

**FIRST MEETING, 2000 SESSION
BOARD OF SUPERVISORS MEETING
JANUARY 3, 2000**

The Buena Vista County Board of Supervisors met for the first meeting of the 2000 session on Monday, January 3, 2000 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Bruns, Burnside, Crampton, Gustafson and Vail. and with Auditor Karen Strawn as clerk for the meeting.

There being no further business for the 1999 session, motion by Burnside, second by Vail, to adjourn sine die. Ayes—Bruns, Burnside, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

The first order of business for the 2000 session was election of the Chairman. The Auditor called for nominations for **Chairman of the Board of Supervisors**. Motion by Crampton, second by Vail, to nominate Doug Bruns, and to move that nominations cease. The vote on Bruns for chairman was ayes—Bruns, Burnside, Crampton, Gustafson, Vail. Nays--none. Abstentions--none. Carried.

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

Chairman Bruns called for nominations for **Vice-Chair**. Motion Burnside, second by Vail, to nominate Crampton for Vice-Chair. Carried.

Crampton reported an uneventful “**Y2K** watch” on Dec. 31-Jan. 1, and that Mid-American Energy had called before midnight to report that they had not been notified of any problems in the next time-zone east of our location.

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 2000:

*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, Kim Johnson, 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**.

*Bob Christensen 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, Gene Mandernach, Kim Johnson, Marilyn Monson, Diane Christiansen, and Bob Christensen, 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 contact 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, Gary Grundmeier, Mike Lenz, Darwin Brummer, Vic Hansen, and Bob Rebhuhn, with the vacancy created by the resignation of Dwayne Hinkeldey to be filled at a later time.

***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, Cynthia Smith-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**.

*Trish Demers-Case Manager, Dawn Mentzer-CPC, Sue Morrow-MH Community Based Services representative, Ken Hayes-MR/DD Community Based Service representative, and Jim Gustafson-BofS representative, Tom Carstens-consumer, Cindy Wiemold-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; Dorie Pedersen, John Winkelman, Sue Morrow, Tom Daniels, Ken Hays, Cindy Wiemold/Terry Johnson-providers; Jim Gustafson-Supervisor; Connie Bellcock, Don Eades, Kathy Nichols-parents of consumers; Wanda Woltman-Social Worker; Trish Demers-Case Manager; Dawn Mentzer-CPC; all to the **Managed Care Planning Council**.

*Dawn Mentzer 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 12/31/05.

*Jim Gustafson, Senator Mary Lou Freeman, and Gary Grundmeier to the **Raccoon River Council**.

The motion carried.

Citizens' Committee, Commission & Board Appointments

Motion by Gustafson, second by Crampton, to appoint the following persons to the committees, commissions, and boards as noted for 2000:

*Dr. David Crippin, **County Medical Examiner**, and, Rick Roberts Tim Speers, BV Co. Hospital EMTs, and Deputy Doug Simons, BVU Chief of Security Mark Kirkholm, and independent EMT Bob Christensen, as **Deputy Medical Examiners** (Chapter 331.801). Terms expire 12-31-00.

*Rich Haldin, Virgil Jensen and Ray Kurtz to the **Veterans Affairs Commission** for the 2000 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, & CPC Dawn Mentzer, 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 Dirx, Kevin Cone; 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, Virginia Moffitt, Jeff Elbert, Norris Olney Jr.; for their Occupation-Mark Rehnstrom, Tim Brown, George Schaller, Marvel Olsen, Ronnie Brown, Brian Drzycimski, Ronald Haroldson.

*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, Dean Feltner-12/31/02, Shirley Pritchard-12/31/00, and Diane Tuttle-12/31/00, the 2nd 12/31/02 term to be filled at a later date.

*Buena Vista County **Conservation Board**-members with 5-year terms as follows: Dwayne Kay-12/31/00; Rick Meyer-12/31/01; Tony Bodholdt-12/31/02; Roger Meyer-12/31/03; Arnie Hicks-12/31/04.

*Ed McKenna to the **Region 5 Workforce Investment Board**.

*Norm Lund, **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 Vail, 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 IN 2000. Carried.

Motion by Burnside, second by Vail, 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 Gustafson, second by Crampton, to continue the following insurance coverage from the Colburn & Elk Agency for the remainder of FY '00: 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 Vail, second by Burnside, that the Depository Banks currently being used by the Treasurer, Recorder, Auditor & Sheriff continue to be used during 2000 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

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 Crampton, second by Gustafson, that the 2000 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 Vail, second by Gustafson, 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.

Resolution on Interest Rates for Drainage

Motion by Burnside, second by Vail, to establish 9% as the rate of interest to be paid during 2000 on all stamped warrants, and charged on Improvement Certificates and Drainage District waivers, effective this date (for Buena Vista County drainage districts only). Carried.

Dog License Resolution

Motion by Vail, second by Crampton, 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 Vail, second by Crampton, that Jon L. Ites be re-appointed Buena Vista County Engineer for 2000, with his salary according to the employment contract (Chapter 309.17). Ayes—Burnside, Crampton, Vail. Nays—Gustafson. Abstentions—none. Carried.

Motion by Burnside, second by Vail, 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 2000 - Regarding Farm to Market Construction Projects

Motion by Crampton, second by Burnside, to adopt Resolution 2000, and to authorize all Boardmembers to sign. Carried.

BE IT RESOLVED, by the Board of Supervisors of Buena Vista County, Iowa, that Jon L. Ites, the County Engineer of Buena Vista County, be and is hereby designated, authorized and empowered, on behalf of the County 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 Vail, second by Burnside, 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 Vail, second by Crampton, that the Buena Vista County Employee Handbook with the effective date of April 6, 1999, along with the various Departmental Rules, Job Descriptions, 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 Handbook. Carried.

Beaver Control Resolution for Drainage Districts

Motion by Gustafson, second by Burnside, 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 2000. Carried.

Resolutions on Wage Schedules

Motion by Vail, second by Gustafson, that the following wage schedules, adopted as shown, shall be in effect for 2000: 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 Gustafson, second by Crampton, to set the hourly rate of pay for precinct election officials at minimum wage plus 50 cents/hr, and minimum wage plus \$1.00/hr for precinct election chairpersons for 2000. Carried.

Motion by Vail, second by Gustafson, 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 Burnside, second by Vail, to designate the following as official newspapers for legal publications for 2000: Storm Lake Pilot-Tribune, The Times, and Buena Vista County Journal. Carried.

Motion by Gustafson, second by Burnside, 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 Gustafson, second by Crampton, 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 Crampton, second by Vail, to adopt the following resolution: RESOLUTION 2000-01-03 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.

There being no further business, motion by Crampton, second by Burnside, to adjourn at 10:30 a.m. until Tuesday, January 4 at 8:30 a.m. for a regular meeting.

BOARD OF SUPERVISORS MEETING SECOND MEETING, 2000 SESSION (2) JANUARY 4, 2000

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 4, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following other members present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Upon completion of his review of the contractor's and architect/engineer's agreements, and Control System Specialists adjustment/repair bills for the **Spectra air-conditioning** project, County Attorney Phil Havens recommended a payment schedule to resolve the issue of the outstanding bills. The board approved and directed that letters be sent to Control Systems Specialists and Architects Collaborative.

Karen Hagen, President-NE, Jolene Anderson-RE, Sue Pedersen-AL, Lois Schomaker & Crystal Klatt-LG, Sue Slagle-SL, Nola Josephson-AC, and Cathy Jensen-MA of the **BV Co. Library Association** met with the board to request a ½ cent / thous \$ valuation increase in funding for FY'01 which would be approximately \$200 for each except Storm Lake, and \$600 for Storm Lake. Slagle reported on a new

source of funding "Enrich Iowa" funds in a total amount of \$700,000 from the State of Iowa divided amongst the approximately 500 Iowa Public Libraries. They hope to encourage the Legislature to continue the funding. Each librarian reported that they have internet access and are providing free e-mail access to children up to senior citizens. The association thanked the board for their interest and continuing support of the libraries.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign acceptance of the project and authorize final payment for **project #L-C-602** (Nokomis Section 31 culvert) in the total amount of \$1,085.94 to Midwest Contracting LLC, Marshall, MN. Carried.

Engineer Jon Ites discussed the Kuehl & Payer report on estimated outflow from the proposed **Storm Lake dredge** site back into the lake through county culvert structures. It appears that the culverts are adequate with little overrun likely.

Ites reported that the required inspection report on the contaminated soil monitoring at the **Hudson St. site** was submitted on time to the IDNR and the EPA. The county had been granted an extension for tier 2 study report. The site is still considered high risk because plastic lines were used within the 200 ft plume area. The plastic lines could be changed, but would require going to tier 3 study at considerable additional expense.

It was the consensus of the board to approve for the record that Engineer Ites may provide his services as a mentor to **Sac County Engineer** John Johnson in Johnson's pursuit of a land surveyor's license.

Regarding a letter requesting the board's consideration in **paving a gravel road**, it was noted that there is a high level of traffic on the road with a significant amount being loaded traffic. The chairman will respond to the letter.

Ites again requested the board's guidance on what level of property tax revenue should be incorporated in the **secondary road FY'01 budget**. Gustafson would agree to \$25,000 from county assistance funds to make up for a portion of the increase in employee health insurance premiums for the department. Bruns suggested considering a 10% increase in the rural basic levy, and a 15% increase in the general basic levy, or perhaps from county assistance funds, but felt it was too early to make a decision now. Due to the general basic levy limit imposed by Code of Iowa, Ites believes that a 15% general basic levy increase is not possible. Gustafson opposes any increase in tax levies for secondary roads. Vail would like to restore the \$100,000 rural basic levy to \$935,000 which is the same as the levy has been going back to FY'82. The chairman asked for a motion, but hearing none moved on to the next item of business.

The chairman called for discussion of the recommendations of the Compensation Board for elected officials' salaries for FY'01 which were 5% for Sheriff & Attorney, 4% for Auditor, Recorder & Treasurer, and 2% for Supervisors. Some of the issues mentioned included self funding the employee health insurance, changing health insurance deductibles to lower the county's share of the premium, balancing an employee's wage increase with the increase in employee's share of insurance premium increase. Bruns reported that the average cost of living increase over the last 5 years is less than 2%/yr, and reviewed the aggregated % increases for each elected official and the secondary road department. Burnside noted that taxpayers serving on the compensation board do not have an easy job. Finding people willing to serve is not easy and can be made more difficult if the board regularly rejects their recommendations. Comp board members realize that when salaries fall behind, it is hard to find capable people willing to run for public office.

The Chairman called for a motion. It was moved by Burnside, seconded by Vail, to accept the recommendations of the **Compensation Board** for elected official's salaries as follows: 5% for Sheriff & Attorney, 4% for Auditor, Recorder & Treasurer, and 2% for Supervisors. Gustafson called for polling the board: Burnside-aye, Crampton-aye, Gustafson-nay, Vail-aye, Bruns-nay. Carried. Vail stated that he would like the board to take up a discussion of employee health insurance deductibles. Burnside agreed.

CADA Exec. Director Sally Dobson, with Holly Peterson, BVU intern met with the board to discuss BV Co. statistics for FY'99. They expect to add another counselor in the Storm Lake office, and perhaps clerical assistance also. Due to new grant funding and the start-up of a very successful used furniture business located in Cherokee, no increase in funding for the agency for FY'01 was requested – \$4,500.

NW Aging Exec. Director David Welle, with Lucille Cochran, Marilyn Monson, Floyd Courtright, Don Linnan, Marv Molitor, Glen Rice were present to request an increase of \$232 for FY'01, or a total of \$10,661. Welle reviewed his FY'99 annual report, pointing out how funding is used to provide services which help seniors continue to live in their own homes longer.

Kristina Konradi appeared before the board to discuss her request for a wage increase for FY'01. Her wage has not been keeping up with the clerk's schedule.

The board received a request from Barry Meyer to assign a certificate for the Terry Carpenter property in Truesdale. A maximum of 5 years back taxes, plus penalty, interest and certificate fee are due. Motion by Vail, second by Gustafson, to assign tax sale certificate #96121 over to Barry Meyer upon receipt of \$142 in delinquent taxes, plus a \$10 assignment fee. Carried.

Motion by Burnside, second by Crampton, to approve the minutes of the 12/30 and 1/3 minutes as printed. Carried.

Motion by Gustafson, second by Burnside, to approve the following reports: Dec. Sheriff's fees, Recorder's fees. Carried. Also reviewed was the annual financial report of the BV County Hospital.

Motion by Vail, second by Burnside, to adjourn at 2:05 p.m. until Friday, January 7, 2000, at 8:30 a.m. for a special session. Carried.

**BOARD OF SUPERVISORS MEETING
THIRD MEETING, 2000 SESSION (3)
JANUARY 7, 2000**

The Buena Vista County Board of Supervisors met in special session on Friday, January 7, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following other members present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

The Chairman reported on the meeting with secondary road workers regarding wage and benefit requests for FY'01.

The chair introduced discussion of the funding level for secondary roads. The cost of the increase in health insurance premium for the road department is about \$31,000. Last year's general basic levy was about 14 cents out of the 16.78 cents statutory maximum. Rural basic was about \$2.20 of \$3.40 maximum. The general basic fund earns approximately \$50-60,000 in interest on the secondary road fund balance, which would be lost if the balance is lowered. Burnside reported receiving 1, and Gustafson reported 3 calls asking that the tax levy not be increased. Motion by Vail, second by Burnside, to restore the rural basic levy for secondary road to \$935,000, an increase of \$100,000 over the current year. Gustafson stated that he doesn't want his taxes raised. Crampton asked if the restoration could be gradual. Vail reviewed the 4-year impact of reducing the levy, diverting county assistance to non-secondary road purposes. The board was polled. Burnside-aye, Crampton-nay, Gustafson-nay, Vail-aye, Bruns-aye. Carried.

It was the consensus of the board to dispose of excess equipment - a 1930 40-ton mechanical press - if a buyer can be found.

Motion by Burnside, second by Crampton, to approve the minutes of the 1/4/00 minutes as printed.

Motion by Vail, second by Burnside, to adjourn at 9:25 a.m. until Tuesday, January 18, 2000, at 8:30 a.m. for a regular session. Carried.

**BOARD OF SUPERVISORS MEETING
FOURTH MEETING, 2000 SESSION (4)
JANUARY 18, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 18, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following other members present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Environmental Health Director Kim Johnson reported that \$15,000 is available in FY'01 for the well testing/rehab/closure program. The program started at the \$15,000 level, but BV Co. has received

as much as \$30,000 when other counties were not participating. Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the contract with IDNR for the well program for FY'01, the funding to be \$15,000. Carried.

The chairman reported on funds available for **childcare** from monies received by Region 5 Workforce Development. These funds require a match in donations from local employers. Up to \$4,000 is available to Buena Vista County.

SLADC Executive Director Jim Gossett, and Board members Dave Dvergsten and Edean Murray, were present to request \$35,000 for FY'01, an increase of \$3,000 over the current year. This is in addition to the \$12,360 provided for marketing the spec building. They discussed current activities in Storm Lake and in other BV County communities. SLADC will also be working with Iowa Central C.C. on a program called "FastTrac" – an entrepreneurial training program.

Engineer Jon Ites reported that the **Hwy 7 resurfacing project** is back in the IDOT schedule for the summer of 2000. The bridge replacement will be done at the same time. Also, Hwy 7 will be widened from the original resurfacing plans of 24' to 28'.

Ites discussed snow **equipment** for the tandem trucks purchased for delivery in April. It was the consensus of the majority of the board (with Gustafson opposed) to proceed with underbody blades for the new trucks.

Ites presented the US Dept. of Labor (OSHA) report 200 for 1999. Motion by Crampton, second by Gustafson, to approve and to authorize the Chairman to sign, a letter to secondary road employees on their 1999 **safety** record. Carried.

Assessor Ted Van Grootheest requested 2/15 and 2/29 at 2:00 p.m. for **Conference Board** meetings for his budget. The board also discussed information requested by NWIPDC for their housing needs assessment study requested by the county and cities.

