to sign the

following **departmental rule**: BV Co Secondary Road Sick Leave for Family Illness. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Vice-Chair to sign the **utility construction** permit application of Iowa Lakes Electric Cooperative, Estherville, IA, to install single-phase, 7200 volt overhead distribution line to replace existing, failing underground cable at the following location – along the county road on the south side of Sections 31 & 32, Grant Township. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Vice-Chair to sign the **utility construction** permit application of Iowa Lakes Electric Cooperative, Estherville, IA, to install a single-phase, 7200 volt underground distribution line to provide new service to James Hinkeldey at the following location – along 590th St. on the south side of Section 29 and the north side of Section 32, Nokomis Township. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Vice-Chairman to sign the 'Notice of Election to Terminate Contract' for the McKenna subdivision, the purpose being to void the **seal-coat agreement** for that subdivision. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Vice-Chairman to sign the FY'00 **Custodial Agreements** with Cindy Hildreth for the DHS and E. Richland Annex. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Vice-Chairman to sign the FY'00 **provider agreement** with REM Atlantic for mental health services. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Vice-Chairman to sign the **grant agreement** with the Iowa Department of Economic Development for the housing assessment study to be performed by NWIPDC, the grant totaling \$12,000, and further, to approve and to authorize the Vice-Chairman to sign the payment voucher in the amount of \$6,000 for an advance payment on the grant. Carried

Motion by Vail, second by Gustafson, to approve today's **payroll**, subject to future audit. Carried.

Motion by Vail, second by Gustafson, to approve the **minutes** of the 8/10 meeting as printed, the following **reports** – July Conservation Board minutes and FY'99 loss analysis reports (insurance), and the 6/8/99 'local option sales tax for school infrastructure' **election bills**. Carried.

There being no further business, motion by Vail, second by Gustafson, to adjourn the meeting at 11:50 a.m. until Tuesday, August 31 at 8:30 a.m. for a regular session.

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 31, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Burnside, Bruns, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

8:30—The time having arrived for the public hearing on the Lael Neuman subdivision request, the Chairman opened the hearing with Zoning Director Kim Johnson and Bill Fitzpatrick present. After discussion, and there being no objections, motion by Vail, second by Burnside, to close the public hearing. Zoning Director Kim Johnson reported that the Zoning Commission had met on August 16, 1999 and had approved the subdivision request for the property located in Grant Township. Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the following resolution #1999-08-31:

RESOLUTION 1999-08-31

WHEREAS, Lael Neuman has presented a preliminary and final plat (of survey) on the following described property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW ¼ SE¼) OF SECTION 20, TOWNSHIP 91 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter (SE¼) of said Section 20; Thence on an assumed bearing of South 90°00'00" East, along the South line of said Southeast Quarter (SE¼), 261.89 feet to the Point of Beginning. Thence North 00°49'18" East, 253.99 feet; Thence North 90° 00' 00" West, 43.00 feet; Thence North 29°59'39" West, 206.29 feet; Thence North 00°00'00" East, 138.50 feet; Thence North 89°18'24" East, 320.00 feet; Thence South 00°00'00" West, 575.00 feet to the South line of said Southeast Quarter (SE¼); Thence North 90°00'00" West, along said South line, 177.49 feet to the Point of Beginning.

Hereafter known as Lot A of Section 20, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 3.16 Acres and is subject to all easements of record.

WHEREAS, the final plat meets with the approval of the Zoning Commission subject to the following if any:

WHEREAS, the final plat meets with the approval of the Board subject only to the following if any:

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that the final plat of Lot A of Section 20, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa; is hereby accepted subject to the following if any:

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of said Lot A of Section 20, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa.

PASSED, APPROVED AND ADOPTED this 31st day of August, 1999.

/s/ Herb Crampton, Chairman, Board of Supervisors /s/ Karen M. Strawn, Auditor Carried.

Johnson distributed a copy of background information on proposed SF293—Land Use Bill, as approved by the "Senate Local Government Committee" on March 25, 1999.

8:45 a.m.—The time having arrived for the public hearing on the zoning re-classification request of Cecil Stethem for a parcel near Marathon, the Chairman opened the hearing with Zoning Director Johnson present. It was noted that the notice of hearing was published as required. The Zoning Commission has recommended approval of the requested re-classification from A-1 Ag to Commercial. The change was requested to permit the sale of used cars at that location. Supervisor Vail announced that he would abstain from the vote as he does business regularly with Mr. Stethem. Johnson reported that no adjoining landowners had any objections. There being no further discussion and no objections, motion by Burnside, second by Gustafson, to close the public hearing. Carried.

Motion by Bruns, second by Gustafson, to approve the recommendation of the Zoning Commission for zoning re-classification from A-1 Ag to Commercial of the following described parcel:

A PART OF THE NORTHEAST QUARTER (NE¼) OF SECTION FIFTEEN (15), TOWNSHIP NINETY-THREE NORTH (93N), RANGE THIRTY-FIVE WEST (35W) OF THE FIFTH PRINCIPAL MERIDIAN, BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS:

Commencing at a point Nine Hundred Fifty Feet North of the Southeast Corner of the Northeast Quarter of Section Fifteen (15), Township Ninety-Three North (93N), Range Thirty-Five West (35W) of the Fifth Principal Meridian, Buena Vista County, Iowa thence North 89°22' West a distance of Four Hundred Eighty-Nine and Ninety-Four Hundredths Feet (489.94'); thence North 00°12'50" East a distance of Five Hundred Nine and Twenty-Five Hundredths Feet (509.25'); thence South 88°59' East a distance of Four Hundred Eighty-Eight and Nine Hundredths Feet (488.09') to the East Line of said Northeast Quarter (NE¼), thence South along the East line of said Northeast Quarter (NE¼) a distance of Five Hundred Six Feet (506.00') to the Point of Beginning and containing an area of 5.70 acres of which 0.38 acres are existing highway right of way. For purposes of this description, the East

line of the Northeast Quarter (NE¼) of Section Fifteen (15) is assumed to have a true North to South bearing.

Ayes—Bruns, Burnside, Gustafson. Nays—none. Abstentions-Vail. Carried.

The board discussed a recent request for a waiver to build a hog confinement building within the 100' setback from the road. Motion by Bruns, second by Gustafson to adopt the following: "It shall be the board's **policy** not to grant any waivers to DNR building permits. IAC 567—65.11(1) (implementing 1999 Iowa Code 455B)". Carried.

A request from Stewart Jessen for a 6 month **unpaid leave** was discussed. Motion by Vail, second by Gustafson, to approve Stewart Jessen's request for a 6 month unpaid leave, to begin September 14, 1999, and expiring March 14, 2000, with Jessen to provide a doctor's statement at the 3 month interval (on or about December 14). Carried.

Engineer Jon Ites discussed the request for use of the **Goldsmith Pit** as a storage, salvage & distribution site by A & K Railroad Materials, Inc. of Salt Lake City, Utah, which has a contract to remove railroad materials and related equipment. A proposed **lease agreement**, prepared by the county attorney, for use of the site was reviewed. A special use permit will also be needed for the company to use the site. The term of the lease is 6 months, with an advance payment of \$2,400, and other conditions regarding care of and surrender condition of the property. Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the 6 month lease agreement beginning September 1, 1999, with A & K Railroad Materials, Inc., Salt Lake City, Utah, for a sum of \$2,400, for the following described property: That part of the Goldsmith Pit lying south of the waterway in the Southeast Quarter (SE¼) of Section Nineteen (19), Poland Township, Buena Vista County, Iowa. Carried.

Ites noted that purchase of the property in Newell for a **maintenance facility** has been finalized.

Motion by Vail, second by Burnside, to accept the low bid and award the contract for 4 asphalt projects to Rohlin Construction, Estherville, IA, upon receipt of the contractors bond and certificate of insurance, the award totaling \$1,378,680.92 for project #'s: **L-FM-503—73-11, FM-11(43)—55-11, STP-S-11(40)—5E-11, & FM-11(48)—55-11.** Carried.

Ites reported that he had received only 1 proposal for removal of the trees along 1 mile of a **joint jurisdiction county road** between Buena Vista and Sac Counties. The bid was \$8,000 to cut the trees, \$9,000 to cut and bury. After discussion, Ites will ask Sac County if they are interested in a 3 way split of the cost with Sac County and the landowners. There will be an additional cost to the counties to close and vacate the road.

Ites discussed adding hydraulics to a road scraper and other **equipment** considerations.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the **utility construction** permit of AT&T Cable Services (formerly TCI of the Heartlands) to install a fiber optic cable in PVC conduit at the following location: going east in the north ditch of E. Milwaukee from the intersection of Geisinger Rd. 5,262' to the entrance road of CATV Tower service road (1227 E. Milwaukee). Carried.

Jon Murray, representing the BV Co. Bar Association, requested after hours access to the **law library**. He reported growing usage of the computerized law research capabilities. Besides issuing or checking out outside courthouse door keys, access could be provided by installing additional hardware, phone lines, etc. software, so that attorneys could access over the phone lines from their individual offices. Access to the courthouse could be changed from a key access, to fingerprint access. Also, if a person makes arrangements with the custodial staff, and is in the library at 4:30 p.m. they could stay and let themselves out without need for a key. No decision was made at this time.

The board left the boardroom and re-assembled in the 2nd Floor PMR for discussion of jail and juvenile detention expenses and related issues. Present for the discussion were John Geist, the county's financial advisor on the jail project, Orlen Rohlfen, Lyle Rydstrom, Orrin Bruns, Vern Campbell, Sheriff Eddy, Deputy Don McClure, and 5 persons from the media. The Chairman invited Supervisor Gustafson to review the board's action last year in billing IBP for jail and juvenile detention expenses. Gustafson explained the extenuating circumstances which have resulted in frustration on the part of the board: the county has opted to provide funding to assist low income families in obtaining day care services - hundreds of IBP families have been served over the years. The county provides funding to assist low

income persons in obtaining mental health and substance abuse services. IBP employees have benefited from this funding. This is in addition to the rising expenditures in jail and juvenile detention costs, of which a large share is attributable to IBP employees. The bottom line is that the county is acting as an insurance company for IBP, receiving no premiums, but paying on the claims. The county is subsidizing IBP's bottom line. Gustafson would like to see billing IBP for 25% of the FY'99 jail and juvenile detention expense, and further, would like to see IBP provide: 1-day care, 2-mental health and substance abuse coverage on employee health insurance beginning on day 1 of employment, 3-an employee assistance program, 4-a solution to IBP's lagoon odor problem, and 5-a substantial contribution toward the cost of construction of the proposed jail.

Burnside explained that although the information may be new to those present, the board has been providing day care assistance for some time to provide a little assistance for a short time to help people get off and stay off subsidized day care. She concurred with the remarks made by Gustafson.

Bruns reviewed his research into a federal job credit program which provides an employer with a substantial tax credit for employing certain classes of employees including ex-felons and troubled youth. Information on which employers use the credit, and to what extent, is confidential. He has had no success in his efforts, nor has Senator Grassley who has done some checking on Bruns' behalf. Governor Vilsack has expressed an interest in the topic, and the Director of Iowa Workforce Development is attempting to get some information. Bruns believes that IBP is using the job credit program to a great degree for out of state felons. Bruns also believes that the local government should receive an equal credit to assist with problems that local government has to deal with. There is currently no oversight of this program. There may be other counties in Iowa, and other jurisdictions across the nation that would be interested in this information.

Vail noted that our problem is with the transient population, and always has been. When Hygrade operated the plant, the workforce was stable, and there wasn't this type of problem.

The Chairman reported on having met with a local committee with IBP. There were promises made to get back to them on several issues, and only a school issue was ever followed up on. He was disappointed with the meager results and frustrated with the effort.

Gustafson noted that even though IBP states that they are the largest taxpayer in the county, and they are, only about 10% of their tax bill goes back to county government, with most going to the school and city. BV County paid approximately 25% of the revenue received by the Youth Emergency Center in Cherokee, but BV County is 1 of 14 county members – hardly a reasonable distribution. Carroll County paid only \$12,000 in a year compared to BV County.

Sheriff Chuck Eddy stated that the average daily population of the jail has gone up about 2 people per year for the last 5 years. Deputy Don McClure noted that for a 2 month period, jail staff tried to keep track of who the employers were of the persons arrested, but due to the time involved in recordkeeping, and the difficulty in classifying persons who were former IBP employees, or family members of IBP employees, they stopped keeping track. They recently found that 1 person had been arrested 4 times in the last 2 years, but under 4 different names.

Orlen Rohlfson commented that BV Co. Hospital reported a \$160,000 loss in July due from persons who can't pay their bills. He asked how much is the property taxpayer supposed to be responsible for.

Motion by Gustafson, second by Bruns, to request payment from **IBP** in the amount of \$82,579.78 representing 25% of Buena Vista County's FY'99 jail and juvenile detention expense, and further, to request that IBP consider providing funding for the following: 1) day care, 2) mental health and substance abuse services under employee health insurance with coverage beginning on day 1 of employment, 3) an employee assistance program, 4) IBP lagoon odor problem, 5) a substantial contribution to the cost of construction of the proposed jail. Carried.

John Geist, Ruan Securities, was asked to speak about the timing of an election for the jail project. He stated that a jail bond issue is harder to pass than a school or library issue, which is likely perceived in a more positive light. Current low farm prices will also make the issue more difficult. In those counties where there have been successful elections, the problems with the existing jails have been identified, the needs have been determined, the costs have been proposed, and all of these have been demonstrated successfully to the electorate. Having the election in fall or spring is not as important as communicating effectively with voters.