Arlin Hinkeldey and Vernon Winterhof thanked the board for its support in past years of the **Hanover Historical Society**, and requested funding in FY'01 in the amount of \$1,500. They plan to put a concrete floor in the machine shed, and finish the store in the upcoming year.

Weed Commissioner Norm Lund was present with Dave Wiley to discuss ordering chemicals for the upcoming season. Motion by Vail, second by Burnside, to set a weed chemical bid letting date for weed chemicals for March 24, 2000 at 4:30 p.m., to be opened March 28 at 11:30 a.m. Carried.

BV Co. **Emergency Management** Director Bob Christensen discussed new activities being requested of his position and a financial history report of Emergency Management and Hazmat funds. Since the county provides most of the local funding, he asked the board to consider an increase in funding to accommodate a change in the position from part-time to full-time. The Emergency Management Commission had not acted on the proposal since implementation of the change is dependent upon approval of funding. The supervisors will take the request under consideration.

BV Co. Fair Board President Tom Witt, Vice President Doug Simons, and Fair Secretary Keith Reetz were present to request \$25,000 in FY'01, the same as in the current year. They reviewed the activities of the Fair Board and their financial report.

Motion by Vail, second by Crampton, to approve the **minutes** of the 1/7/2000 meeting as printed, and the following **reports**: Dec Clerk's fines and surcharges, Spectra lagoon monitoring reports for Oct-Dec '99, 11/12/99 NWIPDC Board minutes. Carried.

Motion by Burnside, second by Crampton, to **establish fund** #082 as the 3-County Empowerment Agency Fund, to be utilized by department 09-Empowerment Board. Carried.

Motion by Crampton, second by Vail, to adjourn until Wednesday, January 19, 2000, at 9:00 a.m. for a special session. Carried.

**BOARD OF SUPERVISORS MEETING
FIFTH MEETING, 2000 SESSION (5)
JANUARY 19-21, 2000**

The Buena Vista County Board of Supervisors met in special session on Wednesday, Thursday and Friday, January 19-20-21, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and

with the following other members present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Wednesday, January 19—departmental **budgets** reviewed included Home Care Agency, Engineer, Conservation, Supervisors and Non-departmental.

Thursday, January 20—departmental **budgets** reviewed included General Services (Custodian), Community Services and Mental Health, Environmental Health/Zoning, Veterans Services Officer, Clerk and District Court.

Motion by Gustafson, second by Burnside, to **raise** the Mental Health Advocate fee to \$16/hour effective 7/1/2000. Carried.

Motion by Gustafson, second by Burnside, to approve the following **raises** in the Community Services Dept: 8.5% for the Secretary, and 7% for the CPC, Case Manager, Social Worker, and GR/VA Director, all to be effective 7/1/2000. Carried.

Friday, January 21—departmental **budgets** reviewed included Sheriff, Recorder, Juvenile Justice and Detention.

Motion by Crampton, second by Burnside, in order to be in compliance with the Fair Labor Standards Act (FLSA), to amend the **Employee Handbook** adopted 4/6/99 by deleting the last paragraph of Section 3.14 Travel Time and replacing it with the following paragraph:

“Travel expense reports and receipts are to be submitted after the employee returns from the event. The County will follow the provisions of the Fair Labor Standards Act regarding pay for attending and traveling to required, approved in-service meetings, schools, or other designated meetings. Employees shall be paid their regular hourly rate for hours spent at required meetings or training sessions. Time spent traveling to a required meeting or training session will be counted as hours worked with one exception. If an overnight stay is required and the employee travels to the meeting or training session as a passenger, then hours spent traveling outside the passenger employee’s normal work hours are not compensable hours of work.”

Motion by Burnside, second by Gustafson, to approve the Conservation Board’s request to include, in addition to boat titles, the following in the **transfer** from General Basic to Conservation Land Acquisition Trust Fund for FY’01: camping fees, donations, wildlife display donations, day camp registrations, patronage, guidebook sales, and ½ of the cash rent from the farm ground. Carried.

Motion by Crampton, second by Vail, to approve a 60 cent/hr (4.366% based on EO3) **increase** for members of the Secondary Road department effective 7/1/2000. Carried.

Motion by Burnside, second by Crampton, to approve the **minutes** of the 1/18/2000 meeting as amended. Carried.

Motion by Burnside, second by Crampton, to adjourn until Monday, January 24, 2000, at 8:30 a.m. for a special session. Carried.

**BOARD OF SUPERVISORS MEETING
SIXTH MEETING, 2000 SESSION (6)
JANUARY 24, 2000**

The Buena Vista County Board of Supervisors met in special session on Monday, January 24, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following other members present: Burnside, Crampton, Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Vail.

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

Treasurer Kathy Bach reviewed her semi-annual **report**. The board discussed the ending fund balances and projections for year end. Motion by Gustafson, second by Burnside, to approve the Treasurer’s semi-annual report. Carried.

Darren Bumgarner, Planner from NWIPDC, and SLADC Exec. Director Jim Gossett, were present to discuss the housing needs assessment study being prepared by NWIPDC, and the estimated cost for the county assessor to prepare the information. Bumgarner reviewed a list of the information he is seeking from the county for the study. Assessor Ted Van Grootheest explained the time and equipment cost for producing the requested information. Bumgarner, Gossett and Van Grootheest will meet to further discuss the information requested by Bumgarner and the cost estimate provided by the assessor.

Newell Historical Society President Marilyn Monson requested funding for FY'01 in the amount of \$2,000 for the painting of the kitchen exterior. She also reviewed the current projects and recent activities of the organization.

The board reviewed the Communications Center budget.

Motion by Burnside, second by Gustafson, to approve the minutes of the 1/19-21 meetings as printed. Carried.

Motion by Burnside, second by Gustafson, to adjourn at 12:20 p.m. until Tuesday, February 1, 2000, at 8:30 a.m. for a regular session. Carried.

**BOARD OF SUPERVISORS MEETING
SEVENTH MEETING, 2000 SESSION (7)
FEBRUARY 1, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 1, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following other members present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Head Custodian Dewyne Stucynski discussed departmental rules regarding winter vacations for his department. No changes to the rules were made.

Motion by Gustafson, second by Burnside, to approve the minutes of the 1/24 meeting as printed. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the chairman to sign, claims to the Clay Co. Secondary Road Dept. for tile repairs in the amounts of \$426.00 for DD #14-42 Lat.198; \$123.60 for DD #14-42 Sub 1; \$181.80 for DD #22 Lat 480; \$327.00 for DD#22 Lat 183-60; and \$330.80 for DD #22 Lat 173. Carried.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign, the law enforcement contract with the city of Lakeside, retroactive to July 1, 1999. Carried.

CPC Dawn Mentzer discussed the FY'01 substance abuse contract for an IDHS grant. Jackie Frantum, Director of Vista Addiction and Recovery, discussed Vista's Child Welfare Decat Project, a juvenile diversion program whose goal is to assist in the development of appropriate social living skills and management of emotions. The program is seen as a substance abuse and problem prevention program. She requested \$4,000 in the FY'01 budget, for which the state would reimburse \$1,000 to the county. The county can receive a total of \$10,000 from IDHS under the grant program. No action was taken on the request, or on the contract presented by Mentzer.

Engineer Jon Ites presented the Oct-Dec Farm-to-Market fund report. Ites has received notice that no funds are available currently for railroad crossing upgrades on M-54 and M-27. However, the application is good for 2 years. Buena Vista County currently has approximately \$289,000 in its BROS funds. An application to FUNDCO for the replacement of a bridge on the Raccoon River was turned down. Ites asked about wage decisions for those employees whose wages are not effected by the board's decision of last week. No action was taken at this time.

Environmental Health Director Kim Johnson asked the board for guidance on which upcoming training sessions to attend, radon or lead poisoning.

The board discussed a proposed resolution opposing a proposed property tax limitation bill in the legislation. Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the Resolution 2000-02-01. Carried.

**A RESOLUTION OPPOSING
IMPOSITION OF A PROPERTY TAX LIMITATION
BY THE IOWA LEGISLATURE**

RESOLUTION 2000-02-01

WHEREAS, all county supervisors take very seriously their statutory responsibility to prepare the multimillion dollar county budget, and devote their time and energy as elected officials to developing the best possible budget for all county residents; and

WHEREAS, property taxes collected by all Iowa counties have increased a total of less than four percent over the last 10 years, when adjusted for inflation, meaning that state taxes are increasing much faster than county property taxes; and

WHEREAS, counties already have several time tested property tax limitations in place, including the \$3.50 per thousand limit on the general fund and the \$3.95 per thousand limit on the rural fund; and

WHEREAS, any additional property tax limitations would be contrary to the concept of local control;

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS that the board opposes any effort by the Iowa Legislature to impose a new property tax limitation during the 2000 session.

/s/ Doug Bruns, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor 2/1/2000

Motion by Crampton, second by Burnside, to approve the following reports: Sept Recorder's fees, 2nd Qtr FY'01 Farm-to-Market fund, Jan. budget reports, 1/17/00 Tier 2 Study-UST @Hudson St. sit, 1/6/2000 report of BV County Jail inspection. Carried.

Motion by Crampton, second by Vail, to adjourn until Wednesday, February 9, 2000, at 8:30 a.m. for a special session. Carried.

**BOARD OF SUPERVISORS MEETING
EIGHTH MEETING, 2000 SESSION (8)
FEBRUARY 9, 2000**

The Buena Vista County Board of Supervisors met in special session on Wednesday, February 9, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following other members present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Treasurer Kathy Bach informed the board of the need to amend the county's investment policy to reflect references to sections of the Code of Iowa. Motion by Crampton, second by Gustafson, to approve and to authorize the Chairman to sign the amended "State of Iowa – County of Buena Vista Investment Policy" as of this date. Carried.

Motion by Crampton, second by Gustafson, to approve the minutes of the 2/1/2000 meeting as amended. Carried.

CPC Dawn Mentzer and Judicial Hospitalization Referee Hugh Perry discussed substance abuse commitments. Legal settlement for financial responsibility does not apply to substance abuse cases. Who is responsible for payment is always an issue when a commitment is necessary. Facilities will not accept a patient if the county doesn't guarantee payment. Mentzer explained that the county could contract with Community and Family Resources (the former NCARF) of Fort Dodge to provide services to our county. The board gave preliminary approval to pay for detox and evaluation at Community and Family Resources if the person is a resident of this county.

Mentzer discussed the Vista Addiction and Recovery funding request in the amount of \$4,000 for an intervention program for juveniles. Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the FY'2001 substance abuse grant application with the IA Dept. of Public Health in the total amount of \$20,971 (\$16,971 for NW IA ADTU, and \$4,000 for Vista Addiction and Recovery) with approval of county funding to these organizations subject to DPH grant approval. Carried.

Mentzer also discussed regional contracting for provider services through a 28E consortium of counties. The goal is to develop agreements for uniform service rates. However, under the current concept, the local CPC could not participate in developing rates for providers in the home county, which might limit the CPC's ability to achieve the best rates for the county. Gustafson, who also attended the meeting, and Mentzer are opposed to participating in a 28E consortium. Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to decline the invitation to participate in the 28E consortium for regional contracting for provider services. Carried.

Having completed the canvass of the 2/1/2000 Jail Bond election, and pursuant to Chapter 50.24 of the Code of Iowa, motion by Crampton, second by Vail, to declare the results as follows: total voters—3,154, Yes—592 (18.79%), No—2,562 (81.29%), with the public measure being declared defeated (60% approval required for passage). Carried.

Gene Grell, Sioux Central Community School, and Bob Fritz, Juvenile Probation Officer, discussed juvenile detention costs, and a program for which they are requesting funding. Last year's grant application was denied, probably because 5 schools were involved. Grell is now requesting for Sioux Central only in the amount of \$1,000 for a summertime youth program. This year's request would not be contingent on receiving a grant, as the program will begin, with or without grant funding. The program is for grades 3-8 for a 2 week summer camp. As children reach 3rd grade, they are getting old enough that parents consider leaving them home alone when they are outside the home working. They are programming for 250 students in Sioux Central grades 3-8. When asked, Grell said they have not applied for this program for empowerment funds. However, they will be seeking donations for the program, and could perhaps return funds not used as they did with empowerment funding for the 'studyback' program. Grell also requested a letter of support to accompany the grant application.

Nurse Administrator Karole Graen reviewed the highlights of her departmental budget.

Motion by Vail, second by Crampton, to approve the transfer of funds in the amount of \$1,494.67 to Sac County Auditor for DD #105-64 Jt. Carried.

Motion by Burnside, second by Vail, to adjourn at 1:55 p.m. until Tuesday, February 15, 2000, at 8:30 a.m. for a regular session. Carried.

**BOARD OF SUPERVISORS MEETING
NINTH MEETING, 2000 SESSION (9)
FEBRUARY 15, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 15, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following other members present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

County Attorney Phil Havens reviewed the procedure for re-codification of the county's ordinances. He recommended increasing the penalties for violations to the maximum allowed, with the board in agreement. He also listed several editorial changes. He will proceed with updates where needed.

Engineer Jon Ites reported on the proposals submitted for bridge inspection: Kuehl & Payer Ltd.'s proposal for the 1st year was \$13,150 and \$90/bridge for the 2nd year for 5 bridges; Calhoun-Burns & Associates proposed \$9,960 for the 1st year and \$490 for the 2nd. Motion by Gustafson, second by Vail, to accept the low proposal of Calhoun-Burns & Associates of West Des Moines for bridge inspections in the amount of the proposal. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign, the joint city-county construction agreement with the City of Linn Grove providing for a 5-year payback for re-surfacing a road through Linn Grove, project #L-M-504, and the agreement providing for a 50%-50% split of cost. Carried.

Ites requested discussion of **crack filling** with a rubber type material, instead of the usual liquid substance. He proposed using the material on the stub roads into Truesdale, Rembrandt, and Marathon, and also proposed blowing and filling cracks in the concrete on C-13 West Hwy 71. Motion by Burnside, second by Vail, to authorize the Engineer to enter into negotiations with Borgen Inc., Mountain Lake, MN, for crack filling. Carried.

Ites discussed the need to do some **re-stockpiling** at the following areas: MacKay, Western, and Newell.

The board spent some time discussing **HSB 666**. The proposed property tax limitation bills will have a significant impact on the county.

Storm Lake Chamber of Commerce Exec Director Melanie Miller was present to request funding in the FY'01 **budget** in the amount of \$1,000 to assist with the printing of an area attractions brochure.

Pursuant to Chapter 50.24 of the 1999 Iowa Code, and upon completion of the **canvass**, motion by Vail, second by Gustafson, to declare the results of the 2/8/2000 special Storm Lake City Election as follows: total voters 730; Dennis Vaudt-274, Judy Halder-264, Hector Velez-190 and 1 each by write-in for Donald Northrup and Mark Redenbaugh, with Vaudt being declared elected. Carried.

Auditor's clerk Barb Henrich reported on the status of the project of billing the parents or guardians of **juveniles** held in detention at the Juvenile Detention Center in Cherokee. Other than one initial payment, there has been no response from the parents/guardians. Motion by Gustafson, second by Burnside, to suspend the program of billing parents or responsible persons for the cost of detaining juveniles at the Detention Center in Cherokee. Carried.

Motion by Burnside, second by Crampton, to approve and to authorize the Chairman to sign a fiscal agent agreement with the 3-County **Empowerment Board** for accounting services, the agreement being subject to approval by the County Attorney. Carried.

Motion by Crampton, second by Burnside, to approve the **minutes** of the 2/9/2000 meeting as printed. Carried.

Motion by Vail, second by Burnside, to approve the following **reports**: Dec. DD Financial report, Jan Conservation Board minutes, budget reports; also reviewed: 1/13/2000 NWIPDC Board minutes, FY2000 Sec'y Road 1st budget amendment. Carried.