Sheriff Eddy provided some additional information on Polk Co. having to go into Nebraska to find a sufficient number of beds, and Mahaska County taking in \$250,000 in one year from housing prisoners from other jurisdictions. BV Co. has over 1100 on the list who have not been jailed due to no space. 10-12 jailers are needed for a 60 bed jail, and using part-time staff for meal preparation and laundry. BV Co. pays \$40-50/day to house prisoners elsewhere.

Regarding the financial information needed to inform the public prior to an election, Geist stated that the architect and the sheriff would provide most of the cost information, and Ruan Securities would incorporate that into the total financial picture and put it in "layman's terms".

The board recessed for lunch.

BV Co. **Farm Bureau** members Dean Baughman, Phil Sundlad, and Gary Worthan were present to review the results of their research on available cells in the **jails** of the 8 counties surrounding Buena Vista County. Their research indicates that there are 18-29 beds available in all of the counties combined.

The sheriff reviewed the reasons for a new jail including space, safety, and security issues. He noted that deputies drove 39,000 miles around the state and to other states last year, not including the transport of prisoners to nearby facilities.

It was the feeling of the Farm Bureau members present that with the economy what it is now, and with the available space in surrounding counties, now is not the time to build the jail.

Other funding sources besides property tax that the board has looked into include local option sales tax, grants, funding from the state, but none have produced sufficient and timely revenue sources. Eddy announced that BV County is one of 3 possible locations for a test site for a regional jail, with the state kicking into the funding stream.

Due to the time having arrived for the **bid letting** on 2 culvert projects, the board returned to the boardroom. Bids were received from Christensen Brothers, Cherokee, IA; Dixon Construction Correctionville, IA; Godberson-Smith, Ida Grove, IA; Graves Construction, Melvin, IA; Merryman Bridge, Algona, IA; Midwest Contracting, Marshall, MN; Nelson & Rock Contracting, Onawa, IA; Weidemann Construction, Dows, IA; and Kooiker Construction, LeMars, IA. Bid totals were read, with the apparent lows being Godberson-Smith for L-C-603-73-11, and Midwest Contractors for L-C-602-73-11. The engineer will audit the proposals before the board makes its decision.

The board considered an environmental air test at the **IBP waste lagoon**, with the cost being approximately \$1,431.00. There may be individuals or other entities willing to share the cost. It was the consensus to go forward in finding outside funding.

Ass't CPC Dawn Mentzer discussed accreditation for the case management program. Motion by Vail, second by Gustafson to approve and to authorize the Chairman to sign the application for renewal of the BV Co. **Case Management** program, and a cover letter to accompany the application. Carried.

Upon recommendation of Mentzer, motion by Gustafson, second by Burnside to amend the BV Co. **Managed Care Plan** for FY2000 by adding: (page 27) "2b. If a consumer who does not have Medicaid, Medicare or private insurance, is in need of inpatient treatment and the Mental Health Institute is at full capacity, they will be admitted to a private psychiatric unit. Once an opening becomes available at the Mental Health Institute, the individual will be immediately transferred to that facility." Carried.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign a letter of support to the Iowa Department of Economic Development for the **BV County Historical Society's** nomination for a Community Betterment award. Carried.

Motion by Burnside, second by Vail, to approve the **minutes** of the 8/16 meeting as printed, and the following **reports**: March Recorder's fees, August Conservation Board minutes, FY'99 Waste Tire Program report. Ayes—Burnside, Gustafson, Vail. Nays—none. Abstentions—Bruns, who was absent from the meeting. Carried.

Motion by Vail, second by Bruns, to **employ** Tammy Nepple (effective 7-1-99 at \$12.12 per hour), John Jorgensen (effective 8-16-99 at \$11.54 per hour), and Barbara Kruse (effective 8-16-99 at \$11.54 per hour) as juvenile liaison officers. Carried.

The chairman introduced discussion on a counter offer for a property for a jail site. Citing the 1999 Iowa Code, Chapter 21.5(1j), which provides for a **closed session** "to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.", motion by Burnside, second by Vail, to close the meeting for the purpose of discussing the counter offer to be made on a jail site. Bruns-aye, Burnside-aye, Gustafson-aye, Vail-aye, Crampton-aye. Upon completion of the discussion, motion by Vail, second by Bruns to end the closed session and to return to the remaining business meeting. Carried.

Supervisor Vail left the meeting.

After discussion, it was the consensus of the board to send a letter to the cities requesting a letter in support of the county's resolution to request a contribution from IBP for the proposed **jail** construction, the letter to be sent to the Board of Supervisors.

There being no further business, motion by Burnside, second by Gustafson, to adjourn the meeting at 3:50 p.m. until Tuesday, September 7 at 8:30 a.m. for a special session.

BOARD OF SUPERVISORS MEETING
THIRTY-EIGHTH MEETING, 1999 SESSION (38)
SEPTEMBER 7, 1999

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 7, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Burnside, Bruns, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Supervisors Burnside and Crampton reported on the 9/3 meeting of the Courthouse Security Committee. At the request of Chief Justice McGiverin, each county is requested to prepare a **Court Facilities Securities Plan**. The board of supervisors will prepare 'the written directive that governs key control for the court facility' after getting input from department heads at the next board meeting.

Having completed review of the bids, Engineer Ites confirmed that the low bids for the culvert projects were from Midwest Contracting and Godberson-Smith. Motion by Burnside, second by Vail, to award a contract for **project #L-C-602—73-11** to Midwest Contracting of Marshall, MN, in the amount of \$36,922.00, and, a contract for **project #L-C-603—73-11** to Godberson-Smith of Ida Grove, IA, in the amount of \$63,350.00. Carried.

Ites requested the board's consensus on defining 'hardship' for the purpose of implementing the permit section of the new "**Implements of Husbandry**" law. The County Board of Supervisors has the authority to issue permits to exceed weight maximums in the use of county roads where no access creates a hardship.

Four bids were received for the maintenance building to be located in Newell. Motion by Vail, second by Gustafson, to accept the low bid of Mid-States Builders, Spencer, IA, in the total amount of \$116,711.00 for the **Newell maintenance building** to be completed in June, 2000. Carried.

Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign **the liquor license** application of Little Sioux Golf & Country Club, Sioux Rapids, for a class "C" liquor license, outdoor and Sunday sales, for 10/11-25/99. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the **Agreement by and Between Buena Vista Co. Hospital Ambulance Service and Buena Vista Co.**

Sheriff's Office", an agreement to regulate and provide for the paramedical assistance of the Buena Vista County Hospital Ambulance Service to the Buena Vista County Sheriff's Office. Carried.

Crampton reported on the inspection of the insulation on the **Spectra** air-conditioning system by an insulation contractor. The humidity level is so high as to cause damage to the insulation, and to prevent proper air cooling. At a later date, the contractor will meet with the board.

Motion by Gustafson, second by Burnside, to approve the **minutes** of the 8/31 meeting as amended. Carried.

There being no further business, motion by Burnside, second by Bruns, to adjourn the meeting at 11:00 a.m. until Tuesday, September 14 at 8:30 a.m. for a regular session.

BOARD OF SUPERVISORS MEETING
THIRTY-NINTH MEETING, 1999 SESSION (39)
SEPTEMBER 14, 1999

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 14, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Burnside, Bruns, and Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Vail due to illness.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson. Nays—none. Abstentions—none.

Environmental Health Director Kim Johnson reviewed several issues including the **Iowa Food Code** which will be discussed at the upcoming meeting of the Board of Health.

CPC Anita Hallquist discussed revenues received by her department, the increasing cost to counties of shelter care, and her upcoming retirement. Motion by Gustafson, second by Bruns, to accept with regret the resignation / retirement of Anita Hallquist as Buena Vista County CPC, effective October 1, 1999. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign a contract with Rohlin Construction, Estherville, IA, for 4 asphalt projects in a total amount of \$1,378,680.92, **project #11-0011-040-A**, to approve the contractor's bond, and to acknowledge the contractor's certificate of insurance. Carried.

Motion by Burnside, second by Bruns, to approve and to authorize the Chairman to sign a grant application for **C-13** funding, the grant program being intended for adding to the safety features of the project. Carried.

The engineer presented his FY'99 annual IDOT road and bridge **report**.

Moved by Gustafson, second by Bruns, to define hardship (as it applies to the implements of husbandry law) as a three mile detour, and to designate the engineer as the person to receive applications and to issue **hardship permits**. Carried.

Quotes were received from Fitzpatrick's Auto Center, Rasmussen's, and Schuelke Auto for 2 secondary road vehicles (engineer's vehicle and ¼ ton inspector's pickup). No award was made at this time.

For the discussion of **courthouse security** by limiting the number of building accesses, the engineer presented 2 options for a parking lot on the southwest quadrant of the courthouse square. He will obtain cost estimates.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the

application of Iowa Lakes Electric Cooperative, Estherville, IA, for a **utility construction** permit to install 7200 volt single phase overhead distribution line to replace the existing, failing cable located on the east side of Section 12, Fairfield Township, along the west ROW on the county line road. Carried.

Motion by Bruns, second by Gustafson, to approve and to authorize the Chairman to sign the following proclamation:

PROCLAMATION

Wind Energy Week in Buena Vista County

WHEREAS, the State of Iowa has passed legislation to encourage the use of clean, renewable wind energy, and

WHEREAS, this legislation has provided the impetus for construction of the Enron Wind Power Generation Project, and

WHEREAS, this project is located along the Buffalo Ridge in Buena Vista County, Iowa, and

WHEREAS, the project provides a significant economic impact on the surrounding area and Buena Vista County, and

WHEREAS, the Dedication and ensuing WindFest will be held at Alta City Park, Iowa on Saturday, September 18, 1999, and

WHEREAS, the project's 259 wind turbines will produce approximately 590 million-kilowatt hours of electricity each year, and

WHEREAS, the project will cumulatively serve 71,000 average homes, and

WHEREAS, the Enron Wind Project will offset 920 million pounds of carbon dioxide, 4.8 million pounds of sulfur dioxide, and 3.1 million pounds of nitrous oxide, leading contributors to global warming, acid rain and smog.

NOW, THEREFORE, I, Herb Crampton, Chairman of the Board of Supervisors, Buena Vista County, Iowa, Home to the World's Largest Wind Power Generation Facility, do hereby proclaim the week of September 12th through September 18th, 1999 to be

BUENA VISTA COUNTY WIND ENERGY WEEK

In celebration of Iowa's abundant, natural, renewable resource --the wind--

and do hereby encourage all residents of Buena Vista County and the surrounding area to participate in the Dedication and WindFest activities Saturday, September 18th at Alta City Park in Alta, Iowa.

Signed this 14th day of September, 1999. /s/ Herb Crampton, Chairman

Department heads were present for the discussion of **security** of outside door access to the courthouse. Currently, there are at least 43 keys in circulation, issued at the request of the appropriate department head. A written policy is needed for inclusion in a "court facilities security plan" to be submitted to the Chief Justice of the Supreme Court of Iowa. Motion by Burnside, second by Bruns, to approve the following which applies to all county departments in addition to the court system:

KEY CONTROL POLICY

The policy for control of keys to the outside and the individual inside office doors of the courthouse (for both county offices and offices under the jurisdiction of the court system) is, and shall be: It shall be the responsibility of the department head to determine who needs a key to the office doors and outside courthouse doors, to provide notice to the County Auditor of this approval for the purpose of issuing said keys, and to . Carried.

Burnside left for another meeting.

Motion by Gustafson, second by Bruns, to approve the minutes of the 9/7 meeting as printed. Ayes-Brunns, Gustafson. Nays—none. Abstentions—none. Carried.

Deputy Auditor Sue Kennedy reviewed the financial report for all of the county and joint **drainage districts**.

Burnside returned to the meeting.

The Chairman reported on his findings of the condition of the insulation for the air conditioning

system at **Spectra** Health Care. An inspection was made by an insulation contractor. The county attorney will be asked to review the contractor's and architect's agreements and the project manual, in order to recommend an appropriate action to the board.

There being no further business, motion by Burnside, second by Gustafson, to adjourn the meeting at 2:30 p.m. until Friday, September 17 at 8:30 a.m. for a special session to canvass the 1999 Regular School Election.

**BOARD OF SUPERVISORS MEETING
FORTIETH MEETING, 1999 SESSION (40)
SEPTEMBER 17, 1999**

The Buena Vista County Board of Supervisors met in special session on Friday, September 17, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Bruns.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Head **Custodian** Dewyne Stucynski discussed liability issues regarding the use of certain equipment.

Motion by Burnside, second by Vail, to amend today's **agenda** by adding: award bids on the 2 secondary road vehicles. Carried.

Motion by Gustafson, second by Burnside, to table the decision on the proposed **jail** site purchase until 9/28 to clarify the length of the term that the county's offer is good for. Carried.

Sheriff Chuck Eddy reported that NWIPDC has agreed to write a **grant** at no cost to the county. The grant would provide video teleconferencing equipment. The board supported his efforts to secure this type of funding from the INS.

At the recent jail school in Des Moines, the **1997 Civil Rights of Institutionalized Persons Act (CRIPA)** was presented. The Act seeks to ensure that inmates have all of their civil rights including medical and psychiatric services. Professional medical personnel must screen prisoners for medical and psychiatric needs. Also, these additional costs are to be at the county's cost, because CRIPA supporters say that if the county makes the prisoner pay for the services, he will decline the services. Black Hawk Co. is being mandated to add these and other services to their new facility. More research needs to be done to see how the interpretation of this law progresses. Burnside suggested entering into an agreement with Trimark to provide these services for jail inmates.