Motion by Gustafson to increase the **salary** of the Maintenance Superintendent (T French) to \$41,000 effective 7/1/2000. Second by Burnside. Aye--Burnside, Crampton, Gustafson. Nay—Vail. Carried.

Motion by Gustafson, second by Crampton, to change the basis of the **salary** of the EIT, as approved 7/8/1998, by no longer basing the EIT's salary on a percentage of the county engineer's salary effective 2/15/2000. Carried.

Motion by Crampton, second by Burnside, to increase the **salary** of EIT Steve Petermeier to \$49,000 effective 7/1/2000. Carried.

Motion by Crampton, second by Burnside, to increase the **salary** of Engineer Jon Ites to \$65,500 effective 7/1/2000. Ayes—Burnside, Crampton, Vail. Nay—Gustafson. Carried.

Motion by Vail, second by Crampton, to adjourn at 2:00 p.m. until Tuesday, February 22, 2000, at 8:30 a.m. for a special session. Carried.

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 2000 SESSION (10)
FEBRUARY 22, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 22, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following other members present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Supervisor Crampton presented two proposals (Friesen Construction & Taylor Contracting, Inc.) for re-shingling the roof of the administrator's residence at **Spectra**. Motion by Gustafson, second by Vail, to accept the low proposal of Friesen Construction in a total amount of \$2,972, to re-shingle the administrator's house at Spectra. Carried.

Auditor Strawn and Treasurer Kathy Bach discussed the **drainage** financial report and possible drainage levies for the upcoming fiscal year. No action was taken at this time.

The board reviewed figures on the proposed budget compared to the **FY'00 budget**, and discussed the ending fund balance with regard to reserving any portion of it for a specific purpose. However, the board took no action at this time. Motion by Vail, second by Crampton, to approve the proposed budget for FY'01, and to set the public hearing on the budget for 11:00 a.m. on March 14 in the 2nd Floor Public Meeting Room. Carried.

Weed Commissioner, Norm Lund, brought several posters of Iowa animals, wildflowers and grasses. The board will consider framing them and hanging them in the courthouse for public view.

Motion by Vail, second by Burnside, to approve the **minutes** of the 2/15 meeting as amended. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign, the Class C, Sunday sales & outdoor sales **liquor license** application of Little Sioux Golf & Country Club, Sioux Rapids. Carried.

The board has received inquiries from insurance agents about providing a proposal to the county for **employee health insurance**. The board will look for a consultant to advise the board in comparing various proposals.

The board considered renewal of the employment contract with County **Engineer** Jon Ites. Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the employment contract with Jon Ites as County Engineer commencing 7/1/2000 and ending 7/1/2002, at a salary of \$65,500 in the first year, and an adjustment in the following year not to exceed the social security 'cost of living allowance' percentage. Ayes-Burnside, Crampton, Vail. Nays—Gustafson. Carried.

Motion by Burnside, second by Vail, to adjourn at 10:50 am. until Tuesday, February 29, 2000, at 8:30 a.m. for a regular session. Carried.

**BOARD OF SUPERVISORS MEETING
ELEVENTH MEETING, 2000 SESSION (18)
FEBRUARY 29, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 29, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Crampton, Gustafson, Vail. Nays—none. Carried.

John Murray, President of the Buena Vista County Bar Association, discussed usage of the **law library** by the Bar Association and reported that they are happy with the new electronic access. He also made recommendations for changes to the list of subscriptions currently purchased by the county. Murray also discussed the shortage of book shelf space. The consensus of the board was to approve disposal by, sale, of some of the books, if approved by Judge Duffy.

Motion by Gustafson, second by Crampton, to amend today's **agenda** by adding Sue Morrow regarding Spectra at 11:15 a.m. Carried.

Treasurer Kathy Bach presented a request from the city of Marathon regarding a tax sale certificate. Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign over to the City of Marathon, **tax sale certificate** #96110 for Lots 1, 2, & 3, Block 1, Marathon Corp. Carried.

The board discussed the problem with the crows, and asked **Environmental Health** Director Kim Johnson to contact the city on the matter.

Johnson gave a presentation on the subject of private roads in the subdivision ordinance, and asked the board to give consideration to whether private roads should or should not be allowed.

Engineer Jon Ites discussed several bills introduced in Congress that seek to assist the trucking industry by reducing taxes on diesel fuel to compensate for higher prices. This legislation would have a sizable impact on road use tax funds, with the State of Iowa likely to lose \$315 million.

Ites reported that the Harold Rowley Recycle Center has been approved as a hazardous materials collection center. Recycle Center Manager Ellsworth Jeppeson has requested the use of county sheds for pickup of the material. Motion by Vail, second by Gustafson, to approve the use of county sheds for hazardous materials pickup sites as follows: on April 5 in Storm Lake at the old Luedke building, on June 7 in Rembrandt, on August 9 in Albert City, and on September 20 in Newell, each site to be open from 4:00-6:00 p.m. on the respective dates. Carried.

Cherokee County has proposed a design for a bridge on the Buena Vista/Cherokee County line. Motion by Crampton, second by Vail, to approve and to authorize board members to sign, the plans and specifications for a bridge (Cherokee project #L-2J-B-00), to be located on the west side of Section 30, Nokomis Township. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the utility construction permit application from Iowa Lakes Electric Cooperative, Estherville, to install a single-phase 7200 volt overhead distribution line to provide improved service, the line to be located along the south ROW line on the east/west county road on the north side of Sec 26, Scott Township. Carried

10:00—The time having arrived for the bid letting on the M-36 re-surfacing project, 1 bid was received from Rohlin Construction, Estherville, Iowa. Motion by Vail, second by Gustafson, to accept, subject to confirmation by the city of Linn Grove, the proposal of Rohlin Construction, Estherville, for project #L-FM-504—73-11 (M-36 re-surfacing through Linn Grove), in the amount of \$206,193.72, which is \$19,147.28 under the engineer's estimate. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign, the class C Beer and Sunday sales liquor license application of Pronto Market, Storm Lake. Carried.

Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign, a claim in the amount of \$8.52 to the Buena Vista County Auditor for reimbursement of levy preparation costs in DD #105-64Jt. Carried.

Motion by Vail, second by Crampton, to approve the minutes of the 2-22-2000 meeting as printed and the following reports: 2nd Qtr FY'00 Recorder's fees, Jan Clerk's fines and surcharges; also review: Jan E911 Board minutes. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign a letter of support for CADA to used with their applications for state and federal funding. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign Resolution 2000-02-29

RESOLUTION 2000-02-29

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

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 interest 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 14th day of March, 2000, at 12:00 p.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, an official county newspaper. This motion carried unanimously.

Adopted this 29th day of February, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman
Board of Supervisors

Date

Attest: /s/ Karen M. Strawn, Co. Auditor

Date

Neal Kuehl, of Kuehl & Payer Ltd., introduced Albert City Council Members Abe Falkena, Virgil Wenell, and Keith Moe, K&P Engineer Ivan Droessler, and Albert City employee Jay Erlandson, who were present to discuss a drainage problem in **Albert City** which ties into **DD #81**. Estimates for mitigation are 10 acres - \$60,000, \$10,000 for archaeological review, and construction costs @ \$135,000, for a total \$160,000-245,000 including annexation and re-classification. If the city wishes to pursue their concerns, it would be up to them to petition.

Spectra Health Care Administrator Sue Morrow discussed several issues regarding the facility and administrator's residence. Morrow will contact Control Systems regarding improvements/changes needed for the boiler in the facility. Improvements are needed for the walls of the men's and women's central restrooms. Motion by Gustafson, second by Crampton, to accept the proposal of Paul Park Company to install moisture proof wall panels in the men's central restroom for a total amount of \$1,785.00. Carried.

Sheriff Chuck Eddy and Deputy Doug Simons discussed acquisition of bullet-proof vests for the **Sheriff's reserves**. A grant, written and applied for by one of the reserves, would pay 50% of the cost. The reserves will pay the other half. It was the consensus of the board to amend the budget to allow for receipt of the grant and reimbursement by the reserves, and the expenditure for the cost of the vests.

The Sheriff also informed the board of another state grant program for laptops computers, driver license scanners, etc. in the **patrol cars**. All but 20% (\$13,000-14,000) of the cost would be paid by the grant. Several towns in BV County will also be applying which would assist in getting their statistics filed with the state. It was the consensus of the board to proceed with applying for those funds.

Eddy reminded the board that some contact with the DLR Group is in order following the defeat of the bond issue for the jail. He also informed the board that changes to the **jail standards** are currently being proposed which would change the design of any new facility. The board asked that Eddy contact the DLR Group.

Motion by Vail, second by Crampton, to set the date, time and place of public hearing for the **subdivision request** of Robert Sievers as March 14th at 9:15 a.m. in the boardroom. Carried.

Motion by Vail, second by Gustafson, to adjourn at 12:00 p.m. until Tuesday, March 14, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWELFTH MEETING, 2000 SESSION (12)
MARCH 14, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 14, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Motion by Vail, second by Burnside, to **amend the agenda** by adding approval of the sales liquor license application of Casino Beach Marina, employing an Assistant Weed Commissioner, and at 1:45 p.m. – a discussion regarding mental health services to jail inmates and training for jailers. Carried.

CPC Dawn Mentzer was present to review her proposed amendments to the Managed Care Plan. In the past it has been revised annually, however, will now be updated every 3 years. Motion by Gustafson, second by Vail, to set the date, time and place of public hearing on the FY'01 Buena Vista County **Managed Care Plan** as March 27, at 7:00 p.m. in the E. Richland Annex Meeting Room. Carried.

The county has been notified that it will receive **MH Incentive funding** in the amount of \$13,593 for the current year, and the same for next year.

Community & Family Resources, Fort Dodge have requested payment approval for voluntary detox services and medications. Buena Vista County has an average of 1-2 persons per year. Mentzer proposed a contract for both voluntary and involuntary detox plus medications. Motion by Gustafson, second by Crampton, to approve and to authorize the Chairman to sign an agreement with Community & Family Resources, Fort Dodge, for the provision of voluntary and involuntary detox services at the rate of \$230/day. Carried.

Zoning Director Kim Johnson reported that due to a lack of a quorum, the Zoning Commission did not meet 3/13, and therefore, the board of supervisors cannot hold its public hearing today as published. The Zoning Commission meeting has been re-scheduled for 3/28. Also, another s/d request has been filed. Motion by Vail, second by Burnside, to set the date, time and place of public hearings for **subdivision requests** as follows: 4/3 at 8:30 a.m. for Robert Sievers and 4/3 at 8:45 a.m. for Dennis Anderson, both hearings to be held in the boardroom. Carried.

A letter has been received from the SL Gateway Committee requesting a waiver on the zoning fee. Vail stated that he couldn't support an action that would set a precedent for other waiver requests. Motion by Gustafson, second by Burnside, to waive the fee for a zoning compliance permit in the amount of \$27.50, as requested by the **Storm Lake Gateway Committee**. Ayes—Burnside, Crampton, Gustafson. Nays—Vail, Bruns. Carried.

Engineer Jon Ites presented a letter and supporting information from employee Stewart Jessen requesting a 4-month extension on his **unpaid leave**. Motion by Vail, second by Crampton, to approve a 30 day extension of Stewart Jessen's unpaid leave, the request for 4 months to be re-evaluated after receipt of a doctor's statement, as requested by the Board of Supervisors. Carried.

Quotes on truck boxes and snow equipment for 2 tandem trucks were received from 2 companies. The low quote has been accepted from Hiway Truck Co., Fort Dodge, in the total amount of \$85,408.00.

Ites has received notice that a tier 3 study and testing is now being required for the Hudson St. **local underground storage tank site**.

It was noted that the "Do Not Spray" and "Notice to Destroy" weed **legal notices** are to be published.

Motion by Gustafson, second by Burnside, to approve and to authorize the chairman to sign the **utility construction** permit application of Storm Lake Power Partners I amending a prior permit, to install an overhead 69 kv transmission line to cross over county road M-36, ½ mile north of its intersection with C-49 and, 69kv crossing over county road 100th Ave. at its intersection with C-49. Carried.

Ites explained changes in the required procedures for ROW acquisition. He has received an estimate from Graham Land Acquisition Associates for the **C-13 project**. The schedule for completion of ROW acquisition is October 2000. \$408,000 in grant funding (from the State Safety Fund) have been awarded to the county for the project since its purpose is to improve safety for the motoring public. It was the consensus of the majority of the board that the engineer should proceed to negotiate with Graham Land Acquisition Associates for ROW acquisition services. Gustafson stated that he is opposed to the scope of the project but not the project itself.

Ites discussed disposal of two **secondary road properties** which are no longer needed - the "Hollywood" site between the Knights of Columbus building and the Dekalb plant in Storm Lake, and the old Newell shed site. It was the consensus of the board to proceed with advertising, so that disposal can be completed within the current fiscal year.

Wetherell Construction has requested use of a site for stockpiling limestone to be used for Hwy 10 shouldering, the site being across the road from the Goldsmith Pit. It was the consensus of the board to approve.

In order to make it eligible for funding, Ites proposed a resolution requesting a classification change for 90th Ave, which is currently a local area service road. Motion by Gustafson, second by Burnside, to adopt and to authorize boardmembers to sign Resolution 2000-03-14a. Ayes—Burnside, Crampton, Gustafson, Vail. Nays-Bruns. Carried.

RESOLUTION 2000-03-14a

WHEREAS, a county may apply for modifications to its farm-to-market system to add or subtract mileage from its system, to accept or delete highways gained or lost through jurisdictional transfers, or to change the classification of roads within its system, and

WHEREAS, the Board of Supervisors of Buena Vista County has consulted with its County Engineer and

desires to modify its farm-to-market road system to provide continuity of intra-county and inter-county routes, to meet the needs of existing or potential traffic, to better meet land use needs, or to provide a more suitable location for a farm-to-market route, and

WHEREAS, application for modifications to any county's farm-to-market system must be made to the Farm-to-market Review Board per the requirements of Iowa Code Section 306.6,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY that this county is formally requesting that the farm-to-market Review Board approve the following modifications to its farm-to-market system:

Road to be Added:

90th Avenue from its intersection with Iowa Highway 7 and Iowa Highway 110 North 0.70 miles to its intersection with Buena Vista County Route C-49 at the Northwest corner of Section 33-91N-37W.

The Board of Supervisors of Buena Vista County, in lawful session this 14th day of March, 2000, hereby adopts this farm-to-market modification resolution.

Recommended: /s/ Jon Ites, County Engineer. Approved: /s/ Doug Bruns, Chairman, and Members – /s/ Herb Crampton, /s/ Richard Vail, /s/ Lorna Burnside, /s/ Jim Gustafson. Attest: /s/ Karen M. Strawn, Buena Vista County Auditor.

11:00 a.m.—the time having arrived for the public hearing on the **FY'01 county budget**, the Chairman opened the hearing in the 2nd Floor Public Meeting Room with 2 media persons, and 19 officials, department heads, employees, and board members present. The Chairman reviewed the highlights of the proposed budget, including areas of expenditure increases, the change in revenue source for gas and electric utilities which will begin paying excise tax on energy sold instead of on property owned in the county. He also reviewed comparison charts of expenditures, revenues, levies, tax askings, etc. It was noted that the tax asking is down \$5,000 from FY'00, but appears to be more due to the change from property tax to excise tax by the utilities. There being no questions or objections to the proposed budget, motion by Vail, second by Burnside, to close the public hearing. Carried.

Motion by Gustafson, second by Crampton, to adopt the proposed Buena Vista County FY'01 budget as published. Carried.

Motion by Vail, second by Crampton, to appoint Dave Wiley as the Assistant **Weed Commissioner** effective this date. Carried.

12:00 p.m. – The time having arrived for the public hearing on the proposal to sell the following property: Lot One (1), Block Four (4), MCS Addition to the City of Storm Lake, Buena Vista County, Iowa, and, it being noted that proper notice of hearing to consider the proposal had been published as required, the Chairman opened the hearing with the County Treasurer and County Engineer present. The Treasurer reported that she had received some inquiries on the property. The county has some costs to cover in the sale price including attorney fees, publication costs, abstractor's fees and advertising. No delinquent taxes or assessments remain on the property. There being no objections or other comment on the proposal to sell the property, motion by Gustafson, second by Vail, to close the public hearing. Carried.

RESOLUTION 2000-03-14b

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

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

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, a public hearing was held on 3/14/2000 at 12:00 p.m. for the purpose of hearing public comment on the proposal to sell the property, and,

WHEREAS, the Board of Supervisors has determined that there is no objection, and that 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 the property shall be sold at public auction on the 18th day of April, 2000, at 10:00 a.m. at the site.

BE IT FURTHER RESOLVED that the terms of sale will 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. In the event of inclement weather, interested persons should call 749-2542 for the location. This motion carried unanimously.

Adopted this 14th day of March, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman Date Attest: /s/ Karen M. Strawn, County Auditor Date
Board of Supervisors

The board returned to the boardroom for the remainder of the meeting. Motion by Vail, second by Crampton, to set the date, time and place of public hearing for an amendment to the **FY'00 budget** as 4/3/2000 at 9:30 a.m. in the boardroom. Carried.

Insurance agent Clark Fort delivered a dividend check on the FY'97-98 **worker's compensation** policy in the amount of \$2,840.00. He confirmed that our current mod factor is .85. Fort discussed doing a loss control review of facilities and procedures to evaluate whether there are conditions or training indicated due to the type of injury. Fort is also working with the hospital to find some method of eliminating the exposure that the county has when it is named as an additional party in a lawsuit against the hospital.

Sheriff Chuck Eddy and CPC Dawn Mentzer discussed providing mental health services to inmates in the **jail** and training for jailers. Mentzer believes that through the catchment fee already being paid to the Season's Center, some of the requested services should already be covered. Also discussed were appropriate funding sources for additional costs. Following a lawsuit against Black Hawk County, it is known that MH services are probably going to be mandated.

Eddy reported a problem in finding persons to serve as part-time **matrons** on short notice, at all hours of the day or night, and particularly for periods of time under 2 hours. Motion by Gustafson, second by Crampton, to approve the following compensation rate for matrons: \$25 for any amount of time up to 2 hours, and \$7.46/hr for each hour thereafter. Carried.

Daniel Griggs requested assignment of a **tax sale certificate** to him for a property in Marathon, and asked if the board would consider waiving the penalty, interest and costs. He is willing to pay the back taxes. His intent is to repair the house and rent it out, which would put the property back on the tax rolls. Vail stated that he would prefer not to compromise the total due because doing so would be unfair to the person who made the request previously and no compromise was made. However, after assignment was made, the transaction was not completed because the county received no money. Motion by Burnside, second by Crampton, to assign tax sale certificate # 267360 over to Daniel Griggs, and to compromise the total due - \$915 for delinquent tax, penalty, interest and certificate fee – by reducing the amount due by \$135. Carried.

BVCo Soil and Water Conservation District Director Renee Braun updated the board on the activity of her agency. Approximately 2,700 acres have been enrolled in the **CRP program** in the past 2 years. Since some areas are getting to the point of needing to be burned, she asked the board to consider burning along drainage districts, noting that it is a dry year. The marginal native grass population will be improved with burning, but afterwards, a spring rain could cause erosion on the drainage ditch banks. Braun also noted that there might be a new program for additional CRP sign-up with incentives, and a project to raise funds to qualify for grants to expand CRP filter strip and buffer sign-ups across Iowa.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the Class C beer and Sunday sales **liquor license** application of Casino Beach Marina, Storm Lake. Carried.

Motion by Crampton, second by Vail, to approve the **minutes** of the 2/29 meeting as amended, and the **reports** as follows: Feb Conservation Board minutes, Clerk's fines, forfeitures and surcharges, budget reports, 2/2 BVCo Communications Commission minutes, 2/17 NWIPDC Policy Council minutes, 1999 annual report of Storm Lake Area Development Corp. Carried.

Burnside left the meeting.

The board briefly discussed a proposed Energy Manager agreement with **Mid-American Energy**, which will be considered at the next meeting.

The Chairman reported on his research of the costs of the Sioux City Fire Department **HAZMAT** program. Buena Vista County contracts with the Sioux City Fire Department for their HAZMAT services. The board is looking ahead to determine the future funding requirements in contracting for the services.

Motion by Vail, second by Gustafson, to adjourn at 3:30 p.m. until Tuesday, March 21, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
THIRTEENTH MEETING, 2000 SESSION (13)
MARCH 21, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 21, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Genesis Executive Director Terry Johnson played a video about the Genesis organization showing how it has developed with sites in Jefferson, Boone and Storm Lake. Genesis is looking for ways to improve its services for persons with disabilities, and has had an on-site consultation with Cary Griffin, Director of Training, University of Montana, to develop new ideas for better services. Johnson also asked about the status of requested funding for assistance with conversion of the Maywood home to a waiver home. Their bank loan for the wall comes due in October. Vail asked for documentation of dollars saved by placements in the Maywood home.

Dan Hegarty and Terry Slaughter, **MidAmerican Energy**, were present to discuss a 5-year energy management program. Savings realized from the program would be split 60-40%, with 40% going to the county. The program is not a capital replacement plan, but provides information for improvement of operations. They provided a contract for the board's consideration which will be reviewed by the county attorney.

Sheriff Chuck Eddy reported the selection of Marty DeMuth from Cherokee as the new **deputy** beginning 3/31, replacing Joel Sivinski. DeMuth has prior police and deputy experience. Eddy also discussed **vandalism** to tires on the 3 vehicles in the courthouse parking lot over the weekend. He asked whether the county might cover the damage on the private vehicles. There is no county insurance coverage for the vehicles.

CPC Dawn Mentzer reported on the status and costs for several clients. She also discussed some of the changes in the managed care plan proposed for 7/1/2000.

Motion by Gustafson, second by Crampton, to approve and to authorize the Chairman to sign notice of the county's affiliation with the **Season's Community Mental Health Center**. Carried.

Motion by Gustafson, second by Burnside, to approve **wage increases** for Dewyne Stucynski and Jerry McShane effective 7/1/2000 in the amount of 47cents/hr. Carried.

Motion by Crampton, second by Vail, to approve **wage increases** effective 7/1/2000 as follows: Norm Lund – 38 cents/hr as Weed Commissioner, Dave Wiley and Norm Lund – 32 cents/hr. as weed sprayers, and Chris Laursen – 30 cents/hr as driver. Carried.

Motion by Gustafson, second by Burnside, to approve a **wage increase** of 25 cents/hr effective 7/1/2000 for Clint Hoferman. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the Class C, outdoor and Sunday sales **liquor license** application of Lake Creek Country Club, Storm Lake. Carried.

It was the consensus of the board that the quarterly publication of the **claims** include only the vendors and amounts.

Motion by Gustafson, second by Burnside, to approve the **minutes** of the 3/14 meeting as printed. Carried.

Motion by Burnside, second by Vail, to adjourn at 11:45 a.m. until Tuesday, March 28, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FOURTEENTH MEETING, 2000 SESSION (14)
MARCH 27, 2000**

The Buena Vista County Board of Supervisors met in special session on Monday, March 27, 2000, at 7:00 p.m. in the meeting room of the E. Richland Annex, with Chairman Bruns presiding, and with the following others present: Crampton, and Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Burnside, Vail. The purpose of the meeting was to conduct a **public hearing** on the Buena Vista County Managed Care plan to take effect July 1, 2000.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Crampton, Gustafson. Nays—none. Carried.

The Chairman opened the hearing with the following others present: BV Co CPC Dawn Mentzer, and Bev Christiansen, Lutheran Family Services.

Mentzer reviewed the history of MH/MR/DD case management in Iowa, which has lead to the county case management plan. Beginning now, revisions will be every 3 years instead of annually. HF 664, which defines standards for case management, should result in greater efficiencies, and service improvement for clients. The Planning Council will continue to meet annually to review.

Mentzer reviewed the FY'01 mental health budget, identifying expenditures for each population, and, the sources of revenue for these services.

After a few brief questions, there being no objections, motion by Crampton, second by Gustafson, to close the public hearing, to approve the FY'01 BV Co **Managed Care Plan**, and to adjourn at 7:45 p.m. until Tuesday, March 28, 2000, at 8:30 a.m. for a regular session. Carried.

**BOARD OF SUPERVISORS MEETING
FIFTEENTH MEETING, 2000 SESSION (15)
MARCH 28, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 28, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Crampton, Gustafson, Vail. Nays—none. Carried.

Assistant County Engineer Steve Petermeier discussed the work done on **drainage** tile by the tile crew. He also reported on his review of work performed in the districts by Chem-Trol.

AFLAC Representatives Louise Faust and Fred Fondroy were present to discuss an **employee benefit** cafeteria plan. There is no fee for administration. Intensive care, cancer and disability are among the coverages available.

Engineer Jon Ites discussed the **properties** in Storm Lake and Newell which the secondary road department no longer needs, and which the board has agreed to dispose of. The consensus was to sell them at auction on May 23 in the evening, the sale of each to be held at the respective site.

Ites reported on the medical reports for one employee. Motion by Gustafson, second by Vail, to extend a final **unpaid leave request**, as per Stewart Jessen's letter of request dated 3/1/2000, for the 4-month period until July 14, 2000. Carried.

Motion by Vail, second by Crampton, to accept and to authorize the Chairman to sign contracts and contractor's bonds, and to accept certificates of insurance for **project #L-FM-504-73-11** - resurfacing of M-36 from C-49 to the county line, the contractor being Rohlin Construction of Estherville. Carried.

Ites has performed a site investigation of the intersection of **C-63 and M-27** which indicates driver error in a recent accident apparently caused by not observing the posted stop sign. The county will replace a 30" stop sign with a 36", add flags, and install a "cross traffic does not stop" sign. The intersection already has rumble strips.

Zoning Director Kim Johnson reviewed plans for a proposed project at Lake Creek Country Club.

11:30 a.m.—The time having arrived for the bid opening for the season's supply of weed chemicals, 4 bids were received from: Ag Partners of Alta, Vegetation Management of Des Moines, Van Diest of Webster City, and Agro Distribution of Faribault, MN. Motion by Vail, second by Gustafson, to accept the low bid of Van Diest Supply Co., Webster City, in the total amount of \$9,294.00 for 600 gallons of Hidep. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign two letters in support of the NWIPDC grant application to the Dept. of Housing and Urban Development (HUD), for the purpose of creating a revolving loan fund to be available to cities and counties to create low cost financing for low to middle income housing initiatives, the support to be limited non-financial support. Ayes—Crampton, Gustafson, Vail. Nays—Bruns. Carried.

Motion by Crampton, second by Gustafson, to approve the minutes of the 3/21 meeting as printed, and, the following reports were reviewed: 2/2/00 Communications Commission minutes, 2/28/00 Empowerment Board minutes, and a 3/27/00 progress report on boiler repairs at Spectra. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign two letters in support of the NWIPDC grant application to the Dept. of Housing and Urban Development (HUD), for the purpose of creating a revolving loan fund to be available to cities and counties to create low cost financing for low to middle income housing initiatives, the support to be limited non-financial support. Ayes—Crampton, Gustafson, Vail. Nays—Bruns. Carried.

Motion by Gustafson, second by Vail, to adjourn at 12:35 p.m. until Monday, April 3, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
SIXTEENTH MEETING, 2000 SESSION (16)
APRIL 3, 2000**

The Buena Vista County Board of Supervisors met in special session on Monday, April 3, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

8:30 a.m.—The Chairman opened the public hearing on the Robert Sievers subdivision request with Zoning Director Kim Johnson and 3 interested persons present. The Chair confirmed that the notice of hearing had been published, as required, in the Pilot-Tribune. Zoning Director Kim Johnson reported that no objections to the subdivision had been received and that the Zoning Commission had recommended approval. Motion by Vail, second by Crampton, to close the public hearing. Carried. Motion by Burnside, second by Crampton, to accept the recommendation of the Zoning Commission to approve and to authorize the Chairman to sign, Resolution 2000-04-03a. Carried.

RESOLUTION 2000-04-03-a

WHEREAS, Robert E. Sievers has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NW ¼ NW FRAC ¼) OF SECTION 1, TOWNSHIP 91 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Northwest Fractional Quarter (NW FRAC ¼) of said Section 1; Thence on an assumed bearing of South 00° 00' 00" West, along the West line of said Northwest Fractional Quarter (NW FRAC ¼), 868.15 feet to the Point of Beginning. Thence continuing along said West line, South 00° 00' 00" West, 100.00 feet to the North line of Lot B of said Section 1; Thence South 90° 00' 00" East, along said North line, 440.00 feet; Thence North 00° 00' 00" East, 100.00 feet; Thence North 90° 00' 00" West, 440.00 feet to the Point of Beginning. Hereafter known as Lot C of Section 1, Township 91 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

Engineer Jon Ites reported on the county engineers/supervisors meeting held last week in Ames which included information on the re-structuring of the IDOT.

Ites recommended promotion of 2 employees. Motion by Gustafson, second by Vail, to **promote** Tim Cavanaugh to engineering technician III, effective 4/8/2000. Carried.

Motion by Burnside, second by Crampton, to **promote** Preston Jacobs, to engineering technician IV, effective 4/8/00. Carried.

Ites presented the county's IDOT FY'01 **budget** and 5 yr construction program. The board discussed how the construction program will be financed with the local option sales tax sunsetting in 2005 since the construction program depends on local option dollars. Motion by Crampton, second by Burnside, to approve the FY'01 Secondary Road budget and 5 Year Secondary Road Construction Program, and to authorize the Chairman to sign. Carried.

Gustafson asked Ites about changing operators on one of the roads and discussed an accident/safety issue.

Burnside reported that some counties have changed their **mileage** reimbursement rate. Vail noted that budgets were prepared at the \$.27/mile rate. No action was taken at this time.

Motion by Crampton, second by Gustafson, to approve the **minutes** of the 3/27 meeting as printed, and the 3/28 meeting as amended. Carried.

The board discussed the AFLAC proposal to provide an employee **cafeteria plan**. A memo will be sent to employees to determine the level of interest.

Motion by Vail, second by Burnside, to adjourn at 11:25 a.m. until Tuesday, April 11, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
SEVENTEENTH MEETING, 2000 SESSION (17)
APRIL 11, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 11, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Community Empowerment Director Jean Drey, JPO's Bob Fritz and Rich Detrick, were present to discuss the **Juvenile Liaison project**. They are looking to re-apply for funding (in the amount of \$50,000) through the Criminal and Juvenile Justice Planning Agency. The board was requested to provide funding, but declined. Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign a letter of support for the Local Empowerment Board's grant application stating 'no financial support'. Carried.

Nurse Administrator Karole Graen discussed the additional revenue she has received from Title XIX and Medicare based on amended cost reports, and, additional expense for administration of funds to the schools. These will be incorporated in the FY'00 **budget amendment**.

Veterans Services Officer Clint Hoferman reported that the Veterans Health Fair is scheduled for April 12 at the Alta Community Center. The **Veterans Administration van** previously requested for the county will be available to be picked up April 17 in Des Moines. The county will make a contribution in the amount of \$2,400/yr. with the county liable for none of the expenses nor liability for its operation.

Dan Hegarty and Terry Slaughter, MidAmerican Energy representatives, were present to answer the board's question regarding a proposed agreement. Motion by Burnside, second by Gustafson, to approve entering into an **Energy Manager agreement** with MidAmerican Energy for a 5 year period, the purpose being to find ways to reduce cost. Carried.

Motion by Vail, second by Burnside, to set the date, time and place of **public hearing** as April 25, at 10:00 a.m. in the boardroom, on the proposal to dispose of two properties described as follows:

Parcel #1: In Newell, IA: Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA,

more generally known as the County Maintenance garage on Williams St. in Newell, IA, and

Parcel #2: In Storm Lake, IA: The North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of West Half (W½) Southeast Quarter (SE¼) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad,

more generally known as the county storage yard just south of Peters Trucking on Memorial Road.