Motion on by Vail, second by Burnside, to approve and to authorize the Chairman to sign the contract with Mid-States Building, Inc., Spencer, IA, for the **Newell maintenance building** in the amount of \$116,711, subject to the receipt of the contractor's performance bond. Carried.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the universal pay voucher in the amount of \$37.80 to be paid from the county's farm-to-market fund for copies made for three FY2000 F-M **asphalt projects**. Carried.

Motion by Gustafson, second by Burnside to purchase the following **equipment**: a Chevrolet S-10 pick-up from Fitzpatrick's for \$14,950 plus the trade-in of a 1984 Ford (unit 00), and, a Ford Explorer from Rasmussen's for \$25,266 with no trade-in. Carried.

Motion by Burnside, second by Gustafson, to approve the purchase of the following **real estate** located within the City of Newell, IA, for the purpose of building a secondary road maintenance shed:

A TRACT OF LAND LOCATED IN LOT ONE (1), OF THE AUDITOR'S SUDIVISION OF THE NORTH-WEST QUARTER OF THE SOUTHWEST QUARTER (NW¼ SW¼) OF SECTION 17, TOWNSHIP 90

NORTH, RANGE 35 WEST OF THE FIFTH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST (NW) CORNER OF THE SOUTHWEST QUARTER (SW¼) OF SAID SECTION 17; THENCE ON A PREVIOUSLY ASSUMED BEARING OF SOUTH 00°00'00" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW¼), 823.30 FEET TO THE POINT OF BEGINNING. THENCE SOUTH 88°54'10" EAST, 577.36 FEET TO THE WEST LINE OF A PARCEL OF LAND RECORDED IN DEED BOOK 58 PAGE 271 IN THE BUENA VISTA COUNTY RECORDER'S OFFICE; THENCE SOUTH 00°10'47" WEST, ALONG SAID WEST LINE, 252.48 FEET TO THE NORTH RIGHT OF WAY LINE OF THE CHICAGO, CENTRAL AND PACIFIC RAILROAD; THENCE NORTH 76°01'03" WEST, ALONG SAID NORTH LINE, 594.06 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER (SW¼); THENCE NORTH 00°00'00" EAST, ALONG SAID WEST LINE, 120.00 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 2.47 ACRES AND IS SUBJECT TO ALL EASEMENTS OF RECORD.

Environmental Health Director Kim Johnson again discussed the restaurant food inspection program.

One person met with the board to discuss a decision made on her **day care** funding application.

Upon completion of the **canvass** of the 9/14/99 Regular School Election pursuant to Chapter 50.24 of the Iowa Code, motion by Vail, second by Gustafson, to declare the results as follows:

Alta Community School District: total voters - 807

For School Board Director - elect 2

Rick Glienke	657	elected
Gary Launderville	339	
Richard Marshall	498	elected
Scattering	25	

Public Measure **E** - \$4,575,00 for a Middle School addition and repairs to Elementary and High Schools: Yes - 385 No - 463 Not carried

Public Measure **F** - authority to exceed the \$2.70/thous levy limit, but not greater than \$3.65/thous to pay for bonded indebtedness: Yes - 365 No - 472 Not carried

Albert City-Truesdale School District: total voters - 61

For School Board Director - elect 1

Gary L. Hogrefe	59	elected
Scattering	1	

Newell-Fonda School District: total voters - 49

For School Board Director, District 1 - elect 1

Roger L. Sarchet	46	elected
Scattering	2	

Sioux Central School District: total voters - 102

For School Board Director, District 4 - elect 2

Mel Pitts	87	elected
Scattering	8	

Storm Lake School District: total voters - 117

For School Board Director - elect 1

Kathy A. Croker	111	elected
Scattering	0	

Iowa Lakes Community College

For Director, District 5 - elect 1

Howard Bud Kyle	25
Scattering	1

For Public Measure **H** - authorizing a \$.2025/thous levy for buildings and grounds for 10 years commencing 2002: Yes - 9 No - 26

Iowa Central Community College

For Director, District 2 - elect 1
John E. Hodges 49
Scattering 1

For Director, District 4 - elect 1
Carl H. Larson 36
Scattering 0

For Public Measure **G** - authorizing a \$.2025/thous levy for buildings and grounds for
10 years commencing 2005 Yes - 403 No - 675

There being no further business, motion by Gustafson, second by Vail, to adjourn the meeting at 1:40 p.m. until Tuesday, September 21 at 7:30 p.m. at the Albert City, City Hall for a special session.

BOARD OF SUPERVISORS MEETING

**FORTY-FIRST MEETING, 1999 SESSION (41)
SEPTEMBER 21, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 21, 1999, at 7:30 p.m. in the Albert City Council Chambers with Chairman Crampton presiding, and with the following other members present: Bruns and Burnside, and with Auditor Strawn as clerk for the meeting. Absent: Gustafson for a Board of Health meeting, and Vail for an E911 Service Board meeting. The purpose of the meeting was to review the informal report of the engineer on a drainage relief request in DD #58. Present were 8 interested persons, Engineer Ivan Droessler, Kuehl & Payer Ltd., and Ass't Co. Engineer Steve Petermeier.

Droessler presented the results of his preliminary investigation of **DD #58**, reviewing the history of the district, current problems, proposed action to relieve the problems, and estimated costs to the landowners for the various aspects of the project, if it were to be approved. At the conclusion of his presentation, several questions were posed by the landowners. The Chairman asked if those present cared to indicate their wishes on whether or not to proceed to a formal investigation and study. It was felt that too few of the total number of landowners were present to base a decision on.

The Chairman announced that a letter would be sent to each landowner in the district, along with a copy of the engineer's report and a cost estimate of the levy needed to bring the drainage fund to a positive balance, including the current unpaid bills. Landowners will be asked to provide a written response if they favor proceeding with the project. No response will be interpreted as opposing any action to proceed. The Chairman thanked those present for their attendance.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside. Nays—none. Abstentions—none.

Motion by Bruns, second by Burnside, to approve the FY'98 BV Co. **Cost Allocation Plan** prepared by DMG Maximus and to authorize the Chairman to sign a Certification statement for the Plan. Carried.

Motion by Burnside, second by Bruns, to approve the minutes of the 9/14 and 9/17 **minutes** as printed. Carried.

The board reviewed the Buena Vista County **Court Facilities Security Plan** including cost estimates, prepared by the Courthouse Security Committee. Motion by Burnside, second by Bruns, to approve and to authorize the Chairman to sign, the BV Co. Court Facilities Security Plan. Carried.

There being no further business, motion by Burnside, second by Bruns, to adjourn the meeting at 10:00 p.m. until Tuesday, September 28 at 8:30 a.m. in the boardroom for a regular session.

BOARD OF SUPERVISORS MEETING
FORTY-SECOND MEETING, 1999 SESSION (42)
SEPTEMBER 28, 1999

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 28, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

CPC Anita Hallquist and Ass't CPC Dawn Mentzer were present to discuss the completed FY'99 **Case Management Cost Report**. Reimbursement had been claimed at \$152.12. Since the actual rate was \$159.67, additional reimbursement will be requested. Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the FY'99 Case Management Cost Report, Carried. \$173.54 is the rate being claimed for FY'2000.

Mentzer noted that BV Co. **Case Management** received a 98% in compliance in its accreditation survey report which is the highest compliance rate given in the state to date.

A bill received from Oakdale for court-ordered evaluation for 1 person was discussed, a determination needing to be made on the **legal settlement** for the person

Attorney John Murray requested a meeting with the board on how the judicial hospitalization referees are to handle substance abusers who need **medical detoxification**. Present for the discussion were: Hugh Perry-referee, Sheriff Chuck Eddy, Deputy Doug Simons, Joanne DeYoung-Exec. Director of NW ADTU, and Charlene Anderson-BV Co. Mental Health Advocate, in addition to Mentzer and Hallquist. Due to cost, available funds, availability of appropriate services, and county payment policy, the referees have had a difficult time placing substance abusers. ADTU has a small amount of funds reserved for medical detoxification if the person meets the criteria for admission to the Spencer Municipal Hospital. DeYoung pointed out that like all inpatient medical services, the number of days allowed in a facility is the least possible according to industry standards. If the patient has inflicted injury on himself or others, he is likely to be admitted to psych unit. An evaluation can't be made in BV County that assures admission at the Spencer Hospital, so a trip must be made to Spencer. Due to the time it takes for completion of the evaluation, a deputy is rarely able to wait to see if the patient will be admitted or not, causing a second trip. In the past, Cherokee MHI was able to accept such patients and provide both social and medical detox, as well as treatment. Now the only MHI which accepts such patients is Mount Pleasant, however BV Co. is not in their catchment area. The conclusion drawn from the discussion is that there is a gap in services for BV County residents. A temporary solution would be to agree to payment for 3-day stay at Community and Family Resources (fka NCARF) in Fort Dodge, which is currently not in the BV Co. Managed Care Plan.

Motion by Bruns, second by Vail, to set the date to receive **proposals** as 10/8/99 and the date for board review as 10/12 for a motorgrader, 1 tandem axle and 1 single axle truck. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the contract and performance bond, and to accept the certificate of insurance for Godberson-Smith, Ida Grove, for **project #L-C-603--73-11** (twin box culverts), the contract price being \$63,350. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the contract and performance bond, and to accept the certificate of insurance of Midwest Contracting, Marshall, MN for **project # L-C-602--73-11** (pipe arch), the contract price being \$36,922. Carried.

A letter from the City of **Marathon** requesting paving of 450th Street was received. The engineer will review the request to see if it meets the necessary criteria.

The engineer updated the board on his findings on rural mailboxes damaged by road equipment. He is concerned that rural residents are not aware of county ordinance 4.1 which governs road right of way and obstructions in it. It was the consensus of the board to approve that he prepare a policy of minimum standards for **rural mailboxes**.

The engineer reported that to reduce confusion over whether implements of husbandry are included or not in **bridge postings** designating the maximum number of axles, an additional sign "All Vehicles" can be added.

Kuehl & Payer is working on the **Storm Lake dredging project** and has asked whether the board would approve the use of a county facility (culvert) for returning water to the lake from dredge material deposited on the land to be used as the dredge settling basin. The watery dredge materials will be pumped out of the lake, but returned to the lake by gravity. The proposal is to return the material through one or more of the county's 3 culvert pipes which lie side by side but are not tied together. The turbulence of the water returning to the lake may cause damage to the pipe(s). The basin to receive the dredge will eventually be 25-27' high and terraced. There will need to be a setback from the road to where terracing begins. Issues—should the culvert piping be cased to prevent separation? Should the pipe be excavated, re-laid and tied? Should the county taxpayers bear the expense of replacements or repairs? The board suggested that K&P may wish to meet with the board to discuss the request.

Leo Berardi and Nanette Boland, Nationwide Retirement Solutions, presented a new **employee benefit** product for the board's information - PHEP.

Richard Dirx and Harry Rasmussen were present to discuss a situation they have with their land which is located in **DD #105-64 Jt.** Private tiling has been added over the years, above the district, to the extent that the land in DD 105-64 no longer gets much benefit from the 105-64 structures. The extra water from above causes water to bubble up at the intakes. They requested that the board consider re-classification and/or annexation of additional land to the drainage district. At a later time, they might address improving the district. Drainage Attorney Gary Armstrong suggested that the board needs to determine the ultimate goal to avoid unnecessary expense. Re-classification would decide if the assessments are equitable. If annexation is desired, re-classification should not be done first. If annexation is considered, it must be determined whether adjacent lands are benefiting, and if yes, they would be brought in. The board will request a joint meeting with the Sac County Board of Supervisors.

Motion by Vail, second by Burnside, to accept \$100 from Leonard Anderson as payment in full of delinquent taxes, interest and penalties in exchange for assigning **tax sale certificate #1614** over to him, and to approve and to authorize the Chairman to sign said tax sale certificate. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the grant application for FY'01 for the **well testing/rehab/closing program** in the amount of \$15,024. Carried.

Motion by Gustafson, second by Vail, to **employ** Mandi Kuhnes as part-time interpreter in the Public Health Department effective 9/15/99 at \$8.00/hr. Carried.

Motion by Burnside, second by Gustafson, to adopt the following resolution: *(approval of and authorization to sign the "Real Estate Offer and Acceptance" for purchase of 2 lots for \$36,800)*

RESOLUTION 1999-09-28

WHEREAS, the Buena Vista County Board of Supervisors *(resolution to be inserted)*

Motion by Gustafson, second by Bruns, to approve the **minutes** of the 9/21 meeting as printed, and the following **reports**: August budget reports. Also reviewed were the 6/24/99 NWIPDC board minutes. Carried.

Mike Lewis, DLR Group, and John Geist, Ruan Securities, were present to discuss the conceptual drawings, funding, and the bond referendum for the proposed **jail**. Sheriff Chuck Eddy, Deputy Doug Simons, and Deputy Don McClure, plus media were also present. Four different schemes have been considered in the preparation of the conceptual drawings. The fourth, 'D', is drawn with 58 beds (12 work release, 32 males in various classifications, 14 females in various classifications, and no juveniles in

detention. Two female beds could be used for adult-charged juveniles.) Expansion to 82 beds would be accomplished by an addition to the building, not the addition of beds by bunking, as in previous schemes. The facility includes space for visitation with the capability of video visitation, administrative/training area, intake activities, holding space, kitchen and housekeeping, physical plant equipment, public areas, and the space necessary for mandated inmate activities. The building is story and a half for cells and mechanical rooms, and 1 story for administration, intake and public areas. This scheme, with parking, fits entirely on 1 lot. The total cost, excluding land purchase, is \$5,659,690.