The vote on this motion carried.

Motion by Burnside, second by Vail, to approve requests for speed limit study on Armstrong Road West of Newell and on M-54 on the East side of Newell. Carried.

Motion by Burnside, second by Crampton, to approve that Engineer Ites proceed with **ROW acquisition** for the maintenance project on the north side of Section 21, Lincoln Township. Carried.

It was the consensus of the board to replace the failed **culvert** on C-49 ¾ mile west of the river bridge with a concrete box culvert, the road to be closed for 1 day.

Motion by Crampton, second by Vail, to approve the negotiation by the county engineer for purchase of millings for **edgefill** along the roads. Carried.

Motion by Gustafson, second by Burnside, to authorize the engineer to seek an outside design consultant for the **project: STP-11(47)—5E-11 (M-31 re-surfacing thru Alta)**, as the county would be eligible for partial reimbursement from the city of Alta for the design work if an outside consultant is used. Carried.

Ites provided to the board, a copy of the Sheriff's report, and the Caterpillar representative's report, on a 'runaway' **motorgrader** incident. Gustafson had requested a written report. Ites asked for guidance if additional information is desired.

The Chair suggested that the board discuss what is the function/purpose/responsibility of the **safety committee**. No statement of function was determined.

Burnside requested consideration of adding one or more **Gingerbread House** employees to the county employee health insurance group for the purpose of accessing a group. Bruns is opposed if it makes Gingerbread House a part of the county.

Motion by Vail, second by Burnside, to approve the **minutes** of the 4/3/00 meeting as printed, and the following **reports**: Jan-Mar NPDES Spectra lagoon reports by Mangold, 3rd Qtr Sheriff's fees, Clerk's fines and surcharges, General Relief, Daycare, Veterans Relief, March budget reports, Clerk's fines and surcharges, 3/24 & 3/31 Mangold testing of Spectra lagoon, and 3/9/00 NWIPDC Board minutes. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the drainage claims as follows: from **DD #14-42 Jt. Main Open Ditch** \$1,472.00 to the Clay County Drainage Revolving Fund, from **DD #14-42 Jt. Sub 1** \$40.00 to the Clay County Drainage Revolving Fund, and from **DD #22 Jt. Main Open Ditch** \$2,040.00 to the Clay County Drainage Revolving Fund; Clay County has established their Drainage Revolving Fund for the purposes of paying expenses not directly attributable to individual drains, of serving as a sinking fund for drains with insufficient funds, and of receiving interest earned on the various drainage district funds. Carried.

Motion by Gustafson, second by Burnside, to proceed with a voluntary **employee benefit program** upon receiving indication of sufficient interest by the employees. Carried.

Motion by Crampton, second by Burnside, to adjourn at 12:15 p.m. until Tuesday, April 18, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
EIGHTEENTH MEETING, 2000 SESSION (18)
APRIL 18, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 18, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

In recognition of 5, 10, 15, 20 and 25 "Years of Service to County Government", Chairman Bruns presented Certificates of Appreciation to: Tim Cavanaugh-5, Tony Weber-5, Doug Bruns-5, Garland Otto-10, Ron Buske-10, Lorna Burnside-15, Dick Vail-15, Tom French-15, Sue Kennedy-20, Carol Van Hooser-20, Jim Curry-20, Jon Iles-25 (includes employment with other counties). Not present, but also to receive awards were: Dawn Mentzer-5, Steve Petermeier-5, Sarah McClure-5, Kelly Snyder-10, Kathy Croker-20 and Kathy Bach-25. The board thanked the employees for a combined total of 250 years of service to county government.

The board acknowledged receipt of a grievance from one employee regarding the application of an increase in vacation days upon completion of 7 years of work, a change in benefits made with the 4/6/1999 update of the employee handbook.

The Chairman introduced the discussion of the grievance procedure as outlined in the employee handbook, followed by a brief discussion of the open meetings law.

The Chairman recessed the meeting at 9:30 a.m. to prepare for the on-site auction of a property in the MCS Addition, Storm Lake. The auction was conducted by Supervisor Vail, at no cost to the county. Four interested persons were present. The final, successful bid was in the amount of \$4,000, submitted by Larry and Barb Lucht. Following the auction, the board reconvened their meeting at 11:00 a.m. in the boardroom.

Deanne Dentlinger, Wellmark/Blue Cross Representative, reviewed several Wellmark plans which are available in addition to the county's current selection for employee health insurance. Before a decision is made, Dentlinger will provide additional information at next week's meeting.

Motion by Burnside, second by Crampton, to approve and to direct the auditor to void warrant #'s: 113866 (\$1,123.97) and 113949 (\$31.33) both payable to U.S. West and dated 9/28/99, the warrants having been lost, and, to re-issue replacement warrants. Carried.

Motion by Crampton, second by Vail, to approve a claim in the amount of \$100.00 to the Postmaster for renewal of the auditor's business reply permit fee. Carried.

Motion by Vail, second by Burnside, to approve the minutes of the 4/11 meeting as amended. Carried.

The board acknowledged receipt of a drainage petition, signed by Carl Erickson Jr. for the city of Albert City, for drainage relief in DD #81, and directed that copies be forwarded to the drainage attorney and county engineer for review and recommendations.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman and Auditor to sign Resolution No. 2000-04-18 (Resolution to Dispose and Convey). Carried.

RESOLUTION NO. 2000-04-18
(Resolution to Dispose and Convey)

A RESOLUTION PROVIDING FOR THE DISPOSAL AND CONVEYANCE OF Lot One (1), Block Four (4), MCS Addition to the City of Storm Lake, Buena Vista County, Iowa.

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

SECTION 1. PURPOSE. The purpose of this resolution is to dispose of and convey Lot One (1), Block (4), MCS Addition to the City of Storm Lake, Buena Vista County, Iowa.

SECTION 2. FINDINGS OF FACT. The Board of Supervisors hereby makes the following findings:

1. Buena Vista County, Iowa, is the owner of Lot One (1), Block Four (4), MCS Addition to the City of Storm Lake, Iowa.
2. The Board of Supervisors of Buena Vista County has determined that it would be in the best interest of the County and its citizens to sell the above described real property and in connection therewith held a public auction on April 18, 2000 at 10:00 a.m.
3. In accord with the instructions of the Board of Supervisors, there was published in the Storm Lake Pilot-Tribune, a paper having general circulation in Buena Vista County, on March 4, 2000, a date being not less than four nor more than twenty days before the date of this hearing, notice of intent to dispose and convey Lot One (1), Block Four (4), MCS Addition to the City of Storm Lake, Buena Vista County, Iowa, and notifying the public of the public auction in connection with said disposal and conveyance.
4. A public auction was held for the sale of Lot One (1), Block Four (4), MCS Addition to the City of Storm Lake, Buena Vista County, Iowa on April 18, 2000, and Larry G. Lucht and Barbara A. Lucht, husband and wife, placed the highest bid at the auction.
5. The Board of Supervisors has determined that said offer is a fair and reasonable offer for said property and that the acceptance of the bid would be in the best interest of the County of Buena Vista and its citizens and that said offer should be accepted and said property sold in accordance therewith.

SECTION 3. DISPOSAL AND CONVEYANCE. The bid for the purchase of Lot One (1), Block (4), MCS Addition to the City of Storm Lake, Buena Vista County, Iowa, by Larry G. Lucht and Barbara A. Lucht, husband and wife, the same is hereby accepted on behalf of the County of Buena Vista, Iowa, and said property as described above is hereby sold to said bidder and the Chairperson of the Board of Supervisors and County Auditor are hereby directed to execute and deliver a Warranty Deed from the County to the respective bidder upon payment of the total purchase price as accepted.

SECTION 4. REPEALER. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

SECTION 5. EFFECTIVE DATE. This resolution shall become effective after its final passage, approval, and publication as provided by law.

/s/ Doug Bruns, Chairperson of the Board of Supervisors, Buena Vista County
 Attest: /s/ Karen M. Strawn, Buena Vista County Auditor

Motion by Burnside, second by Vail, to approve and to authorize the Chairman and Auditor to sign the **real estate contract** between Buena Vista County, Iowa, (seller) and Larry G. Lucht and Barbara A. Lucht, husband and wife, (buyers) for the following described property: Lot One (1), Block Four (4), MCS Addition to the City of Storm Lake, Iowa, the real estate being sold to the Luchts for \$4,000.00. Carried.

Motion by Burnside, second by Crampton, to adjourn at 12:35 p.m. until Tuesday, April 25, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
 NINETEENTH MEETING, 2000 SESSION (19)
 APRIL 25, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 25, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and with Auditor Strawn as clerk for the meeting. Absent—Vail.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Burnside, Crampton, Gustafson. Nays—none. Carried.

Season's Center Executive Director Joan Blundall, Season's Clinical Director Karla Manternach, Sheriff Chuck Eddy and CPC Dawn Mentzer discussed the need to have **mental health services** available for jail inmates. Following the decision on a lawsuit against Black Hawk County, counties now find it necessary to evaluate all inmates who are in jail for more than a minimum length of time, and to provide services to those identified as needing services. Blundall proposed training the jail staff to do 'triage' or the initial screening to identify high risk individuals. Those identified would receive additional services from the Season's Center staff. She recommended beginning a pilot project and evaluating in

December, 2000. The concern is to provide sufficient training to jail staff to avoid the liability of using unqualified persons for screening, and to promote the safety of the inmates and jail staff. Blundall proposed a \$20,500 cost for the project. The board will make their decision at the next meeting.

Due to the 25% increase, beginning FY'01, in premiums for the employee health plan, the board requested information from Wellmark Insurance Representative Deanne Dentlinger on alternative **employee health** plans. Dentlinger reported that no minimum number of participants is required in a plan, if the county chooses to offer more than 1 choice. Motion by Gustafson, second by Burnside, to offer the following two Wellmark employee health plans for FY'01: Alternates 4 & 5, with the county paying \$276 for the single for either plan, or \$450 for a family for Alternate 4, or \$430 for a family under Alternate 5; the employee's share for family coverage under Alternate 4 is \$174, and \$154 under Alternate 5, all figures being per month. Ayes—Burnside, Crampton, Gustafson, and Bruns. Nays—none. Carried.

Dentlinger also presented rates for Blue Dental (Blue 2), an alternative to the current Delta Dental, as the employees' **dental insurance** program for FY'01. The board's decision was deferred until May 2.

Engineer Jon Ites provided a copy of the county's **farm-to-market fund** report.

10:00 a.m. – The time having arrived for the public hearing on the disposal of 2 secondary road properties no longer needed by that department, the Chairman opened the hearing with only media present. The auditor confirmed that notice of public hearing had been published as required by law. Engineer Ites reviewed the prior uses of the property and answered the board's question about the old Newell maintenance shed, and the area known as 'Hollywood' which was used as a supplies and equipment storage yard. The board proposes to dispose of these 'excess properties' by public auction. There being no objections to the proposal, motion by Burnside, second by Crampton, to close the public hearing. Carried.

RESOLUTION 2000-04-25a

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

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

Parcel in Newell, IA: Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA; more generally known as the County Maintenance garage on Williams St. in Newell, IA,

WHEREAS, a public hearing was held on 4/25/2000 at 10:00 a.m. for the purpose of hearing public comment on the proposal to sell the property, and,

WHEREAS, the Board of Supervisors has determined that there is no objection, and that it is in the best interest of Buena Vista County to sell said property; and

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

BE IT RESOLVED by the Board of Supervisors of Buena Vista County Iowa, that the property shall be sold at public auction on the 23rd day of May, 2000, at 6:00 p.m. at the site.

BE IT FURTHER RESOLVED that the terms of sale will 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. In the event of inclement weather, interested persons should call 749-2542 for the location. This motion carried unanimously.

Adopted this 25th day of April, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman, 4/25/2000
Board of Supervisors

Attest: /s/ Karen M. Strawn, Co. Auditor, 4/25/2000

RESOLUTION 2000-04-25b

It was moved by Supervisor Crampton, and seconded by Supervisor Burnside, as follows:

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

Parcel in Storm Lake, IA: The North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of the West Half (W1/2) Southeast Quarter (SE1/4) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad; more generally known as the county storage yard just south of Peters Trucking on Memorial Road.

WHEREAS, a public hearing was held on 4/25/2000 at 10:00 a.m. for the purpose of hearing public comment on the proposal to sell the property, and,

WHEREAS, the Board of Supervisors has determined that there is no objection, and that it is in the best interest of Buena Vista County to sell said property; and

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

BE IT RESOLVED by the Board of Supervisors of Buena Vista County Iowa, that the property shall be sold at public auction on the 23rd day of May, 2000, at 7:00 p.m. at the site.

BE IT FURTHER RESOLVED that the terms of sale will 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. In the event of inclement weather, interested persons should call 749-2542 for the location. This motion carried unanimously.

Adopted this 25th day of April, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman, 4/25/2000
Board of Supervisors

Attest: /s/ Karen M. Strawn, Co. Auditor, 4/25/2000

RESOLUTION 2000-04-25c

WHEREAS a request has been received to post two roads near Newell for reduced speed, and

WHEREAS the County Engineer has completed the speed studies and has reported his recommendations to the Board of Supervisors,

BE IT THEREFORE RESOLVED by the Buena Vista County Board of Supervisors that the following speeds be established at the following locations, as recommended by the County Engineer:

Location: Armstrong Road (200th Avenue)

Recommendation: From intersection of Armstrong Rd & IA Hwy 7 to Jensen St – 35 MPH.
From intersection with Jensen St. to intersection with Chaney Street – 45 MPH.

and

Location: County Road M-54 (210th Avenue; Rogers Road) From IA Hwy 7 north to Chaney St. (East side of Section 20 and 17 Providence Twp.)

Recommendation: From 1000 feet south of 3rd St to intersection with 3rd St. – 45 MPH.
From intersection with 3rd St. to intersection with Leroy Paulson Road – 35 MPH.
From intersection with Leroy Poulson Road to intersection with Chaney St. – 45 MPH.

This motion carried unanimously.

Adopted this 25th day of April, 2000, at Storm Lake, IA, by the BV Co Board of Supervisors.

/s/ Doug Bruns, Chairman, 4/25/2000
Board of Supervisors

Attest: /s/ Karen M. Strawn, Co. Auditor, 4/25/2000

The engineer read a letter from the city of Linn Grove requesting the use of secondary road equipment for street repair, with the city paying for the fuel, and the wages of secondary road employees to run the equipment. It was the consensus of the board to approve the request.

Motion by Crampton, second by Gustafson, to approve the following utility construction permit applications: from Schaller Telephone Company, Schaller, Iowa, to install an underground copper telephone cable in the roadway on the south side of Sections 35 & 36, Maple Valley Twp, and on the west side of Section 31, Hayes Twp. (the same permit to be approved by Sac County); from Iowa Lakes Electric Cooperative, Estherville, Iowa, to install an underground 3 phase 7200/12470 volt distribution line along US Hwy 71 on the east side of Sections 24 & 25, Scott Township and crossing the county ROW; from Iowa Lakes Electric Cooperative, Estherville, Iowa, to install an underground single phase 7200 volt distribution line in private ROW with road crossing in Section 35, Nokomis Twp and more fully described as along the south side of Sections 33, 34 and 35, Nokomis Township. Carried.

BV Co. CPC Dawn Mentzer and Cindy Wiemold from Genesis Development, discussed an appeal of the CPC's decision regarding services for one client. Motion by Gustafson, second by Crampton, to approve an increase in funding for 1 person by \$13.06 per day, the rates being \$73.98/day for residential services and \$29.40/day for work activity, to begin 7/1/2000, for a 1 year period and contingent upon the family's contribution. Carried.

Assistant Engineer Steve Petermeier and Steve Hansen from Chem-Trol discussed the weed/tree problem in DD #1 and DD #34 Lateral 6. Although they have received multiple treatments, what was brush is now trees, making the removal more work and therefore more costly. The board asked Hansen

to proceed with those areas. The auditor requested an itemization on the credit that Chem-Trol holds for the county, so that the proper districts can be credited.

Veterans Services Officers Clint Hoferman, and Veterans Relief Secretary Paula Guerra, were present to discuss the VA van just received by the county. The VA has provided a gas card, and will service the vehicle as needed when the van is in Des Moines. Also, the VA will replace the van after 50,000-60,000 miles, and will provide all of the insurance. Trip records are to be kept for each trip which may be to Des Moines, Fort Dodge, or Sioux Falls. Hoferman has several persons who are willing to donate their time to drive. With a recent rule change, all veterans can now make use of this service, and, the driver's and/or patients' wives may ride along. The van will be parked at the E Richland Annex during the spring, summer and fall, but will be housed in a building during the winter. The keys will be kept at the Annex. The county has agreed to trial use of the van for 1 year.

Nurse Administrator Karole Graen discussed a public health nursing state grant in the amount of \$90,403 to be used in part for infrastructure (staff training). Motion by Burnside, second by Crampton, to approve and to authorize the Chairman to sign the Community Services grant application. Carried.

Head Custodian, Dewyne Stucynski, discussed the replacement of the A/C platforms on the DHS Annex roof. An investigation has revealed the need to replace the air conditioners as well. It was the consensus of the board to proceed with replacement of the air conditioners.

Emergency Management Coordinator Bob Christensen notified the board that the 3 year evaluation period for the Hazmat agreement with the Sioux City Fire Department expires 6/30/2000, and that now is the appropriate time to review the agreement.

Motion by Crampton, second by Burnside, to approve and to authorize the Chairman to sign, the request for a fireworks display permit received from the City of Rembrandt for July 4, 2000, with the city to assume all responsibility for liability and safety. Carried.

Motion by Gustafson, second by Crampton, to approve and to authorize the Chairman to sign a letter of response to the grievance filed by employee Ron Buske, the board's decision being to deny the request of an additional 5 days of vacation which is consistent with the interpretation of employee handbook (section 5.2-Vacation) approved by the board on 7/27/99, and signed by the chairman on 8/3/99. Carried.

Motion by Crampton, second by Burnside, regarding the ballot on the disposition of Wellmark settlement proceeds, to respond as follows to the Iowa State Association of Counties: Choice #2 – return the proceeds to each county. Carried.

It was the consensus of the board to delay setting a public hearing date for a budget amendment until May 9.

The board reviewed the results of an employee survey in which showed 71 employees interested and 23 not interested. Motion by Crampton, second by Gustafson, to approve establishing a cafeteria plan to permit purchase of AFLAC products by voluntary payroll deduction. Carried.

Motion by Gustafson, second by Burnside, to approve the minutes of the 4/18 meeting as printed, and the following reports: March and April Conservation Board minutes, and 3rd Qtr farm-to-market fund report. Carried.

Motion by Burnside, second by Crampton, to adjourn at 2:15 p.m. until Tuesday, May 2, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
TWENTIETH MEETING, 2000 (20)
MAY 2, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 2, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Environmental Health/Zoning Director Kim Johnson discussed a Board of Health decision to require either the Env Health Dept. or a licensed engineer to perform percolation tests for septic permits. She described the procedure for performing the test, and noted a \$200-300 cost to have a licensed engineer perform them. She requested direction on purchasing equipment to be able to perform the tests, having them done by an outside professional engineer, or some other means to achieve compliance. If a licensed engineer is used, waiting until they can come could create a hardship for an applicant. The board requested that she do some research to see how other counties are handling the situation, and authorized her to purchase a gas auger.

Carol McDonald was present from Public Health to provide budget information for the board's upcoming budget amendment. Motion by Vail, second by Burnside, to set the date and time of the public hearing to amend the FY'00 budget as May 23, 2000, at 10:30 a.m. in the Boardroom. Carried.

The board discussed information provided by Emergency Management Coordinator Bob Christensen from the Sioux City Fire Department regarding the county's Hazmat agreement.

Motion by Burnside, second by Crampton, to approve and to authorize the Chairman to sign the minutes of the 4/25 meeting as printed. Carried.

Regarding the choice between Delta Dental and Blue Dental, it was the consensus of the board to stay with Delta Dental as the county's provider of dental insurance for FY'01, the premium being slightly lower than Blue Dental. The auditor was directed to prepare a letter to Delta Dental addressing some concerns from employees and administration.

Region 3-NWIPDC recently received \$50,000 in a Rural Business Enterprise Grant (RBEG) which requires a \$50,000 match. It was the consensus of the board to agree to support a proposal that the matching funds from this county come from the SLADC Revolving Loan Fund. Supervisors Bruns and Gustafson will take this consensus to the next SLADC Revolving Loan Fund Trustee meeting.

Motion by Vail, second by Burnside, to appoint Elmer Lubinus, Marathon, as a 'farmer' representative on the Eminent Domain Compensation Commission replacing Larry Anderson who has moved out of the area. Carried.

Having received a letter from Drainage Attorney, Gary Armstrong, who had reviewed the drainage petition filed for DD #81 on 4/17/2000, motion by Vail, second by Burnside, to appoint Kuehl & Payer, Ltd. as engineers to make the appropriate surveys in order to determine the nature and extent of any needed improvements, and to prepare a report with estimated costs. Carried.

Sheriff Chuck Eddy, Deputy Sheriff Don McClure, BV Co CPC Dawn Mentzer, Season's Center Executive Director Joan Blundall, and Clinical Manager Karla Manternach were present for the board's consideration of the Season's Center proposal for a project to provide mental health services in the jail. The project has been designed to meet the Civil Rights of Institutionalized Persons Act (CRIPA) requirements and to avoid the liability problem Black Hawk County faced with inadequately trained persons doing assessments. The county attorney will review the proposed agreement for the pilot project. Motion by Gustafson, second by Crampton, to enter into an agreement, subject to the review of the County Attorney, with the Season's Center for the training component of the mental health services in the jail project at a cost of \$1,500. Carried.

Motion by Burnside, second by Vail, to adjourn at 11:40 a.m. until Tuesday, May 9, 2000, at 8:30 a.m. for a regular session

**BOARD OF SUPERVISORS MEETING
TWENTY-FIRST MEETING, 2000 SESSION (21)
MAY 9, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 9, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Motion by Burnside, second by Gustafson, to amend the agenda by adding: appointments to Courthouse/Judicial Security Committee. Carried.

CPC Dawn Mentzer met with the board on several personnel matters. Upon receipt of a written request from Trisha Demers, motion by Crampton, second by Gustafson to go into **closed session** pursuant to Chapter 21.5 (1i). Ayes—Burnside, Crampton, Gustafson, Vail. Nays—none. Carried. At the completion of the closed session, motion by Gustafson, second by Burnside, to re-open the meeting. Ayes—Burnside, Crampton, Gustafson, Vail. Nays—none. Carried.

Motion by Crampton, second by Gustafson, to accept the **resignation** of Trisha Demers as Case Manager effective 5/31/2000. Carried.

Mentzer requested that Anita Hallquist be appointed to serve on the personnel interview committee as an outside, 3rd party, and that one member of the board also serve on the committee. It was the consensus of the board that Mentzer begin advertising immediately for an opening in the **Community Services** department, and that Anita Hallquist and Jim Gustafson serve on the interview committee.

Motion by Gustafson, second by Burnside, to approve a \$500 **raise** effective 6/1/2000 for Wanda Woltman, reflecting a promotion from social worker to case manager. Carried.

Mentzer also reported on the new development in the **managed care plan** for one consumer which will result in substantial savings to the county..

Motion by Vail, second by Crampton, in response to a request from Judge Richard Vipond, 3rd District, to appoint the following persons to the **Courthouse/Judicial Security Committee**: Sheriff Chuck Eddy, Head Custodian Dewyne Stucynski, Supervisors Lorna Burnside, Herb Crampton, Assistant County Attorney Dave Patton, Representative Russ Eddy, Senator Mary Lou Freeman, and County Auditor Karen Strawn. Carried.

Engineer Jon Ites presented a proposal from Kuehl & Payer to provide engineering services on the M-31 project. Motion by Vail, second by Gustafson, to accept, and to authorize the board members to sign, the proposal of Kuehl & Payer for consulting engineering services on **project #STP-11(47)-5E-11** in the total amount of \$6,950 for the preliminary survey, and \$36,450 for the county's share of the plan preparation, approval being contingent upon approval by the City of Alta. Carried.

It was the consensus of the board to approve the purchase of an air compressor for secondary roads, the item not being on the original **equipment purchase list** for the year.

Motion by Burnside, second by Crampton, to approve and to authorize the Chairman to sign the **underground construction permit** applications as follows:

- U.S. West by Paramount Designs, Inc. to install 3 pair buried service wire on the south side of Section 10, Maple Valley Twp, with the crossing through M-31 ROW between Sections 15 & 10;
- McLeod, USA, Irene SD, to bury telecommunication line at the following locations:
 - along C-49 east of Lake Ave to Hultgren Gerlach, and west of Lake Ave. to Bargloff's;
 - along Radio Road from Richland St. south to the City of Lakeside in the east ditch;
 - along Marina Rd into Casino Beach and lines to serve Casino Beach; and
 - in Bel Air Beach crossing 110th Ave. and into Schaller Addition.

Carried.

In response to a site inspection of the **Spectra lagoon** by DNR, the board requested that Ites arrange to have some gravel spread on the driveway to the lagoon so that access can be made when the ground is wet.

Zoning Director Kim Johnson informed the board that a food establishment license and special use permit are needed for the rodeo planned by Kelli Jones for the old sale barn site in Storm Lake on May 20. Motion by Gustafson, second by Burnside, to approve and to authorize the Vice-Chairman to sign the **Class B beer** and outdoor sales permit, subject to Jones obtaining the other required permits. Carried.

Johnson reported that the price for an auger to drill holes for **percolation tests** for septic permits, was almost twice the estimated price. She will look further.

Motion by Crampton, second by Vail, to approve the **minutes** of the May 2 meeting as printed, and the following **reports**: April Clerk's fines, forfeitures, surcharges; April Conservation Board minutes; April budget reports; April minutes of the NWPIDC Board; April BV Co. general ledger report; 5/3/2000 – Courthouse boiler inspection report. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Vice-Chairman to sign an agreement with Wellmark to provide renewal and flex benefits administration services for FY2001. Carried.

Susan Hoss, Child Support Recovery Unit Supervisor, was present to renew the CRSU agreement with the county for the upcoming year 3-year period. Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign a 3-year contract with Iowa DHS for child support recovery services for FY'01-03. Carried.

Motion by Gustafson, second by Vail, to adjourn at 11:20 a.m. until Tuesday, May 16, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
TWENTY-SECOND MEETING, 2000 SESSION (22)
MAY 16, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 16, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Conservation Board members Arnie Hicks, Dwayne Kay, Rick Meyer, and Tony Bodholdt, Director Gary Christiansen, and Secretary Diane Christiansen, were present to discuss repairs for the Linn Grove Dam. Christiansen explained that a leak is developing in the dam. An inspection has revealed two potential locations for repair. He requested that the unexpended portion of their current year's budget be transferred to the Conservation Land Acquisition Trust Fund to be used for the repairs, if the Conservation Board decides to proceed with them. Choices are to do nothing and see what happens, make the 'band-aid' repairs that have been proposed, or wait for additional deterioration and run the risk of having the state order that the dam be removed, since replacement would be cost-prohibitive. Secretary Christiansen provided a review of the expenditures on the dam, going back to the '70's, and the revenues that have gone toward repairs: \$542,783.14 (exp) vs. \$297,154.58 (rev including REAP funds, FEMA funds, and sales tax reimbursements). The balance of the revenue has come from property tax. Christiansen estimated that approximately \$10,000 may be available in the current year's working budget. Repairs being considered would utilize this amount, plus most of the funds available currently in the CLAT Fund. It was the consensus of the Board of Supervisors to approve transferring unspent operating funds to the CLAT Fund, if the Conservation Board decides to proceed with the repairs.

Environmental Health Director Kim Johnson discussed her investigation of a site on the creek South of Truesdale. Raw sewage from Truesdale is dumping into the ditch for approximately ¾ mile. The city has already been in touch with an engineer on the matter. DNR has been notified, and will advise the city that the dumping must cease. Johnson will be meeting with the Truesdale City Council.

Motion by Burnside, second Crampton, to amend today's agenda by adding Dave Zimple from the Region 5 Hazmat Response Team at 10:30 a.m. Carried.

Motion by Crampton, second by Vail, to approve the minutes of the 5/9 meeting as printed. Carried.

Drainage Clerk Barb Henrich, and Auditor Strawn reviewed the need for levies in several drainage districts. Motion by Vail, second by Burnside, to order levies (levies to be 10% over the minimum levy required with interest calculated to 4/30/00) in the following drainage districts with a levy date of September 1, 2000, due and payable September 1, 2000, delinquent October 1, 2000, and 9% waiver interest: DD#3 & 3 Ext - 25%; DD#51 -51%; DD#58 - 35%; DD #62 - 109%; DD#94 - 21%; DD#102 - 52%; DD#131 - 21%; DD#147 - 32%; DD#166 -21 %. Carried.

Burnside left the meeting.

Emergency Management Coordinator Bob Christensen and Chairman Bruns reported on a recent Hazmat meeting.

Motion by Gustafson, second by Vail, to approve the following **reports**: Jan, Feb, Mar Recorder's fees, 3/1 and 4/12 Communications Commission minutes, insurance loss runs through 4/30/00. Ayes—Crampton, Gustafson, Vail. Nays—none. Carried.

Motion by Vail, second by Crampton, to approve a claim for **DD #274 Jt. (MOD)** to Richards Construction Co. in the amount of \$2,440.00. Carried.

Dave Zimple from the **Region 5 Hazmat Response Commission** met with the board to provide information about the Region 5 organization which is made up of nine counties including Hamilton, Wright, Webster, Humboldt, Pocahontas, Calhoun, Greene, Carroll, and Sac. This organization contracts with the Fort Dodge Fire Department. Each member county has a county supervisor on the commission making the decisions, and the commission owns the equipment which is a rig obtained on a lease-purchase agreement from a local bank. The Commission currently charges \$1/capita, and each county paid an original \$1,000 start-up fee. If Buena Vista were to join, we would have to pay the \$1/capita for the same number of years as the original counties paid at that rate, plus the one time \$1,000 fee. The Commission isn't currently budgeting for a replacement vehicle, but they are looking to replace the trailer used for carrying the equipment and supplies plus command center equipment, with a truck which would be larger and safer on the road. This could be used as a command center in other types of disasters as well, such as tornadoes. Zimple noted their success in collecting the cost of cleanup from the 'spillers'.

The Chairman stated that the Assistant Fire Chief of the Sioux City Fire Department would be willing to meet with the Board to answer questions about **Hazmat**. No action was taken at this time.

Motion by Vail, second by Gustafson, to adjourn at 11:30 a.m. until Tuesday, May 23, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWENTY-THIRD MEETING, 2000 SESSION (23)
MAY 23, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 23, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Environmental Health Director Kim Johnson informed the board that **waste tire** money is available to Buena Vista County from the DNR, this summer, to clean up sites with large numbers of waste tires, including the Foster, Miller and Spragg sites.

Motion by Crampton, second by Vail, to approve and to authorize the chairman to sign the renewal of the **S.H.I.E.L.D.** agreement for FY'01. Carried.

Insurance agent Clark Fort was present to discuss policy renewals for FY'01. The legislature has now defined the coverage which is provided under worker's compensation for casual volunteers. 'Fleet coverage' includes licensed, motorized vehicles. The board will insure contractor's equipment with a \$50,000 or greater value.

Engineer Jon Ites discussed the properties to be **auctioned** tonight.

Ites presented a utility permit for approval. Motion by Burnside, second by Gustafson, to approve and to authorize the chairman to sign the **utility construction permit** application of Rolly Roberts, (with Nepple Electric to perform the work), for installation of a cable to be buried across the road north to a new well on county road 650th St., 5 miles south of Storm Lake, 1370 ft west of the southeast corner of Section 25 T90N R37W. Carried.