John Geist reviewed a plan for sources and uses of \$5,659,690, if that were the amount of bonds to be issued. The board will need to determine the amount of issuance, whether or not to seek a bond rating, whether or not to purchase insurance, how to use the interest earned from the date of receipt of the funds until payout for the project is complete. The figures and plan are preliminary at this time. Based on current county valuation, the annual levy would be approximately \$.85/thous, which would be approximately just under \$1/week for the owner of a \$100,000 home (after rollback).

Lewis indicated that it would take approximately 8 weeks from acceptance of the drawings, to prepare the information and to educate the public prior to a bond election. That would make early December as the earliest date for an election, with early January maybe being preferable. After a successful election, it would take approximately 16 weeks to prepare bid specs. So the earliest date for a bid letting would be approximately June 1. This date would allow construction to begin in 2000. If the bid letting is later than early August, construction start would probably be delayed until 2001.

The board agreed that no decisions would be made today pending time to study the new drawings and information.

There being no further business, motion by Vail, second by Bruns, to adjourn the meeting at 2:40 p.m. until Tuesday, October 5 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
FORTY-THIRD MEETING, 1999 SESSION (43)
OCTOBER 5, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 5, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

CPC Dawn Mentzer reviewed a bill from Oakdale for 1 person. The admission procedure identified in the Iowa Code was not followed. The board will request a county attorney's opinion.

The Chairman announced that the 3-county Empowerment Board was approved for funding for 2 years in an annual amount of \$406,128. Three quarters of that amount will be received for Oct. 1, 1999-June 30, 2000.

Engineer Jon Ites reported a request from Godberson-Smith for a change order to install a 'cast in place' structure, instead of pre-cast which would also require an increase in working days from 5-8 to 20 days. Several local residents were contacted about the increase in the amount of time that the detour would be in place. The increase from 8-20 days would be a hardship during harvest season. The recommendation was to proceed with pre-cast. Motion by Vail, second by Gustafson, to reject the contractor's request for a change order on project #L-C-603--73-11 for 'cast-in-place' instead of pre-cast due to the length of time that a detour would be necessary. Carried.

The engineer is again submitting a plan for improvement of railroad crossings on M-50 and M-27. These projects have been rejected twice previously because they did not score high enough on IDOT's' evaluation.

The Albert City elevator is updating its railroad spur. There is one crossing located south of Albert City, which the county would like to see some additional work on, specifically raising the crossing up to the level of the road (5"). The elevator isn't interested even on a cost-sharing basis. Even if the county would pay the whole cost, the railroad requirements are likely to be strict enough to require a specialized contractor to make the changes. Burnside suggested contacting the city council for their input.

The engineer reported on his investigation of the City of Marathon's request to pave a road north of town. The project received 60 points, enough in the county's policy for handling "Requests to Upgrade Roads", which qualifies the project. The county's policy also states that the board is not required to approve requests solely on the basis of qualifying on points. The county does not have funds available at this time. The auditor will respond to the city with this information, and an inquiry as to whether the city might want to contribute more than their 25% share so that the request could be considered for the program. The estimated total cost is up to \$250,000.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign, the utility construction permit submitted by Iowa Lakes Electric Cooperative, Estherville, IA, to install on private ROW when possible, an underground 3-phase 7200/12470 volt distribution line to replace existing failing cable at a location described as T-90N R-36W, Providence Twp, north side of section 28 and NW corner of Sec. 27, cable to be installed along South side of 640th St. Carried.

Dirk Westercamp, DLR Group reviewed how the currently proposed jail scheme was developed, and compared operations costs projected for the current facility against projected operations cost for the proposed facility. A number of issues were discussed including how the cost for juvenile detention would decrease due to a number of holding options in the new jail, the actual number of available jail beds in surrounding counties. Vince Davis asked about operating the current facility with a larger jail staff, and at least postponing construction of a new facility until the farm economy improves. Gustafson referred to the need to move forward, the safety of the officers - all reasons for going to the public with an election. Gustafson also asked Davis what other funding sources could be considered, the county having explored everything they are aware of. John Geist, Ruan Securities, discussed a number of issues for the board's consideration in arriving at the total project cost and the amount of the proposed bond issue, both amounts needed for the public measure. Additional financial models will be prepared by Geist and Westercamp for the board's consideration on 10/12.

Motion by Gustafson, second by Burnside, to tentatively set Feb 1, 2000, as the election date for a bond issue for the proposed jail, to be followed-up at a later date with the complete resolution. Ayes-Burnside, Gustafson, Vail, Crampton. Nays—Bruns. The motion carried.

Motion by Vail, second by Gustafson, to approve the minutes of the 9/28 meeting as printed. Carried.

The board acknowledged a letter received from the City of Sioux Rapids in support of the Buena Vista County Board of Supervisors request for financial assistance from IBP.

Motion by Burnside, second by Bruns to approve and to direct the Auditor to make the following transfers: from fund 996 (DD #274 Special Jt.) to fund 994 (DD #274 Main Jt.) - \$363.43; from fund 994 (DD #274 Main Jt.) to fund 980 (DD # 200 Jt.) - \$1,001.10; from fund 994 (DD #274 Main Jt.) to fund 632 (DD #36-38 Jt.) - \$592.26; the first transfer being to close out the #274 Special as it is no longer needed, and the latter 2 transfers being made in order to cash outstanding warrants. Carried.

Motion by Bruns, second by Vail, to correct a portion of the minutes of the 5/11/99 Board of Supervisors meeting by changing the Range from 35 to 38, the minutes now to read: Motion by Bruns, second by Burnside, to accept the Zoning Board's recommendation to approve Zond Maintenance Corp's zoning re-classification request, from A-2 to Commercial on the following property: Parcel C In NW¼ NW¼, Section 35, T-92-N, R-38-W. Carried

There being no further business, motion by Burnside, second by Bruns, to adjourn the meeting at 12:10 p.m. until Tuesday, October 12 at 8:30 a.m. for a regular session.

*out of order 10/12 should be next

**FORTY-FIFTH MEETING, 1999 SESSION (45)
OCTOBER 19, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 19, 1999 at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Deputy Auditor Kennedy as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Engineer Jon Ites reported on the quarterly Farm to Market report. Everything is right on target.

Engineer Jon Ites reported that an underground utility permit was returned for revisions.

Motion by Burnside, second by Vail, to approve and to authorize the chairman to sign the snow removal contract with the City of Rembrandt for the 99/00 snow season. Carried.

Motion by Vail, second by Burnside, approving and authorizing the chairman to sign the Permanent Loan Agreement with the State of Iowa for the bald eagle in the courthouse wildlife display. Carried.

Motion by Vail, second by Gustafson, to approve the minutes of the 10/12 meeting as printed. Carried.

Y2K Coordinator, Sue Tempel, met with the supervisors to discuss their Y2K contingency plan. All offices have their own plans. She had a list of questions, and asked the supervisors for a written plan addressing these issues.

Gustafson asked Sue Tempel to check with Spectra Health Care regarding their Y2K plans.

The time arrived for the discussion of the jail ballot question with three news media present and one member of Farm Bureau. The supervisors agreed to the text of the ballot proposition as follows: "Shall the County of Buena Vista, State of Iowa, be authorized to construct, furnish and equip a county jail and sheriff's office and acquire land for such purpose at a total cost not exceeding \$5,775,000 and issue its general obligation bonds in an amount not exceeding \$5,775,000 for that purpose?"

Vince Davis, Farm Bureau member, asked if the cost of the jail project included equipment and furnishings. The board said that those items were included in the total cost. He also asked whether the current jail would be used for holding, once the new jail is built. The answer was probably not, because of staffing problems. He asked about the safety in the courthouse, who is responsible for the security during the day, and what would happen if the sheriff's department moves out of the courthouse. The board stated that they are currently working on a security policy for the courthouse.

Dana Larsen, Pilot Tribune, asked if there were any plans for the "empty" space in the courthouse once those departments move out. The board said there wouldn't be a problem in filling the space.

Bruns suggested waiting 6 months after O'Brien County opens their new jail before we have an election, to see what happens with their jail.

Crampton asked about setting up a committee to educate the public on the jail bond issue, and Gustafson stated that the DLR is going to do that.

Motion by Burnside, second by Gustafson, to forward the ballot proposition text to Robert Josten. Carried.

Motion by Vail, second by Gustafson to approve the following reports: September Conservation Board minutes, Quarterly Farm to Market Road Fund, Quarterly Lagoon Facility Monitoring report, and September NWIPDC Policy Council Meeting. Carried.

There being no further business, and a DD #105-64 Jt. meeting having been scheduled for 11:00 a.m. in Sac City, motion by Burnside, second by Vail, to adjourn the meeting at 9:55 a.m. until Tuesday, October 26 at 8:30 a.m. for a regular session.

BOARD OF SUPERVISORS MEETING
FORTY-FOURTH MEETING, 1999 SESSION (44)
OCTOBER 12, 1999

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 12, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Motion by Burnside, second by Gustafson, to approve an increase in hourly rate for Don Piercy to \$7.16 retroactive to 7/1/99, the same as for other drivers in the Weed Dept. Carried.

De-Cat Coordinator Jean Drey gave the board an update on the funding for the 3-county **Empowerment Board** for the "School-Ready" grant. An ad has been placed in the newspapers for a Case Manager for the program. The BV Co. Auditor will serve as the fiscal agent for the program.

Engineer Jon Ites reported on bids for equipment. Trans-Iowa Equipment responded but did not provide a **bid**. Bids for a single axle were submitted by Storm Lake International, Fitzpatrick's, and Barry Motors. Motion by Burnside, second by Vail, to accept the low bid of Fitzpatrick's in the amount of \$31,250.00 for a single axle Chevrolet 2000 C7H042 truck which includes a trade-in (in the amount of \$7,000). Carried.

Motion by Gustafson, second by Bruns, to accept the low bids of Barry Motor Co. to purchase 2 tandem axle Sterling 2000 LT9511 trucks in the amounts of \$44,790.00 and \$43,659.00, the difference being the amounts allowed for the trade-ins. Carried. Bids were received from Storm Lake International and Barry Motor Co.

After review of the bids from Ziegler Caterpillar and Swaney John Deere, representatives were given the opportunity to provide additional information on their equipment. Motion by Vail, second by Burnside, to table their decision until October 26. Carried.

Dirk Westercamp, DLR Group, presented revised costs for the proposed jail reflecting a 15 year loan schedule, a 20 year loan schedule, and a 15 year loan schedule beginning 5 years from now.

Supervisor Gustafson reported on usage of the YES Center by Buena Vista County in relation to other member counties, with BV Co. being far and away above the others.

John Geist, Ruan Securities, presented estimated levies for 15 year and a 20 year loan schedules. There would be a difference of roughly 10 cents/thousand \$ taxable valuation between 15 and 20 years.

Answering Supervisor Burnside's question, 15 year bonds are easier to sell than 20 year. With a February 1 election, bonds could be sold in late March or April. Taxable values of agland vary from \$500 to \$1,100/acre, so generally speaking, the cost for agland would be less than \$1/acre.

Gustafson asked if an additional question could be put on the ballot to see whether voters would want local option sales tax dollars to be used for retiring the debt after 2005 when 4 cities and the rural area will need to vote again to extend the sales tax. Only public measure elections authorized by law are permitted to be conducted. This type of question is more of an 'opinion poll', and not an authorized type of public measure.

Dean Baughman, BV Co. Farm Bureau President, reported that their questionnaire results indicated that 85% of the responding members oppose funding a jail with property tax dollars. 65% favor funding a jail with sales tax dollars

Supervisor Bruns noted that even though interest rates available for G.O. bonds right now might be favorable, the rates paid by corporations/business – those who will pay the property tax -- are high in comparison.

Geist stated that though the economy may not be good now, it may be good later, and, the interest rates are good now, but may go up later. A good rule of thumb is to bond when there is the need, not when the interest is good.

Vince Davis, Farm Bureau, stated that he felt the issue should be tabled for now because there are lots of questions to be answered on the project before it is brought to the voters. He then introduced Jon Muller and Mary Meador, who presented information. Meador showed the results of her technical analysis which included looking at the varying lengths of stay for those persons who are included in the ADP (average daily population). Some may indeed be in jail overnight, but others are in and out in as little as 15 minutes. This suggests that some process improvement could be considered to shorten the time.

Muller stated that quite a number of Iowa counties have been talking about new jails or expanding existing jails. If all counties go forward as Buena Vista would like to, there will be too much capacity. Many of these counties are talking about having extra beds so that they can be rented out to other counties. Is each county looking at the same lack of beds? If they all build, where are these extra prisoners going to come from. He suggested that even without building a regional jail, the counties should be working together for a regional plan to handle overflow, and to address classification problems.

No action was taken by the board on finalizing wording for the resolution on the public measure.

Motion by Gustafson, second by Burnside, to approve the minutes of the 10/5 meeting as printed, and the following reports: Sept. budget reports, Clerk's fees, 1st Qtr FY'00 Clerk's fees, Sheriff's fees. Carried.

There being no further business, motion by Vail, second by Bruns, to adjourn the meeting at 1:00 p.m. until Tuesday, October 19 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
FORTY-SIXTH MEETING, 1999 SESSION (46)
OCTOBER 26, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 26, 1999 at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Environmental Health/Zoning Director Kim Johnson discussed a request from the city of Albert City to contract for her services as zoning director. She has consulted the County Attorney regarding such an arrangement. In the case of a conflict between the county and city, she would act as zoning director for neither entity. A 28E agreement would be necessary. The Board of Health has given approval to proceed with discussions. It was also the consensus of the board of supervisors to proceed with discussion of a 6 month trial arrangement.

Johnson has also met with Pocahontas County to discuss contracting sanitarian services since they no longer have a sanitarian. Pocahontas currently does food establishment inspections for Humboldt County.

Deputy Assessor Kim Carnine presented family farm credit applications for the board's approval. Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the family farm credit applications recommended for approval by the Assessor, and to deny applications as recommended by the Assessor on the following parcels: #8661.00, .10, 8664.00, .10, .20, .30, 10768.50, 10182.25, 9119.50, 9120.50. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the underground utility construction permit application of U.S. West Communications applied for by Paramount Designs, to install a 50 pair buried copper telephone cable in Sections 25 & 36 T-91 R37 to provide for future growth. Carried.

Engineer Jon Ites discussed the impact on county facilities of the Storm Lake dredging project. Design requirements have changed, and no final decisions have been made as to what DNR's request to the county will be.

Motion by Vail, second by Burnside, to reject both motorgrader proposals, and to open up negotiations. Bruns asked if negotiating on a used machine, what kind of warranty would be available. Ites--the warranty begins with the date the machine goes on-line. Gustafson feels in the future, that if a used machine is to be considered, that information should be known up front to be fair to all. The vote on the motion carried. Burnside is interested in giving John Deere a chance to consider negotiating on a used lease machine, to be considered alongside the used Caterpillar. Gustafson would like to wait to take any action until next spring. John Deere is interested. The board will negotiate with the 2 companies at the next meeting.

Ron Neulieb, Control Systems Specialists, met with the board to discuss his bill for repairs and work on Spectra air-conditioning, ceiling tiles, etc. Neulieb reported on the mediation work done to eliminate leaking and deteriorating insulation. The county has not paid the approximately \$10,000 bill. The Chairman explained that to determine the reason for leaking pipes, and insufficient cooling and temperature control, an inspection had been performed, and a proposal made by a third-party for re-insulation with new materials, and further, that the county attorney had been asked to review the architect's and contractor's agreements. Gustafson is not certain that temperatures have been high enough for a long enough period of time since the repairs were completed, to give a good test of whether the problems are fully solved. He questioned, with a new installation, should new insulation have been installed, should there be this type of problem with a new installation? This type of condition is subject to DIA inspection. Neulieb believes that the a/c installation has accomplished its purpose – bringing temperatures down to comfortable levels, and that repairs and adjustments have been made to solve the humidity problem. The board is expecting a response from the County Attorney. The Chairman requested that if problems persist, Neulieb would meet with the architect and the insulation specialist to re-evaluate the operation.

Insurance agent Clark Fort discussed his conversation with the county attorney about a lawsuit against the hospital which also names the county as a defendant. Our policy does not include this exposure, and to add it would be at an additional cost. Another solution would be to reach agreement with entities such as the hospital for a waiver of liability. Other entities to be considered include: Spectra Health Care, BV County Fair Board. This action would be good from a risk management standpoint.

The Chairman announced that it was time for consideration of a resolution on the proposed jail bond election. Supervisor Gustafson introduced the resolution next hereinafter set out, and moved its adoption, seconded by Supervisor Burnside, and after due consideration thereof by the Board of Supervisors, the Chairperson put the question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted: Ayes: Burnside, Gustafson, Vail, Crampton; Nays: Bruns.

Whereupon, the Chairperson declared the motion duly carried and the resolution adopted in substantially the following form:

RESOLUTION NO. 1999-10-26

Resolution calling an election on a general obligation bond proposition.

WHEREAS, it is deemed necessary and advisable that Buena Vista County, Iowa (hereinafter sometimes referred to as the "County"), construct, furnish and equip a county jail and sheriff's office and acquire land for such purpose (hereinafter referred to as the "Project") and issue its bonds in the principal amount of \$5,775,000 to finance cost of the Project, to that extent; and

WHEREAS, pursuant to Section 331.442 of the Code of Iowa, before the County may institute proceedings for the issuance of general obligation bonds for the Project, the County must hold a special election upon the proposition of issuing such bonds and receive a favorable vote from at least 60% of the total votes cast at such special election;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. A special county election is hereby called and ordered to be held in and for the County, on Tuesday, the 1st day of February, 2000, at which there will be submitted to the voters of the County the following proposition:

Shall the County of Buena Vista, State of Iowa, be authorized to construct, furnish and equip a county jail and sheriffs office and acquire land for such purpose, at a total cost not exceeding \$5,775,000 and issue its general obligation bonds in an amount not exceeding \$5,775,000 for that purpose?

Section 2. The polls for the said election shall be kept open from 12:00 o'clock noon until 8:00 o'clock p.m.

Section 3. For the election the County shall be divided into the same precincts and the polling places shall be the same as fixed for general elections in the County.

Section 4. All of the foregoing matters are adopted and resolved by this Board, and the County Auditor is hereby authorized and is directed to issue a proclamation and notice of the aforementioned proposition and of the time and place of the election and to take all other actions necessary pursuant to state law to conduct the election.

Passed and approved October 26, 1999.

/s/ Herb Crampton, Chairperson, Board of Supervisors

Attest: /s/ Karen M. Strawn, County Auditor

Brent Mangold discussed repair/replacement of the pump purchased for the **Spectra lift station**. The pump had a 5 year, 10,000 hour warranty but failed after 754 hours. The area representative of the company from which the pump was purchased will be here Friday. Mangold arranged for him to take the pump, repair and return it rather than attempt to have it repaired locally. Mangold does not believe that a spare pump is necessary, but the cost on a new one would be about \$2,700.

Motion by Gustafson, second by Vail, to approve the **minutes** of the 10/19 meeting as printed, and the following reports: FY'99 annual BV Co. Conservation Board and 1999 annual Weed Commissioner's report to the state Weed Commissioner. Carried.

The auditor reported receiving responses to the board's letter regarding whether or not to proceed with a project in **DD #58**. Landowners were asked to notify the board whether they wanted to proceed with an improvement to the district based upon the preliminary investigative report of Engineer Ivan Droessler. Four responses were totally opposed to any additional work or cost. One response was an inquiry as to whether the responses were favorable/unfavorable. The last response was favorable to proceeding with work in the southern part of the district, similar to the project that was approved but never made in 1952. New information suggests that NRCS will now perform scope and effect determinations to identify how many areas would be effected by improved drainage, and therefore subject to wetland mitigation. If not all areas are included, the cost and scope of the work could be less. It was the consensus of the board to ask Droessler to make the request of NRCS for the scope and effect determination.

Upon completion of the **canvass** of the October 19, 1999 special Lakeside City Election for a non-exclusive franchise for DTG, motion by Burnside, second by Gustafson, to declare the results on Public Measure I as follows: total voters: 49, Yes-49, No-0. The public measure was declared approved. Carried.

Motion by Vail, second by Bruns, to direct the auditor to **void** and re-issue warrant #70289 issued 7/25/95 in the amount of \$140.00 to Mack Hansen Gadd Armstrong & Brown, the original warrant having been lost. Carried.

There being no further business, motion by Vail, second by Burnside, to adjourn the meeting at 12:10 p.m. until Tuesday, November 2 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
FORTY-SEVENTH MEETING, 1999 SESSION (47)
NOVEMBER 2, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 2, 1999 at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Gustafson to attend a mental health meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Vail. Nays—none. Abstentions—none.

Deputy Auditor Jean Chindlund discussed a payroll issue regarding IPERS contributions. More research will be necessary.

Motion by Bruns, second by Burnside, to accept the resignation of Dave Wiley effective 10/29/99. Carried.

Motion by Burnside, second by Bruns, to set a public hearing for November 9, 1999 at 8:30 a.m. for the subdivision request of Russ Frazier for a location in Section 7, Barnes Township. Carried.

Cindy Wiemold, Storm Lake Site Administrator for Genesis Development, and Executive Director Terry Johnson provided an update on the organization and the FY'99 Management Report. Johnson reiterated Genesis' request for a sharing of the cost on the addition of the wall to the Maywood Home. He has submitted a letter requesting funding in the FY'2001 budget.

Engineer Jon Ites introduced the Ziegler Caterpillar representative who brought additional information to the board regarding the purchase of a motorgrader. His company will not have a leased machine until next spring. His offer for the new machine was dropped \$4,000 to \$123,500 plus trade-in. The Swaney Equipment representative also provided additional information on his machine.

Engineer Ites discussed a DOT budget amendment for the next meeting, a proposal to install E-911 signs, and interpretation of the change in the vacation policy for one person (no change was made).

Motion by Bruns to accept the proposal of Ziegler Caterpillar in the amount of \$123,500 plus trade-in of a 1989 JD 770BH trade-in for a new motograder, second by Vail. Ayes-Bruns, Burnside, Vail, Crampton. Nays-none. Carried.

Engineer Ivan Droessler explained a 'scope and effect determination' by NRCS. Motion by Burnside, second by Vail, to authorize the additional cost of up to \$700 for the engineer to prepare materials for a request for the scope and effect determination on DD #58. Carried.

The board took a brief recess to attend the groundbreaking ceremony for the expansion of Friesen of Iowa, and then returned to the boardroom for the remainder of the meeting.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign a claim in the amount of \$399 to Compumaster for computer training. Carried.

Motion by Burnside, second by Bruns, to approve the minutes of the October 26 meeting as printed. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the following resolution:

RESOLUTION NO. 1999-11-02

Resolution amending Resolution No. 1999-11-12, with respect to setting date for an election on a general obligation bond proposition

WHEREAS, on October 28, 1999, the Board of Supervisors of Buena Vista County, Iowa (the "County"), adopted Resolution No. 1999-11-02, with respect to setting a date for a special election on the question of issuing its bonds in the principal amount not exceeding \$5,775,000, to construct, furnish and equip a county jail and sheriff's office and acquire land for such purpose (hereinafter referred to as the "Project"); and

WHEREAS, it is now deemed necessary that Section 2 of Resolution No. 1999-11-02 be amended to reflect a change in the hours during which the polls will be open;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, as follow:

Section 1. Section 2 of Resolution No. 1999-11-02, adopted October 28, 1999, is hereby amended to read as follows:

“Section 2. The polls for the said election shall be kept open from 7:00 o'clock a.m. until 8:00 o'clock p.m.”

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed and approved November 2, 1999.

/s/ Herb Crampton, Chairperson, Board of Supervisors Attest: /s/ Karen Strawn, County Auditor

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign a **grant** application for INS funding for video-conferencing equipment to be used in the proposed jail. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign a claim to Sac City Surveying and Mapping in the amount of \$117.20 for **DD #274 Jt.** for a spray project. Carried.

There being no further business, motion by Vail, second by Burnside, to adjourn the meeting at 12:15 a.m. until Tuesday, November 9 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-EIGHTH MEETING, 1999 SESSION (48)
NOVEMBER 9, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 9, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

8:30 a.m.—The time having arrived for the public hearing on the **subdivision request** of Mark Frazier, the Chairman opened the hearing with Zoning Director Kim Johnson, Frazier, and Attorney Edean Murray present. Johnson stated that the request was for subdivision only, having nothing to do with use of the property. At the zoning commission hearing, there were objections to a building planned for the site. There being no objections to the subdivision, the Zoning Commission voted to approve the request. It was noted that the notice for this hearing had been published as required. Motion by Vail, second by Burnside, to close the public hearing. Carried.

Motion by Vail, second by Gustafson, to approve resolution no. 1999-11-09. Carried.

RESOLUTION NO. 1999-11-09

WHEREAS, Russell R Frazier has presented a preliminary and final plat (of survey) on the following described property:

A part of the East Half of the Northeast Quarter (E ½ NE ¼) of Section Seven (7), Township Ninety-Three (93) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, more particularly described as follows: Commencing at the Southeast corner of the NE ¼, Section 7, Township 93 North, Range 37 West of the 5th P.M., thence North along the East line of said NE ¼ a distance of 492.7 feet, thence South 89° 37' West a distance of 472.9 feet to the point of beginning; thence South 89° 37' West a distance of 871.6 feet to the West line of the E ½ of said NE ¼, thence North 00° 17' East along the West line of said E ½ NE ¼ a distance of 1,922.3 feet to the South right-of-way line of the Chicago and North Western Transportation Company (formerly the Chicago and North Western Railway Company), thence Southeasterly along the South right-of-way line of said Chicago and North Western Transportation Company a distance of 1,402.5 feet to the East line of said NE ¼, thence due South a distance of 365.35

feet along the East line of said NE $\frac{1}{4}$, thence West a distance of 280.0 feet, thence due South a distance of 308.0 feet, thence North 89° 55' West a distance of 50.0 feet, thence due South a distance of 30 feet, thence North 89° 55' West a distance of 16.0 feet, thence due North a distance of 130.0 feet, thence North 89° 55' West a distance of 142.0 feet, thence due South a distance of 225.0 feet, thence South 89° 55' East a distance of 158.0 feet, thence East a distance of 147.0 feet, thence due South a distance of 338.0 feet, thence East a distance of 183.0 feet to the East line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, thence due South a distance of 367.0 feet along the East line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ to a point 492.7 feet North of the Southeast corner of said NE $\frac{1}{4}$, thence South 89° 37' West a distance of 33.0 feet, thence due North a distance of 163.5 feet, thence due West a distance of 321.0 feet, thence South 45° 03' West a distance of 18.0 feet, thence South 88° 04' West a distance of 188.3 feet, thence South 29° 03' East a distance of 169.0 feet to the point of beginning, and containing an area of 45.74 acres of which 0.28 acres are existing highway right of way, subject to all easements of record together with all easements and servient estates appurtenant thereto.