10:30 a.m. – The time having arrived for the **public hearing** on an amendment to the FY'00 budget, the Chairman opened the hearing with 1 media person present. The auditor noted that notices were published as required by law, and then reviewed the amendment. There being no objections, motion by Vail, second by Burnside, to close the public hearing. Carried.

Motion by Crampton, second by Vail, to approve the FY'00 **budget amendment** with the expenditures totaling \$11,039,207, and including the following appropriations amendments:

increase	activity 0010	fund 001	dept. 26 by	\$15,000
increase	activity 0200	fund 020	dept. 20 by	\$210,000
Increase	activity 2120	fund 002	dept. 31 by	\$42,000
Increase	activity 3040	fund 001	dept. 23 by	\$94,000
Increase	activity 6030	fund 020	dept. 20 by	\$10,000
Increase	activity 7200	fund 020	dept. 20 by	\$17,500
Increase	activity 7230	fund 020	dept. 20 by	\$130,000

Carried.

General Relief Director Paula Guerra reviewed the elements of a **general relief appeal**. The appellant discussed the circumstances of his request. The hospital will require a denial before agreeing to discuss adjusting the bill. Motion by Gustafson, second by Burnside, to deny this appeal at the present time. Ayes—Burnside, Crampton, Gustafson. Nays—none. Abstentions—Vail. Carried.

Emergency Management Coordinator Bob Christensen updated the board with information comparing Sioux City **Hazmat** Response, and Fort Dodge Hazmat Response.

Motion by Vail, second by Gustafson, to approve the **minutes** of the 5/16 meeting as printed. Carried.

Motion by Burnside, second by Crampton, to approve and to authorize the Chairman to sign the **NACo 2000 Credentials** naming Supervisor Gustafson as the Designated Delegate. Carried.

There being no further business until tonight's 2 auctions, motion by Vail, second by Burnside, to **recess** at 11:25 a.m. until 6:00 p.m. at the Newell site. Carried.

Boardmembers Burnside, Vail and Vice-Chair Crampton, Assistant Co. Attorney Rick Kimble, Engineer Ites and Auditor Strawn assembled at the site of the old Newell secondary road shed for the purpose of holding an auction of the land and shed. There were 30 interested persons present. Supervisor Vail announced the terms of the sale, and then proceeded with the auction. At \$8,200 the bidding was stopped. The board rejected that price as it did not meet their minimum bid. Motion by Burnside, second by Vail, to recess the meeting at 6:30 p.m. and to reconvene at 7:00 p.m. at the Storm Lake site. Carried.

Boardmembers Gustafson, Vail and Vice-Chairman Crampton, Assistant Co. Attorney Kimble, Engineer Ites, and Auditor Strawn assembled at the old 'Hollywood' site in Storm Lake for the purpose of holding an auction of the vacant lot. There were 9 interested persons present. Supervisor Vail announced the terms of the sale, and then proceeded with the auction. The final bid of \$10,000 submitted by Doug and Sharen Peters was accepted. Motion by Vail, second by Gustafson, to approve and to adopt Resolution No. 2000-05-23 to dispose and convey the property. The roll call vote on this resolution was: Gustafson-aye, Vail-aye, Crampton-aye. Nays—none. Abstentions—none. Carried.

RESOLUTION NO. 2000-05-23
(Resolution to Dispose and Convey)

A RESOLUTION PROVIDING FOR THE DISPOSAL AND CONVEYANCE OF: the North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of West Half (W1/2) Southeast Quarter (SE1/4) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad; more generally known as the county storage yard just south of Peters Trucking on Memorial Road.

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

SECTION 1. PURPOSE. The purpose of this resolution is to dispose of and convey the North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of West Half (W1/2) Southeast Quarter (SE1/4) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad; more generally known as the county storage yard just south of Peters Trucking on Memorial Road.

SECTION 2. FINDINGS OF FACT. The Board of Supervisors hereby makes the following findings:

1. Buena Vista County, Iowa, is the owner of the North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of West Half (W1/2) Southeast Quarter (SE1/4) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad.

- The Board of Supervisors of Buena Vista County has determined that it would be in the best interest of the County and its citizens to sell the above described real property and in connection therewith to hold a public auction on May 23, 2000 at 7:00 p.m.
- In accord with the instructions of the Board of Supervisors, there was published in the Storm Lake Pilot-Tribune (on April 20, 2000), and the Buena Vista County Journal (on April 19, 2000), papers having general circulation in Buena Vista County, the dates being not less than four nor more than twenty days before the date of this hearing, notice of intent to dispose and convey the North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of West Half (W1/2) Southeast Quarter (SE1/4) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad.
- In accord with the instructions of the Board of Supervisors there was published notice of the public auction in connection with said disposal and conveyance. Said notice was published in the Storm Lake Pilot-Tribune on May 16, 18 & 20, 2000, in The Times on May 5/17, 2000, in the BV Advertising Guide on 5/17, 2000, and the Shopper on 5/16, 2000. All of said papers have general circulation in Buena Vista County.
- A public auction was held for the sale of the North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of West Half (W1/2) Southeast Quarter (SE1/4) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad on March 23, 2000, and Doug and Sharen Peters, placed the highest bid at the auction - \$10,000.
- The Board of Supervisors has determined that said offer is a fair and reasonable offer for said property and that the acceptance of the bid would be in the best interest of the County of Buena Vista and its citizens and that said offer should be accepted and said property sold in accordance therewith.

SECTION 3. DISPOSAL AND CONVEYANCE. The bid for the purchase of the North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of West Half (W1/2) Southeast Quarter (SE1/4) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad, by Doug and Sharen Peters, the same is hereby accepted on behalf of the County of Buena Vista, Iowa, and said property as described above is hereby sold to said bidder and the Chairperson of the Board of Supervisors and County Auditor are hereby directed to execute and deliver a Warranty Deed from the County to the respective bidder upon payment of the total purchase price as accepted.

SECTION 4. REPEALER. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

SECTION 5. EFFECTIVE DATE. This resolution shall become effective after its passage.

ADOPTED THIS 23rd day of May, 2000.

/s/ Herb Crampton, Vice Chairperson of the Board of Supervisors, Buena Vista County
 Attest: /s/ Karen M. Strawn, Buena Vista County Auditor

Motion by Vail, second by Gustafson, to adjourn at 7:25 p.m. until Tuesday, May 30, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
 TWENTY-FOURTH MEETING, 2000 SESSION (24)
 MAY 30, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 30, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Attorney John Murray met with the board to discuss a claim he had filed on behalf of the county against the estate of Neal Nielsen for delinquent taxes. He will review the status of the file to consider a proceeding with a hearing request.

Treasurer Kathy Bach presented 2 tax suspension requests and recommended tax abatements and drainage assessment abatements on several properties. Motion by Burnside, second by Gustafson, to **suspend** taxes beginning with those payable in the current year on parcel #871.00 and on parcel #5487.00 pursuant to Chapter 427.9 of the 1999 Code of Iowa. Carried.

Motion by Vail, second by Crampton, to **abate** the drainage assessments payable in the current year on parcel #'s 000320-000 (DD #34 - \$5.00) and 000330-000 (DD #47 - \$92.00), the assessments being uncollectible since they are owned by defunct railroads. Carried.

Vice-Chairman Crampton assumed the chair while Chairman Bruns stepped out of the meeting.

Motion by Vail, second by Burnside, to **abate** all of the taxes in the amount of \$982.00 on tax sale certificate 9413.1 for mobile home VIN #11-W049655 which has been junked. Ayes—Burnside, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

Motion by Burnside, second by Vail, to **abate** the current taxes (\$74.00) on a mobile home (title #11-W100177), the property being a mobile home which has been removed. Ayes—Burnside, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

Motion by Burnside, second by Gustafson, to **abate** the delinquent taxes, interest and costs on the following tax sale certificates which were previously assigned to the City of Newell with the agreement that taxes would be abated when the city took title:

<u>certificate #</u>	<u>parcel #</u>	<u>total abated</u>	<u>certificate #</u>	<u>parcel #</u>	<u>total abated</u>
1861	2717.00	\$11,457.35	9239	3113.25	\$2,411.97
1862	2721.50	\$5,802.68	9240	3125.00	\$6,837.97
9236	2764.00	\$2,923.97	9407.1	2960.50	\$2,818.90
9237	2774.00	\$8,301.97	bldg/leased land	on 2960.50	\$2,001.00

totaling \$42,555.81. Ayes—Burnside, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

After discussion, it was the board's consensus to proceed to take deed on **tax sale certificate** parcels, after the June tax sale.

Sheriff Chuck Eddy introduced Kory Elston to the board as the new deputy sheriff.

Vice-Chairman Crampton relinquished the chair as Supervisor Bruns returned.

DHS Area Administrator Lyle Fleshner was present at Gustafson's request to discuss some of this year's legislation, including funding changes. The chairman asked whether the cost of building a parking lot would be eligible for cost reimbursement. Reimbursement is possible if the expense is tied directly to DHS. Site development costs (\$2,500-3,000/space) are high to get at most 12 parking spaces.

Supervisors Bruns and Crampton discussed the Region 5 **Hazard Response** meeting they had attended in Fort Dodge. After hearing about the benefits available from Region 5, it was the consensus of the board to contact Sioux City and request to be released from the county's agreement with the City of Sioux City, citing three reasons: Sioux City's apparent expansion of its service area, the amount of time required to attend training at out-of-county sites, and the proposed amendments to the Sioux City agreement. The chairman will write a letter for the county attorney's review.

Bob Christensen, Chairman, Supervisor Mark Van Hooser, and Ass't Supervisor Sarah McClure of the Communications Commission were present to discuss equipment needs and a budget issue. The commission is considering installation of 2-4 base receivers to improve communication throughout the county. Currently, the geography in some areas prevents adequate, or any communication. To pay for the project, they proposed beginning with just 2 locations (Newell and Sioux Rapids) plus the base. The Commission proposes to do the project during FY'01 rather than try to rush it in order to pay the costs during the remainder of the current fiscal year. They requested that the board consider appropriating an additional \$21,000 in their FY'01 budget, this being the amount of anticipated unspent FY'00 **Communications Center** operation funds. It was the consensus to agree to amend the FY'01 budget and appropriate the funds to the Comm. Center.

Engineer Jon Ites reported having been contacted about the lot and building in Newell which was not sold at the 5/23 **auction**. It was the consensus of the board that anyone interested should be referred to Ites, and directed to submit a proposal.

Motion by Vail, second by Gustafson, to set the public hearing date to review the construction plan for county road **C-13** as July 10, 2000, at 7:00 p.m. in the American Legion building in Sioux Rapids. Carried.

Sac County is currently inspecting its bridges. They have notified Ites that the **bridge over the Raccoon River** may need to be closed. The estimated cost to replace would be \$300,000-320,000, or \$25,000-30,000 to remove. Since the bridge is on the county line, the expense would be shared by the two counties.

Motion by Vail, second by Gustafson, to purchase 50,000 ton of **gravel** at \$2.57/ton from Hallett Materials from the Salts Pit in Clay County. Carried. Ites noted that if the gravel is not of satisfactory quality, the purchase will be halted prior to 50,000 ton.

Supervisor Burnside asked the board for a site investigation on **Drainage District #1** where tree and brush removal efforts have failed and substantial growth is comprising the facility. No specific action was taken at this time, but the need was duly noted.

Veterans Services Officer Clint Hoferman was present to request an increase in **appropriations** in his current budget. Motion by Vail, second by Gustafson, to increase the appropriation for activity 5100 – fund 001 – dept 27 by \$1,600 and to decrease the appropriation for activity 5200 – fund 001 – dept 98 by \$1,600. Carried.

Burnside left the meeting to deliver meals-on-wheels.

There being a need to order levies for **DD #22 Jt.**, motion by Vail, second by Gustafson, to approve a motion of the Joint Board of Trustees of DD #22 to adopt Resolution 2000-05-30 ordering levies in Jt. DD #22. Carried. “Motion by Clay Co. Supervisor Sylvia Schoer, seconded by Buena Vista Co. Supervisor Richard Vail, that Resolution 2000-05-30 be adopted.

“RESOLUTION 2000 - 05 - 30

“WHEREAS, there are now outstanding warrants and claims against Joint Drainage District #22 Branch 19 Tile and Joint Drainage District #22 Lateral 19-9 and joint Drainage District #22 Lateral 183-60-8 and there being insufficient funds to make solvent said accounts 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 against all lands, tracts, real estate, highways and railroads within Joint Drainage District #22 on the assessment schedules of the said tile lines as follows:

Branch 19 Tile	\$2,591.08	6%
Lateral 19-9	\$2,467.13	50%
Lateral 183-60-8	\$3,783.48	200%

“BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended shall be collected with the current property taxes due September 30, 2000, except that any single assessment on any parcel exceeding \$100 shall qualify for a waiver of installment option of two payments and any single assessment on any parcel exceeding \$300 shall qualify for a waiver of installment option of three payments.

“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, /s/ Chairperson, Clay County Board of Supervisors, Attest: /s/ Clay County Auditor

“Date, /s/ Chairperson, Palo Alto County Board of Supervisors, Attest: /s/ Palo Alto County Auditor

“Date, /s/ Chairperson, Buena Vista Co. Board of Supervisors, Attest: /s/ Buena Vista County Auditor”

Motion by Gustafson, second by Vail, to set the date and time of public hearing for the second FY’00 **budget amendment** as 10:30 a.m., June 20, 2000, in the boardroom. Carried.

Motion by Crampton, second by Gustafson, to approve Resolution 2000-05-30a. Carried.

RESOLUTION 2000-05-30a

WHEREAS, the Buena Vista County Board of Supervisors has signed an agreement stating that the county shall act as the fiscal agent for the 3-County Empowerment Agency, and

WHEREAS, the first expenditures made for the 3-County Empowerment Agency for the Family Steps program, in the amount of \$4,302.94 were made from the General Fund, and

WHEREAS, the 3-County Empowerment Agency received funds from the State of Iowa which were deposited into an agency fund (082) named "3-County Empowerment Agency", which is hereby now approved and established,

BE IT THEREFORE RESOLVED that the Buena Vista County Auditor is hereby directed to reimburse the General Fund (001) by making a transfer in the total amount of \$4,302.94 from the 3-County Empowerment Agency fund (082) to fund 001-General Fund

PASSED & APPROVED this 30th day of May, 2000.

/s/ Doug Bruns, Chairperson,
Buena Vista County Board of Supervisors

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

Motion by Crampton, second by Gustafson, to approve the minutes of the 5/23 meeting as printed with the correction of the spelling of one name. Carried.

Motion by Vail, second by Crampton, to adjourn at 11:30 a.m. until Tuesday, June 6, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWENTY-FIFTH MEETING, 2000 SESSION (25)
JUNE 6, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 6, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Vail.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Burnside, Crampton, Gustafson. Nays—none. Carried.

HHA Director Marilyn Monson discussed the current year revenues and expenditures for her department – actuals vs. original projections, noting areas of substantial difference. Many more dollars are now coming available causing other agencies to apply and compete for the funds. The Senior Living Trust fund, a new concept to DHS, provides federal and state funds to expand services to elderly Title XIX clients for assisted living services. Monson also discussed mileage reimbursement for her aides who provide their own vehicle and auto insurance, in some cases at higher limits than the aides would otherwise carry. The supervisors indicated that they would look at an increase beginning July 1. Monson also informed the board of another class for persons interested in serving in the 'payee program.'

'Family Steps' Case Manager Diane Briest presented information to the board about her program, which is funded by the 3-County Empowerment Board. Family Steps is a 'family support program' intended to foster a healthy start in life for the child and, to reduce the stress on the family associated with the birth of a baby. Briest supervises the employees of other agencies when they provide "family steps" services. A "school ready" grant pays for the visitations which are available at no cost to the family.