One parcel shall be described as Lot A of Section 7, Township 93 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa and shall have the following legal description:

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E $\frac{1}{2}$ NE $\frac{1}{4}$) OF SECTION 7, TOWNSHIP 93 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 Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 7; Thence a record bearing and distance of North 89° 55' West, 330.0 feet; Thence a record bearing and distance of South 00° 00' West, 125.0 feet; Thence a record bearing and distance of North 89° 55' West, 158.0 feet to the Point of Beginning. Thence South 89° 28' 05" West, 440.98 feet; Thence North 24° 36' 36" West, 368.85 feet; Thence South 88° 48' 22" West, 256.82 feet to a fence line accepted as the West line of the East Half of said Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$); Thence North 00° 15' 13" East, along said West line, 647.29 feet; Thence South 78° 26' 59" East, 417.95 feet; Thence South 80° 54' 46" East, 218.50 feet; Thence South 16° 49' 42" West, 123.20 feet; Thence South 26° 49' 15" East, 573.80 feet; Thence South 00° 00' 00" West, 225.00 feet to the Point of Beginning.

The other parcel shall be described as:

A part of the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Seven (7), Township Ninety-Three (93) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, more particularly described as follows: Commencing at the Southeast corner of the NE $\frac{1}{4}$, Section 7, Township 93 North, Range 37 West of the 5th P.M., thence North along the East line of said NE $\frac{1}{4}$ a distance of 492.7 feet, thence South 89° 37' West a distance of 472.9 feet to the point of beginning; thence South 89° 37' West a distance of 871.6 feet to the West line of the E $\frac{1}{2}$ of said NE $\frac{1}{4}$, thence North 00° 17' East along the West line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 1,922.3 feet to the South right-of-way line of the Chicago and North Western Transportation Company (formerly the Chicago and North Western Railway Company), thence Southeasterly along the South right-of-way line of said Chicago and North Western Transportation Company a distance of 1,402.5 feet to the East line of said NE $\frac{1}{4}$, thence due South a distance of 365.35 feet along the East line of said NE $\frac{1}{4}$, thence West a distance of 280.0 feet, thence due South a distance of 308.0 feet, thence North 89° 55' West a distance of 50.0 feet, thence due South a distance of 30.0 feet, thence North 89° 55' West a distance of 16.0 feet, thence due North a distance of 130.0 feet, thence North 89° 55' West a distance of 142.0 feet, thence due South a distance of 225.0 feet, thence South 89° 55' East a distance of 158.0 feet, thence East a distance of 147.0 feet, thence due South a distance of 338.0 feet, thence East a distance of 183.0 feet to the East line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, thence due South a distance of 367.7 feet along the East line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ to a point 497.7 feet North of the Southeast corner of said NE $\frac{1}{4}$, thence South 89° 37' West a distance of 33.0 feet, thence due North a distance of 163.5 feet, thence due West a distance of 321.0 feet, thence South 45° 03' West a distance of 18.0 feet, thence South 88° 04' West a distance of 188.3 feet, thence South 29° 03' East a distance of 169.0 feet to the point of beginning, and containing an area of 45.74 acres of which 0.28 acres are existing highway right of way, subject to all easement of record together with all easements and servient estates appurtenant thereto.

EXCEPT

Lot A of Section 7, Township 93 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

WHEREAS, the final plat meets with the approval of the Zoning Commission subject to the following if any:
NONE

WHEREAS, the final plat meets 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 the final plat of part of the East Half of the Northeast Quarter (E ½ NE ¼) of Section Seven (7), Township Ninety-Three (93) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, more particularly described as follows: Commencing at the Southeast corner of the NE ¼, Section 7, Township 93 North, Range 37 West of the 5th P.M., thence North along the East line of said NE ¼ a distance of 492.7 feet, thence South 89° 37' West a distance of 472.9 feet to the point of beginning; thence South 89° 37' West a distance of 871.6 feet to the West line of the E ½ of said NE ¼, thence North 00° 17' East along the West line of said E ½ NE ¼ a distance of 1,922.3 feet to the South right-of-way line of the Chicago and North Western Transportation Company (formerly the Chicago and North Western Railway Company), thence Southeasterly along the South right-of-way line of said Chicago and North Western Transportation Company a distance of 1,402.5 feet to the East line of said NE ¼, thence due South a distance of 365.35 feet along the East line of said NE ¼, thence West a distance of 280.0 feet, thence due South a distance of 308.0 feet, thence North 89° 55' West a distance of 50.0 feet, thence due South a distance of 30 feet, thence North 89° 55' West a distance of 16.0 feet, thence due North a distance of 130.0 feet, thence North 89° 55' West a distance of 142.0 feet, thence due South a distance of 225.0 feet, thence South 89° 55' East a distance of 158.0 feet, thence East a distance of 147.0 feet, thence due South a distance of 338.0 feet, thence East a distance of 183.0 feet to the East line of said E ½ NE ¼, thence due South a distance of 367.0 feet along the East line of said E ½ NE ¼ to a point 492.7 feet North of the Southeast corner of said NE ¼, thence South 89° 37' West a distance of 33.0 feet, thence due North a distance of 163.5 feet, thence due West a distance of 321.0 feet, thence South 45° 03' West a distance of 18.0 feet, thence South 88° 04' West a distance of 188.3 feet, thence South 29° 03' East a distance of 169.0 feet to the point of beginning, and containing an area of 45.74 acres of which 0.28 acres are existing highway right of way, subject to all easements of record together with all easements and servient estates appurtenant thereto.

One parcel shall be described as Lot A of Section 7, Township 93 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa and shall have the following legal description:

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E ½ NE ¼) OF SECTION 7, TOWNSHIP 93 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 Northeast Quarter (SE ¼ NE ¼) of said Section 7; Thence a record bearing and distance of North 89° 55' West, 330.0 feet; Thence a record bearing and distance of South 00° 00' West, 125.0 feet; Thence a record bearing and distance of North 89° 55' West, 158.0 feet to the Point of Beginning. Thence South 89° 28' 05" West, 440.98 feet; Thence North 24° 36' 36" West, 368.85 feet; Thence South 88° 48' 22" West, 256.82 feet to a fence line accepted as the West line of the East Half of said Northeast Quarter (E ½ NE ¼); Thence North 00° 15' 13" East, along said West line, 647.29 feet; Thence South 78° 26' 59" East, 417.95 feet; Thence South 80° 54' 46" East, 218.50 feet; Thence South 16° 49' 42" West, 123.20 feet; Thence South 26° 49' 15" East, 573.80 feet; Thence South 00° 00' 00" West, 225.00 feet to the Point of Beginning.

The other parcel shall be described as:

A part of the East Half of the Northeast Quarter (E ½ NE ¼) of Section Seven (7), Township Ninety-Three (93) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, more particularly described as follows: Commencing at the Southeast corner of the NE ¼, Section 7, Township 93 North, Range 37 West of the 5th P.M., thence North along the East line of said NE ¼ a distance of 492.7 feet, thence South 89° 37' West a distance of 472.9 feet to the point of beginning; thence South 89° 37' West a distance of 871.6 feet to the West line of the E ½ of said NE ¼, thence North 00° 17' East along the West line of said E ½ NE ¼ a distance of 1,922.3 feet to the South right-of-way line of the Chicago and North Western Transportation Company (formerly the Chicago and North Western Railway Company), thence Southeasterly along the South right-of-way line of said Chicago and North Western Transportation Company a distance of 1,402.5 feet to the East line of said NE ¼, thence due South a distance of 365.35 feet along the East line of said NE ¼, thence West a distance of 280.0 feet, thence due South a distance of 308.0 feet, thence North 89° 55' West a distance of 50.0 feet, thence due South a distance of 30.0 feet, thence North 89° 55' West a distance of 16.0 feet, thence due North a distance of 130.0 feet, thence

North 89° 55' West a distance of 142.0 feet, thence due South a distance of 225.0 feet, thence South 89° 55' East a distance of 158.0 feet, thence East a distance of 147.0 feet, thence due South a distance of 338.0 feet, thence East a distance of 183.0 feet to the East line of said E ½ NE ¼, thence due South a distance of 367.7 feet along the East line of said E ½ NE ¼ to a point 497.7 feet North of the Southeast corner of said NE ¼, thence South 89° 37' West a distance of 33.0 feet, thence due North a distance of 163.5 feet, thence due West a distance of 321.0 feet, thence South 45° 03' West a distance of 18.0 feet, thence South 88° 04' West a distance of 188.3 feet, thence South 29° 03' East a distance of 169.0 feet to the point of beginning, and containing an area of 45.74 acres of which 0.28 acres are existing highway right of way, subject to all easement of record together with all easements and servient estates appurtenant thereto.

EXCEPT

Lot A of Section 7, Township 93 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of said part of the East Half of the Northeast Quarter (E ½ NE ¼) of Section Seven (7), Township Ninety-Three (93) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, more particularly described as follows: Commencing at the Southeast corner of the NE ¼, Section 7, Township 93 North, Range 37 West of the 5th P.M., thence North along the East line of said NE ¼ a distance of 492.7 feet, thence South 89° 37' West a distance of 472.9 feet to the point of beginning; thence South 89° 37' West a distance of 871.6 feet to the West line of the E ½ of said NE ¼, thence North 00° 17' East along the West line of said E ½ NE ¼ a distance of 1,922.3 feet to the South right-of-way line of the Chicago and North Western Transportation Company (formerly the Chicago and North Western Railway Company), thence Southeasterly along the South right-of-way line of said Chicago and North Western Transportation Company a distance of 1,402.5 feet to the East line of said NE ¼, thence due South a distance of 365.35 feet along the East line of said NE ¼, thence West a distance of 280.0 feet, thence due South a distance of 308.0 feet, thence North 89° 55' West a distance of 50.0 feet, thence due South a distance of 30 feet, thence North 89° 55' West a distance of 16.0 feet, thence due North a distance of 130.0 feet, thence North 89° 55' West a distance of 142.0 feet, thence due South a distance of 225.0 feet, thence South 89° 55' East a distance of 158.0 feet, thence East a distance of 147.0 feet, thence due South a distance of 338.0 feet, thence East a distance of 183.0 feet to the East line of said E ½ NE ¼, thence due South a distance of 367.0 feet along the East line of said E ½ NE ¼ to a point 492.7 feet North of the Southeast corner of said NE ¼, thence South 89° 37' West a distance of 33.0 feet, thence due North a distance of 163.5 feet, thence due West a distance of 321.0 feet, thence South 45° 03' West a distance of 18.0 feet, thence South 88° 04' West a distance of 188.3 feet, thence South 29° 03' East a distance of 169.0 feet to the point of beginning, and containing an area of 45.74 acres of which 0.28 acres are existing highway right of way, subject to all easements of record together with all easements and servient estates appurtenant thereto.

One parcel shall be described as Lot A of Section 7, Township 93 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa and shall have the following legal description:

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E ½ NE ¼) OF SECTION 7, TOWNSHIP 93 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 Northeast Quarter (SE ¼ NE ¼) of said Section 7; Thence a record bearing and distance of North 89° 55' West, 330.0 feet; Thence a record bearing and distance of South 00° 00' West, 125.0 feet; Thence a record bearing and distance of North 89° 55' West, 158.0 feet to the Point of Beginning. Thence South 89° 28' 05" West, 440.98 feet; Thence North 24° 36' 36" West, 368.85 feet; Thence South 88° 48' 22" West, 256.82 feet to a fence line accepted as the West line of the East Half of said Northeast Quarter (E ½ NE ¼); Thence North 00° 15' 13" East, along said West line, 647.29 feet; Thence South 78° 26' 59" East, 417.95 feet; Thence South 80° 54' 46" East, 218.50 feet; Thence South 16° 49' 42" West, 123.20 feet; Thence South 26° 49' 15" East, 573.80 feet; Thence South 00° 00' 00" West, 225.00 feet to the Point of Beginning.

The other parcel shall be described as:

A part of the East Half of the Northeast Quarter (E ½ NE ¼) of Section Seven (7), Township Ninety-Three (93) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, more particularly described as follows: Commencing at the Southeast corner of the NE ¼, Section 7, Township 93 North,

Range 37 West of the 5th P.M., thence North along the East line of said NE ¼ a distance of 492.7 feet, thence South 89° 37' West a distance of 472.9 feet to the point of beginning; thence South 89° 37' West a distance of 871.6 feet to the West line of the E ½ of said NE ¼, thence North 00° 17' East along the West line of said E ½ NE ¼ a distance of 1,922.3 feet to the South right-of-way line of the Chicago and North Western Transportation Company (formerly the Chicago and North Western Railway Company), thence Southeasterly along the South right-of-way line of said Chicago and North Western Transportation Company a distance of 1,402.5 feet to the East line of said NE ¼, thence due South a distance of 365.35 feet along the East line of said NE ¼, thence West a distance of 280.0 feet, thence due South a distance of 308.0 feet, thence North 89° 55' West a distance of 50.0 feet, thence due South a distance of 30.0 feet, thence North 89° 55' West a distance of 16.0 feet, thence due North a distance of 130.0 feet, thence North 89° 55' West a distance of 142.0 feet, thence due South a distance of 225.0 feet, thence South 89° 55' East a distance of 158.0 feet, thence East a distance of 147.0 feet, thence due South a distance of 338.0 feet, thence East a distance of 183.0 feet to the East line of said E ½ NE ¼, thence due South a distance of 367.7 feet along the East line of said E ½ NE ¼ to a point 497.7 feet North of the Southeast corner of said NE ¼, thence South 89° 37' West a distance of 33.0 feet, thence due North a distance of 163.5 feet, thence due West a distance of 321.0 feet, thence South 45° 03' West a distance of 18.0 feet, thence South 88° 04' West a distance of 188.3 feet, thence South 29° 03' East a distance of 169.0 feet to the point of beginning, and containing an area of 45.74 acres of which 0.28 acres are existing highway right of way, subject to all easement of record together with all easements and servient estates appurtenant thereto.

EXCEPT

Lot A of Section 7, Township 93 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 9th day of November, 1999.

/s/ Chair Board of Supervisors

/s/ Auditor

Head Custodian Dewyne Stucynski discussed a number of incidents of **vandalism** to county buildings. The board approved installing additional outdoor lighting around the courthouse and other buildings.

Stucynski also discussed the availability of church pews for additional seating in the **courthouse** 2nd floor hallways. The board authorized the purchase.

The Chairman distributed copies of the **Y2k** contingency plan for the supervisors department. Deputy Auditor Jean Chindlund, explained a proposal for changing payroll procedures for the pay period ending 12/31/99, to avoid problems with any Y2k related events. Motion by Vail, second by Burnside, to approve the following payroll procedure change for the P.P.E. 12/31/99: employees will turn in their timesheets filled in through midnight 12/28/99; pay for the 29th and 30th will be the employees' regular number of hours; employees will receive holiday pay for the 31st; any overtime hours for this P.P. will be paid in the next P.P. ending 1/15/2000; paychecks for the 12/31/99 P.P. will be dated January, and distributed on Wednesday, Jan. 5, as usual. Carried.

Burnside temporarily left the meeting.

Engineer Jon Ites reviewed the FY'00 **IDOT budget amendment**. Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign, the FY'00 IDOT budget amendment as presented. Ayes—Bruns, Gustafson, Vail. Nays—none. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign the final pay estimate on **project #L-C-103**, a box culvert in Barnes Township, Section 2, in the amount of \$4,571.62. Ayes—Bruns, Gustafson, Vail. Nays—none. Carried.

It was the consensus of the board to have the engineer again submit nomination papers for funding to replace a narrow bridge located on the Raccoon River 2 miles south of C-49, there being \$2,000,000 allocated in **FUNDCO** this year.

Ites reported that Clay County is using a yellow diamond shaped "No snow removal" **sign** which is easier to see than black on white. He suggested that the board view the new style. Ites will talk to the county attorney regarding liability issues. Clay County is signing as they go, not converting 100% right away.

Ites updated the board on the progress being made on the construction of the new **Newell maintenance building.**

Motion by Bruns, second by Vail, to approve the **utility construction permit** application of Nepple Electric for V-T Industries to install a 3-phase electrical line under C-65, ¼ mile east of the Hwy 110 curve south of Storm Lake, the installation to be for a new airport hangar. Ayes—Bruns, Gustafson, Vail. Nays—none. Carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign, the **utility construction permit** application submitted by Neal Quirin to install an underground waterline under county road M-36 from Elk Twp, Section 24 to Scott Twp, Section 19, the installation to be made by boring under the road and encasing the waterline to prevent erosion of the road in the event of leakage. Ayes—Bruns, Gustafson, Vail. Nays—none. Carried.

Nurse Administrator Karole Graen distributed copies of the BV County **Public Health Nursing** FY99 annual report. She will meet with the Chairman and General Relief Director Paula Guerra to prepare an application form and guidelines for accessing funds in the Buckingham Estate. Graen reviewed board of health minutes for July, September and October. She noted difficulty in looking for a replacement nurse because the current demand is so large for that profession.

Burnside returned to the meeting.

Upon completion of the canvass of the 11/2/99 city elections pursuant to Chapter 50.24 of the 1999 Code of Iowa, the board of canvassers found a tie for the 5th Truesdale City Council position with Jessie Meusburger and John Paulson each receiving 4 write-in votes. As required by law, the names were placed in a container, with John Paulson's name being drawn and declared the winner. Motion by Vail, second by Bruns, to declare the results of the canvass as follows, and to direct the Auditor to prepare abstracts and certificates of election as required:

ALBERT CITY - total voters	91		
	<u>MAYOR</u>	<u>COUNCIL MEMBERS (3 - 4 YR.)</u>	
CARL N. ERICKSON JR.	86*	DOUGLAS V. ANDERSON	89*
SCATTERING	2	ABE J. FALKENA	86*
		VERGIL WENELL	84*
		SCATTERING	2
ALTA - total voters	131		
	<u>MAYOR (2 YR)</u>	<u>COUNCIL MEMBERS (3 - 4 YR.)</u>	
EDWIN E. BUCKENDAHL	109*	RON GULLICKSON	63*
SCATTERING	11	DANIEL HUSEMAN	114*
		VERONICA W. MC FADDEN	105*
		SCATTERING	32
<u>PARK BOARD MEMBER (1 - 6 YR)</u>		<u>PUBLIC MEASURE J (INCREASE #</u>	
CREIGHTON CAMERER	4*	<u>OF UTILITY BOARD MEMBERS)</u>	
SCATTERING	11	YES	82*
		NO	37
LAKESIDE - total voters	27		
	<u>MAYOR (2 YR)</u>	<u>COUNCIL MEMBERS (2 - 4 YR)</u>	
GENE MANDERNACH	26*	MARIE HORNECKER	27*
		WALLACE M. PYLE	27*
LINN GROVE - total voters	72		
	<u>MAYOR (2 YR)</u>	<u>COUNCIL MEMBERS (5 - 2 YR)</u>	
DENNIS GRAESING	35*	GLENN ELLIS	26*
STUART GENSON	26	ROGER WARKENTIN	26*
SCATTERING	8	AMY JESSEN	53*
		JOHN SMITH	57*
		ROB WADSLEY	31*
		HERSCHEL MORSE	19
		STEWART JESSEN	13
		SCATTERING (28 PERSONS)	62
MARATHON - total voters	87		
	<u>MAYOR (2 YR)</u>	<u>COUNCIL MEMBERS (3 - 4 YR.)</u>	

JEFF ELBERT	58*	STARR ABBAS	50*
DUSTIN L. KLATT	27	ROSIE COLEMAN	41
WADE TEEPE	0	GENE E. DESHLER	56*
		DYLAN MC KEEVER	2
		DANA C. SNOW	57*
		GRACE WEAVER	45
		SCATTERING	2
NEWELL - total voters	149	<u>COUNCIL - FILL VACANCY (2)</u>	
<u>COUNCIL MEMBERS (2 - 4 YR.)</u>		ELAINE KNUDSON	110*
STANLEY C. HENRICH	97*	DOREEN PEDERSEN	94*
MARK PUHRMANN	139*	CHARLES WITTER	69
SCATTERING (6 PERSONS)	6	SCATTERING (3 PERSONS, 2 NONE)	5
<u>PARK BOARD - ELECT 1</u>		<u>PUBLIC MEASURE K (ALLOW 1-2</u>	
POLLY JO WOLTERMAN	124*	LIBRARY BOARD TRUSTESS TO	
		<u>LIVE WITHIN 6 MILES OF CITY</u>	
		YES	130*
		NO	0
REMBRANDT - total voters	49	<u>COUNCIL MEMBERS (2 - 4 YR)</u>	
		DAMON HICKMAN	39*
<u>MAYOR</u>		ROGER PETERS	46*
KEVIN IEHL	9	SCATTERING	7
SYD PETERSON	33*		
SCATTERING (4 PERSONS)	4		
SHIQUA - total voters	97		
<u>COUNCIL MEMBERS (3 - 4 YR)</u>			
DAVID D. ALTHAUS	67*		
GARY ISAACSON	73*		
DAVID RASSLER	86*		
RICHARD E. STOPPELMOOR	53		
SCATTERING	2		
STORM LAKE - total voters	1,322	<u>COUNCIL MEMBERS (3 - 4 YR)</u>	
<u>MAYOR (TO FILL VACANCY)</u>		WALLACE E. BURNS	724*
JUDY HALDER	328	PETER A. DE CARO	201
JON KRUSE	391*	JULIE EGLAND	1,090*
DAVE PATTON	247	BOB FERGUSON	863*
JAMES STORCK	312	JOHN JORGENSEN	242
SCATTERING	35	SCOTT RANDALL	551
		SCATTERING (2 PERSONS)	9
TRUESDALE - total voters	29	<u>COUNCIL MEMBERS (5- 2 YR)</u>	
<u>MAYOR (2 YR)</u>		STAN BUCHHOLZ	23*
STEVE C. BUCHHOLZ	13	MIKE MEUSBURGER	18*
JESSIE MEUSBERGER	14*	JAMES WEILAND	26*
SCATTERING	1	MIKE PAULSON	5*
		JOHN PAULSON	4**
		SCATTERING (17 PERSONS)	38
		** (drawn by the board to break tie)	

The vote on the above motion declaring election results was carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign, the **utility construction permit** application of MidAmerican Energy to install a 2" gas line, 2004' north of the intersection of Hwy 7& 200th Ave west of Newell, to provide service to the new Newell maintenance shed. Carried.

Motion by Vail, second by Bruns, to approve the **minutes** of the 11/2/99 meeting as printed, and the following **reports**: Oct budget reports, July-Sept-Oct Board of Health minutes, FY'99 BV Co. Public Health Nursing annual report. Carried.

Motion by Bruns, second by Vail, to nominate Supervisor Jim Gustafson, Senator MaryLou Freeman, and Gary Grundmeier for the Raccoon River Council. Carried.

There being no further business, motion by Bruns, second by Vail, to adjourn the meeting until Tuesday, November 16 at 11:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
FORTY-NINTH MEETING, 1999 SESSION (49)
NOVEMBER 16, 1999**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 16, 1999, at 11:00 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Deputy Auditor Kennedy as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Weed Commissioners Norman Lund and David Wiley presented the annual weed commissioner's report. With the very mild and dry year, they had very promising and productive spraying days. They spot sprayed the county approximately 2½ times. Roadside vegetation was discussed. The supervisors considered planting grass seed in the bare road ditches, and will discuss it with the County Engineer.

Weed Commissioner Norman Lund discussed the pay rate for Donald Piercy that appeared in the minutes. It stated that Mr. Piercy would receive the same rate of pay, \$7.16, as the other drivers. However, the other drivers receive \$7.41. No action was taken.

Engineer Ivan Droessler, and Drainage Engineer Steve Petermeier met with the Board to discuss the scope and effect determination for DD #58. They discussed mitigation of the wetlands and the possible construction of a new open ditch. Mitigation costs, for approximately 47 acres of wetlands, would be \$5,000 per acre, and could rise to as much as \$8,000 per acre if the Army Corp of Engineers gets involved. Motion by Burnside, second by Bruns, approve and to authorize the Chairman to sign Resolution 1999-11-16. Carried.

RESOLUTION 1999-11-16

WHEREAS, certain landowners in DD #58 requested that the Board of Supervisors consider making improvements in DD #58; and

WHEREAS, a preliminary engineer's study was ordered by the Board of Supervisors, at a cost not to exceed \$4,000, with Ivan Droessler, Kuehl & Payer Ltd. appointed as the engineer; and

WHEREAS, the engineer's preliminary study showed a substantial need for costly wetland mitigation for any improvement; and

WHEREAS, the Board of Supervisors conducted an informational public meeting on September 21, 1999, to discuss the results of the engineer's study; and

WHEREAS, following the informational meeting, the Board of Supervisors desired additional public comment and directed that landowners be sent a copy of the engineer's report and a letter asking whether or not they desired the Board to proceed with a project, which resulted in four objections and two favorable responses; and

WHEREAS, the Board of Supervisors directed the engineer to prepare materials and a request, at a cost not to exceed \$700, and to submit them to the NRCS for a scope and effect determination on a portion of the district in Section 14, Lincoln Township; and

WHEREAS, the NRCS performed a scope and effect determination on the portion of the district in Section 14, Lincoln Township, and the engineer estimated those mitigation costs at \$5,000 to \$8,000 per acre; and

WHEREAS, the Board of Supervisors determined that the estimated high cost of mitigation, and the lack of significant landowner approval did not support either a project on the whole district, nor a small project on a portion of the district; and so

THEREFORE, BE IT RESOLVED, by the Buena Vista County Board of Supervisors that the request for drainage improvement in DD #58 is denied.

Approved at Storm Lake, Iowa, this 16th day of November, 1999.

/s/ Herb Crampton, Chairman of the Board of Supervisors Attest: /s/ Karen M. Strawn, Auditor

Motion by Vail, second by Bruns, authorizing the Chairman to sign the **DD #19-26 Jt.** work order for an open ditch repair for Douglas Township, Sac County in the estimated amount of \$3,000.00. Carried.

Motion by Vail, second by Bruns authorizing the Interim Committee Member for **DD #181JT.** to sign the work order for the proposed Little Cedar open ditch repair in Dover Township, Pocahontas County in an estimated amount of \$1,200.00. Carried.

Motion by Vail, second by Burnside to approve the **minutes** of the 11/9/99 meeting as printed. Carried.

There being no further business, motion by Vail, second by Burnside, to adjourn the meeting at 12:30 p.m. until Tuesday, November 23 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FIFTIETH MEETING, 1999 SESSION (50)
NOVEMBER 23, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 23, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none.

Deputy Auditor Jean Chindlund reported on the ISAC informational meeting regarding the county's **health insurance** company. At some point, a representative for the county may be asked to give a deposition regarding the year that the county was self-funded.

The board discussed **cemetery lots** for indigents. The last one is gone, and the county no longer has any available.

Clarence Krepps, representing the **Iowa Drainage District Association**, discussed IDDA dues and litigation fees.

Motion by Burnside, second by Gustafson, to approve the **minutes** of the 11/16 meeting as amended. Carried.

In order to assure that each landowner is notified of their decision, the board directed that a copy of the **DD #58** resolution, approved at the 11/16 meeting, be sent to each landowner.

Engineer Jon Ites distributed a copy of a "Resolution for Construction Agreements Between City and County on Secondary Road Extensions" to be considered by the **City of Linn Grove** for an extension of Secondary Road FAS Route 0150.

In response to Ites' request, the IDNR has approved an extension of the due date for the Tier 2 Site Cleanup Report to 12/31/99 for **LUST No. 7LTL70** located at 401 Hudson, noting that no further extension will be granted.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the snow maintenance agreement for the **City of Truesdale** for the 99-00 snow season. Carried.

Motion by Burnside, second by Vail, to approve the request of Citizen's First National Bank Farm Manager Tim Smith, to hook **drainage tile** into the county's tile on a property located in Section 2-90-37 at the SW corner of the property. Carried.

Ites reported that the 1999 corn crop from the **S. Hayes Pit** farm has been sold.

The board discussed heating units for the new **Newell shop**.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the **utility construction** permit application submitted by Corn Belt Power Cooperative, Humboldt, to install an overhead 69,000 volt transmission line along the west right-of-way boundary of M-27, Section 26, Maple Valley Twp. Carried.

Ites distributed a copy of a 2-year employment **contract** (ending 6/30/02) for the board's review.

Upon recommendation of the engineer, motion by Vail, second by Burnside, to accept the **quote** of Crysteel Truck Equipment, Lake Crystal, MN, in the total amount of \$10,090.00 for a dump body for a single axle truck, this being the second lowest quote with the lower quote not meeting specifications. Carried

Motion by Gustafson, second by Burnside, to approve the following **reports**: July Recorder's fees, October Clerk's fines/forfeitures/surcharges, Conservation Board minutes, 10/22 Mangold test of Spectra lagoon, Oct 21 NWIPDC Board minutes, FY'99 annual report of the 3rd Judicial District. Carried.

The board recessed temporarily for a computer demonstration in the **assessor's** office.

Shane and Michelle Lock were present to request assignment of a **tax sale certificate** to them for a property in Marathon. Treasurer Kathy Bach explained the process for taking possession after assignment of the certificate, there being a 90 day right of redemption period. After discussion, the Lock's would like to see the property before requesting assignment.

There being no further business, motion by Burnside, second by Vail, to adjourn at 11:55 a.m. until Wednesday, 12/1/99 at 10:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
FIFTY-FIRST MEETING, 1999 SESSION (51)
DECEMBER 1, 1999**

The Buena Vista County Board of Supervisors met in regular session on Wednesday, December 1, 1999, at 10:00 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, and Gustafson, and with Auditor Strawn as clerk for the meeting. Also present were five members of the automotive repair class from Alta High School.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Gustafson. Nays--none. Abstentions—none.

Shane Lock was present to discuss his request for a tax sale certificate assignment. After discussion, motion by Bruns, second by Gustafson, to assign tax sale certificate #'s 9405.1 & 9336.1 to Shane Lock upon receipt of \$878.00 in delinquent taxes, interest and costs. Carried.

After brief discussion of the status of the Buena Vista County appeal to the Bureau of the Census regarding the location and number of dwelling units in the rural area, the board considered asking township officials to check the data. A review of the confidentiality agreements will be necessary to determine if this method may be used.

Motion by Gustafson, second by Bruns, to approve the minutes of the 11/23/99 meeting as printed. Carried.

There being no further business, motion by Bruns, second by Gustafson, to adjourn at 11:05 a.m. until Tuesday, 12/7/99 at 8:30 a.m. for a regular session.

BOARD OF SUPERVISORS MEETING FIFTY-SECOND MEETING, 1999 SESSION (52) DECEMBER 7, 1999

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 7, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays--none. Abstentions—none.

Regional Transit Authority Executive Director Rose Lee met with the board to present her FY'99 annual report, and to request funding for FY'01 in the amount \$10,017, the same as for FY'00.

SLADC Executive Director Jim Gossett, Secretary Steve Brashears and Boardmember Edean Murray updated the board on current and upcoming activities.

Veterans Services Officer Clint Hoferman invited the board to coffee on Wednesday at Lakeshore Café at 3:00 p.m.

General Relief Director Paula Guerra discussed county owned cemetery lots to be used for indigents. Members of the Storm Lake Cemetery Association have indicated there is one lot left in the county's name. Further investigation will be done. It was the consensus of the board to look into purchasing a plot. The cemetery association also requested the board's consideration in increasing the amount allowed for opening graves.

Dale Arends, Chairman of the BV Co. Compensation Board, presented the recommendations of his board for elected officials salaries for FY'01—Sheriff 5%; Attorney 5%; Auditor, Recorder & Treasurer 4%; and Board of Supervisors 2%. The board reviewed the recommendations, and, the history since FY'93 of approved salary increases.

Janice Danielson, President of both the BV Co. Historical Society & BV Co. Genealogical Society, was present to request increases in funding for both groups for FY'01. The Genealogical Society's project will be replacing the copier and they are asking for \$750. The Historical Society would like to move the Halverson Room at the Carnegie Building to the current site as part of the Main Street project at a cost of about \$1,200, which is the amount they are requesting.

Upon the favorable 6 month evaluation by CPC Dawn Mentzer, motion by Gustafson, second by Burnside to approve a salary increase for Wanda Woltman in the amount of 3.5% to \$22,770 effective 12/1/99. Carried.

Mentzer reported on a developmentally disabled CPC applicant with legal settlement in BV County for services which are not included in the county's management plan.

Mentzer has developed an agreement for contracting with **Genesis** to provide moving services for MH/MR/DD clients receiving services from this county.

Mentzer reported that **Genesis** has requested a 22% rate increase for FY'01.

Statewide, the CPC's and community providers are hoping to hire a consultant to assist in dealing with **provider requests for rate increases**. BV County will participate in the cost of the consultant.

Gary Christiansen asked the board to open up a greater area for **beaver bounties**. This year is providing a better than usual opportunity to trap them, but since fur prices are currently depressed, there isn't much incentive for trappers. Registering trappers was considered. The board was favorable, but no action was taken.

UDMO Executor Director Larry Rohret and Site Supervisor Joan Spooner were present to request funding for FY'01 in the amount of \$19,715 - the same as for FY'00.

The board recessed to attend a GIS presentation in the public meeting room. The presentation was given by Michelle Lantermans,

Motion by Gustafson, second by Bruns, to approve the **minutes** of the 12/1 meeting as printed. Carried.

Motion by Burnside, second by Vail, to approve the following **reports**: Nov. budget reports, Clerk's fines and surcharges; also reviewed were minutes of 12/2 Compensation Board minutes, Raccoon River Watershed Project. Carried.

There being no further business, motion by Vail, second by Bruns, to adjourn at 2:55 p.m. until Tuesday, 12/21/99 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FIFTY-THIRD MEETING, 1999 SESSION (53)
DECEMBER 21, 1999**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 21, 1999, at 8:30 a.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Bruns, Burnside, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Bruns, Burnside, Gustafson, Vail. Nays--none. Abstentions—none.

Sheriff Chuck Eddy and Deputy Doug Simons discussed banning **weapons in the courthouse** with the exception of those carried by law enforcement personnel, in order to improve court security. Motion by Gustafson, second by Vail, to declare the courthouse a weapon free building, and to authorize the Sheriff to post the following notice at each entrance to the building: "Security Notice – Weapons of any kind are not permitted in this building except in the possession of law enforcement officers. If you enter this building, you are subject to being searched for weapons." The motion carried.

Brochures have been completed to provide the public with factual information on the proposed jail for the 2/1/2000 **bond election**. Funds are being raised in the public to pay for the cost of printing – no tax dollars will be used.

Eddy reported that the **Sheriff's reserve officer program** has been proceeding with training of 9 volunteers.

Assistant County Engineer Steve Petermeier was present to discuss inquiries he had received from landowners in **DD #81** about a cleanout. He estimated the cost at approximately \$1,000. It was the consensus of the board to proceed with cleanout in the range of \$800-\$1,000.

Petermeier reviewed a map of the DD #49, to be submitted to ChemTrol, with the board identifying an area along the west side of section 25, and also in Section 35 where brush control is needed. The board designated Petermeier to follow the work of ChemTrol.

Engineer Jon Ites presented plans for the resurfacing of M-36. Motion by Vail, second by Burnside, to approve and to authorize all boardmembers signatures on project #L-FM-504 to resurface M-36 into Linn Grove, and setting a 2/29/2000 date of letting. Carried.

Ites spoke favorably on establishing a beaver control policy in all parts of the county, in addition to the program currently in place for the drainage districts. Encouraging trapping throughout the county should cut down on the more expensive cost of removing dams that impede drainage.

Motion by Vail, second by Bruns, to acknowledge and approve installation of above grade secondary electrical pedestals by the Zond Company for electric utility monitoring, to be installed as far from the center of the road as possible. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the chairman to sign final payment on project #L-C-603 in the amount of \$1,896.96. Carried.

The board agreed that the new chair and vice chair would meet with secondary road employees for wage negotiations for FY'01 on the afternoon of January 4th.

Ites discussed revenue sources and expenditure increases, particularly health insurance, as they will effect the FY'01 budget. Gustafson is opposed to both increasing the property tax asking, and, reducing the winter routes by one, but would favor reducing summer routes by one, and reducing work done on overtime hours. Bruns suggested depositing the county assistance funds in the secondary road fund for FY'01. No formal action was taken.

CPC Dawn Mentzer has discussed the Spectra Services Agreement with Sue Morrow which needs to be renegotiated for FY2001. Renewing the agreement, or paying on a 'fee for service' basis were considered, Mentzer recommends fee for service. Gustafson stated that there is a need to replace furniture in the facility, which needs to be addressed.

Mentzer reminded the board that the mental health advocate's fee needs to be increased since no benefits are paid, transportation is not reimbursed, and the rate has not changed in 8 years. She has been advised that it may also be necessary for the county to make retroactive IPERS payments.

Treasurer Kathy Bach discussed a request from the city of Marathon to have a tax sale certificate assigned by the county to the city. She has prepared a letter to the City Council identifying the necessary procedure and recommending that they have the city attorney handle the process. It was their consensus that the board would be willing to assign the certificate after the necessary steps have been taken.

Motion by Vail, second by Burnside, to approve the following items on the consent agenda: minutes of the 12/7 meeting as printed; the following reports-1st Qtr day, general relief and veterans relief, November Conservation Board minutes; a claim to ChemTrol Inc. in the amount of \$475.00 for ditch spraying in DD #274; and, a work order in an estimated amount of \$2,500.00 for main open ditch repairs in Delaware Township, Sac County in DD #274. Carried.

There being no further business, motion by Vail, second by Bruns, to adjourn until Thursday, 12/30/99 at 1:00 p.m. for a special session and to perform the year-end cash count.

**BOARD OF SUPERVISORS MEETING
FIFTY-FOURTH MEETING, 1999 SESSION (54)
DECEMBER 30, 1999**

The Buena Vista County Board of Supervisors met in special session on Thursday, December 30, 1999, at 1:00 p.m. in the Boardroom with Chairman Crampton presiding, and with the following other members present: Burnside and Gustafson, and with Deputy Auditor Kennedy as clerk for the meeting.

Absent: Bruns and Vail.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Burnside, Gustafson. Nays--none. Abstentions—none.

Environmental Health Director Kim Johnson informed the supervisors that she would be asking the Board of Health to transfer money from her regular environmental health budget to her capital projects line item to purchase a new computer. The approximate cost would be \$2900 for the new computer.

County Attorney Phil Havens met with the board to discuss outstanding bills on the air-conditioning project at **Spectra Health Care**. There was discussion of the county paying a portion of the amount owed Control Systems and withholding an amount until we get through another summer to see if the insulation worked or not. More discussion will take place at the next board meeting scheduled for 8:30 a.m. January 3, 2000.

The supervisors asked County Attorney Phil Havens about re-codifying the county **ordinances**. Havens will check with Assistant County Attorney Dave Patton on the subdivision ordinance and with Zoning Director Kim Johnson on the zoning ordinance. This will be brought up again for discussion in February, 2000.

Motion by Burnside, second by Gustafson to approve the **minutes** of 12/21 as amended. Carried.

Herb Crampton and Lorna Burnside will **count the cash** in the Treasurer's Office at 4:30 p.m. today.

It was noted that a framed certificate signed by Governor Vilsack had been received from the State Historical Society of Iowa adding the **Brooke Creek Bridge** to the National Register of Historic Places.

Motion by Burnside, second by Gustafson, to adjourn at 2:15 p.m. until Monday, 01/03/00 at 8:30 a.m. for an organizational session. Carried.