Zoning Director Kim Johnson brought to the attention of the board, a recorded survey. If the property surveyed is conveyed to a new owner, subdivision rules will apply. Also, another proposed parcel division, which carves out a site for ag buildings, leaves an un-salable lot.

Engineer Jon Ites discussed the timetable for the budget amendment for the FY'01 budget, with the hearing to be held 7/18/2000. Projects originally scheduled for completion and payment in the current year, will now be paid out in FY'01. Ites reported some interest in taking down the trees on the south side of Section 34, Maple Valley which was recently considered in discussing a proposed road closing by Sac and Buena Vista Counties. Requests for bids for the season's fuel supply are going out today, to be returned for June 20 opening. It was the consensus of the board to approve making rocks cleared from the ditches by Secondary Road personnel, available for the Storm Lake Gateway project.

Ites estimated the number of intersections in the county that might be considered for lighting at 80. The cost to do all is prohibitive. Burnside suggested updating the traffic counts as a criteria for selection decisions. She also suggested looking at whether the county road abuts a state highway as another criteria. No action was taken.

A request for seal-coating on a gravel road was received. The board discussed what to do with this type of request, since the action taken on this one would impact future requests. Gustafson supports providing this type of upgrade for rural subdivisions. Motion by Gustafson, second by Crampton, to proceed at county expense to seal-coat the north-south portion of White Cap Road. Carried.

Motion by Gustafson, second by Burnside, to approve the minutes of the 5/30 meeting as printed, and May budget reports. Carried.

Motion by Burnside, second by Crampton, to adjourn at 12:15 p.m. until Tuesday, June 13, 2000, at 8:30 a.m. for a special session to canvass the results of today's Primary Election.

**BOARD OF SUPERVISORS MEETING
TWENTY-SIXTH MEETING, 2000 SESSION (26)
JUNE 13, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 13, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Upon completion of the Canvass pursuant to Chapter 50.24 of 1999 Code of Iowa, motion by Vail second by Burnside, to declare the results as listed below, to prepare abstracts for submission to the Secretary of State, and to prepare 'notice of nominations' to the political party chairpersons as required. Ayes—Burnside, Crampton, Gustafson, Vail. Nays--none. Abstentions--none. Carried. [Note: persons receiving 5 or less votes will be listed together under the title 'Scattering', and the votes cast for those listed under scattering will be added together. For Township offices only: 1) all write-ins are shown; 2) 5 write-in votes are required to nominate. For those offices voted upon by the entire county or one of its subdivisions, the person declared nominated will be designated as -N. Where no name with an 'N' is shown, there is no nominee for that office on that political ticket.]

Total votes cast: Dem-207, Rep-587, (794 total)

Offices	Democratic	Republican
U.S. Representative-5th	75-Conrad Lawlor 95-Mike Palacek 1-Scattering	68-Thomas D. Hall 506-Tom Latham 2-Scattering
State Representative, 9th	14-Robert E. Byers 1-Scattering	66-Dan A. Huseman 2-Scattering
State Representative, 10th	147-Sue Morrow	458-Russell Eddie 3-Scattering
Co. Supervisor-2nd Dist.	3-Scattering	503-Lorna Burnside-N 3-Scattering
Co. Supervisor-3rd Dist.	150-Tom Ellis-N 1-Scattering	486-Herbert D. Crampton-N 1-Scattering
County Auditor	4-Scattering	543-Karen M. Strawn-N
County Sheriff	180-Chuck Eddy-N 6-Scattering	441-Gary Launderville-N 15-Charles Eddy 10-Scattering
Township Trustees (2/township):		
Barnes	4-Larry Rittscher-N	7-Richard Noll-N
Brooke		12-Wendell Nothwehr-N
Coon		2-Dennis Gutz-N 2-Arden Jorgensen-N
Elk	4-Craig Rehnstrom-N	

Fairfield	1-Jim Roberts (write-in)	12-Waldo Johnson-N 11-James E. Peterson-N
Grant		7-Dan P. Ehlers-N 6-Gilbert Wilkens-N
Hayes		20-James R. Foell-N 18-Don Jackson-N
Lee	2-Ed Madsen-N 3-Greg Sundblad-N	
Lincoln	3-Tom Cavanaugh-N 2-Scattering	
Maple Valley		4-Roger Kuhrts-N 6-Max L. Taber-N
Newell		
Nokomis		5-Ray C. Mortensen (write-in)-N 2-Marlin Friedrich (write-in) 2-Paul Hill (write-in)
Poland	3-Larry Weishaar-N	1-Robert L. Anderson (write-in)
Providence	8-Paul Smith-N	6-Everett Von Ehwegen-N
Scott	2-Ervin Brake (write-in)	1-Irvin Brake-write-in
	2-Wencil Small (write-in)	1-Wencil Small-write-in
Washington		0-Paul Merten
Washington Clerk		0-Terry Stull

Engineer Jon Ites reported that Equity Contracting, Adel, IA, had submitted a proposal to seal **bridge decks** in the amount of \$13,907.66. It was the consensus of the board that he accept the proposal.

Motion by Burnside, second by Gustafson, to approve the **minutes** of the 6/6 meeting as printed, and the following **report**: May Clerk's fines, forfeitures and surcharges. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign the **DD #22 Jt.** Branch 65 claim to Palo Alto County Secondary Roads for repair of plugged tile in the amount of \$631.35. Carried.

Motion by Burnside, second by Gustafson, to re-appoint Rhonda Christensen as Buena Vista County's citizen representative on the **3-County Empowerment Board** for the term beginning 7/1/2000. Carried.

Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign a letter to the Iowa Dept. of Economic Development requesting an extension on the grant agreement which is providing the funds for the **housing needs assessment survey** being performed for Buena Vista County by NWIPDC, the current agreement due to expire July 6, 2000. Carried.

Due to publication problems requiring the setting of another date, motion by Vail, second by Burnside, to set the public hearing date as follows for the 2nd **budget amendment** for FY'00: June 27, 2000, at 10:30 a.m. in the boardroom. Carried

Motion by Burnside, second by Vail, to set the date of public hearing for the Norm Wolfe **subdivision request** as June 20, 2000, at 8:30 a.m. Carried.

It was noted that the **Warranty Deed** and Closing Statement were signed by the Chairman, as previously approved, for the MCS Addition property purchased at auction from the county by Larry and Barb Lucht, on 4/18/2000.

There being no further business, motion by Vail, second by Burnside, to adjourn at 10:30 a.m. until Tuesday, June 20, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWENTY-SEVENTH MEETING, 2000 SESSION (27)
JUNE 20, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 20, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

8:30 a.m.—The time having arrived for the public hearing on the subdivision request of Norm Wolff, the Chairman opened the hearing with 2 interested persons present. Zoning Director Kim Johnson confirmed that proper notice had been published as required, and then reviewed the elements of the Wolff request. The Zoning Commission recommended approval with the stipulation that if the property is ever sold, access to a remainder parcel would be made available. There being no objections, motion by Vail, second by Crampton, to close the public hearing. Carried. Motion by Burnside, second by Vail, to accept the Zoning Commission's recommendation to approve the Wolff subdivision request, to adopt Resolution 2000-6-20, and to authorize the Chairman to sign. Carried.

Resolution 2000-06-20

WHEREAS, Norman W. and Pamela A. Wolff have presented a preliminary and final plat (of survey) on the following described property:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE¼ SW¼) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southwest Quarter (SW¼) of said Section 24; Thence on a previously recorded bearing of North 90° 00' 00" West, along the South line of said Southwest Quarter (SW¼), 367.71 feet to the Point of Beginning. Thence continuing along said South line, North 90°00'00" West, 50.00 feet; Thence North 00°00'00" East, 234.65 feet; Thence South 89°14'43" West, 141.07 feet; Thence North 01°01'27" West, 371.57 feet; Thence North 89°14'43" East, 554.52 feet to the East line of said Southwest Quarter (SW¼); Thence South 01°01'27" East, along said East line, 371.57 feet; Thence South 89°14'43" West, 363.45 feet; Thence South 00°00'00" West 235.31 feet to the Point of Beginning.

Hereafter known as Lot A of Section 24, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 5.00 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: when Lot A of Section 24, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa is sold an easement is required to grant access to the noncontiguous portion of the original lot.

WHEREAS, the final plat meets with the approval of the Board subject only to the following if any: when Lot A of Section 24, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa is sold an easement is required to grant access to the noncontiguous portion of the original lot.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that the final plat Lot A of Section 24, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa is hereby accepted subject to the following if any: when Lot A of Section 24, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa is sold an easement is required to grant access to the noncontiguous portion of the original lot.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of Lot A of Section 24, Township 90 North, Range 35 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 20th day of June, 2000.

/s/ Doug Bruns, Chair Board of Supervisors /s/ Karen M. Strawn, County Auditor

Greene County Supervisor Gene Blanshan was present to discuss the Raccoon River Watershed. A non-profit organization, Agriculture's Clean Water Alliance (ACWA), has been formed to facilitate study, planning, funding, and improvement of the watershed. Blanshan is working on several initiatives. On behalf of the ACWA, Blanshan requested the cooperation and support of Buena Vista County.

Engineer Jon Ites presented fuel quotes from FS Energy, Storm Lake, First Coop, Cherokee, and Newell Coop, Newell. Motion by Gustafson, second by Burnside, to accept the low bid margin of First Coop, Cherokee, for the FY'01 supply of fuel. Carried.

Motion by Vail, second by Crampton, to adopt and to authorize the Chairman to sign Resolution 2000-6-20a. Carried.

RESOLUTION #2000-06-20a

County Bridge #	Location	Weight Limit in tons by vehicle type			
		Type 4	Type 5	Type 6	Gross
66	Near SW corner Sec. 4 Lee	20	30	30	
213	W.side Sec. 36 Brooke				12

The vote on the resolution was: ayes-all, nays-none. Signed this 20th day of June, 2000 at Storm Lake, IA.

/s/ Doug Bruns, Chairman, Buena Vista Co. Supervisors
County

/s/ Karen Strawn, Auditor, Buena Vista

Motion by Crampton, second by Vail, to close by barricade bridge #212 to traffic, the bridge being located on the north side of Section 36, Brooke Township. Carried.

With Gustafson proposing an October 1 hiring date, and the Chairman suggesting September 1, it was the consensus of the majority of the board to advertise now for an equipment operator 1 position, to fill a vacancy due to an upcoming retirement.

Motion by Burnside, second by Gustafson, to set the date and time for bid letting on seal-coat projects as August 1, 2000, at 10:00 a.m. Carried.

Ites discussed quotes received for a backhoe from Ziegler Caterpillar and Swaney Equipment-John Deere. Motion by Gustafson, second by Burnside, to purchase a 426C backhoe from Ziegler - Caterpillar in the amount of \$71,680.00 5 yr./\$7,500 warranty. Carried.

The board took up the discussion of Genesis Director Terry Johnson's request to provide funding in the amount of \$20,000 for the Maywood waiver home. Motion by Gustafson, second by Burnside, to approve and to authorize payment to Genesis Development in the amount of \$20,000.00 from the MH Services fund (010) from the current budget, towards payment for the addition of the wall to the Maywood Home. Ayes—Burnside, Crampton, Gustafson, Vail. Nays—Bruns. Carried.

CPC Dawn Mentzer introduced Case Manager Wanda Woltman to the board, and presented her case management cost report. Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign the FY'01 projected case management cost report. Carried.

Mentzer reported on the impact to the county of mandated provider rate increases, the mandate being a result of HF2555.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign MH provider agreements with the Season's Center, Plymouth Life, Lutheran Family Services, Cass Incorporated, and REM of Iowa for FY'01. Carried.

Kenneth Mauer came before the board to discuss his concerns about the BVCH Ambulance Service and the Buena Vista County Hospital with regard to services provided to his wife.

Emergency Management Coordinator Bob Christensen updated the board on a recent LEPC meeting he had attended. The Chairman discussed the letter of response from Jim Allen regarding the

existing agreement with the Sioux City Fire Department for the provision of **Hazmat** Response services. The Chairman will contact Jim Allen for further information.

Motion by Crampton, second by Burnside, to approve the **minutes** of the 6/13 meeting as printed, and the following **reports**: minutes of the May regular and special Conservation Board meetings, May NWIPDC Board minutes. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the contract with the Iowa Department of Public Safety for **Emergency Medical Services** Training funding in the amount of \$6,752 for FY'01. Carried.

Motion by Burnside, second by Vail, to approve and to authorize the chairman to sign, a letter of support to accompany the application of NWIPDC to the IDED for funding from the local housing assistance program to be used to establish a **Housing Revolving Loan Fund**. Carried.

Motion by Gustafson, second by Crampton, to approve and to authorize the chairman to sign, a letter of support to accompany the application of Homeward, Inc. to IDED for funding from the local **housing assistance** program to be used for assisting rural families with their housing needs including low interest down payment assistance loans and low interest remodeling loans. Carried.

Engineer Ites reviewed with the board, an inquiry into the county's potential response to a proposal to put a **wetland** in a county drainage district.

There being no further business, motion by Vail, second by Crampton, to adjourn at 2:25 p.m. until Tuesday, June 27, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
TWENTY-EIGHTH MEETING, 2000 SESSION (28)
JUNE 27, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 27, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Head **Custodian** Dewyne Stucynski discussed repairs needing to be made at the E. Richland Annex for which funds are available in the current budget. Problems include a crack in the floor, brick needing tuck-pointing, doors requiring replacement. He requested that \$6,000 in unspent FY'00 budget funds be amended into the FY'01 budget to permit the repairs to be paid for in FY'01. The board approved.

Deputy Auditors Sue Kennedy and Jean Chindlund discussed several changes to **accounting** methods which will save administrative time.

The Board moved to the 2nd Floor PMR for a discussion of the **Rembrandt Enterprises** chicken farm and to hear the comments from several opponents to the project. Forty-six interested persons from the public were present. A petition stating "We, the undersigned, are opposed to the building of the proposed egg-laying and breaking facilities in or near the Rembrandt community", signed by 123 persons, was presented to the board. Two video tapes provided by the opposition group were shown showing chicken operations owned by other companies in Iowa and Ohio. The videos showed out of control fly problems.

Frank Klahs stated that technology to control flies in this kind of density doesn't currently exist. The feed additive that is proposed for use here works for only 2 weeks, and then is no longer effective. Beetles used in the Ohio operation weren't effective after awhile, and the beetle population got out of control. When manure is spread, the fly larva will also be spread.

Ron Madsen asked what the Board's role is in the chicken farm proposal. Response - the county would have control only over a zoning change request for the egg-breaking operation.

Supervisor Gustafson wondered why the company would propose to build without first getting the zoning change. The project appears to be ahead of itself. Gustafson doesn't know if the Board will actually have any approval responsibility or not.

Klahs listed other specific issues of concern: odor, transient employees, low wages, rodents, devaluation of property. Another person asked what effect would the new traffic have on the road system, can the county handle the cost? Can the county handle the cost of a lawsuit?

Senator Mary Lou Freeman suggested that the legislature will have to look at these issues and perhaps define new concepts and the laws that govern them.

Gene Lyster, who has done business with Glenn Taylor, owner of the land on which the chicken facility is to be built, suggested that Taylor be invited to meet with residents to get the facts out and to address the concerns of the people.

Chairman Bruns thanked those persons in attendance and noted that the board had a public hearing scheduled for 10:30 a.m. Boardmembers, except Gustafson, returned to the boardroom for the remainder of the meeting.

10:30 a.m. – The time having arrived for the public hearing on the 2nd amendment of the **budget** for FY'00, the chairman opened the hearing with 0 interested persons present. The auditor reported that due to a publication problem, this public hearing had been rescheduled from June 20 so that proper notice could be published in all 3 official county newspapers as required. The auditor reviewed that the amendment was for the juvenile liaison program which was started during the current fiscal year. There being no objections, motion by Vail, second by Burnside, to close the public hearing. Ayes-Burnside, Crampton, Vail. Nays—none. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign the 2nd amendment to the F'00 county budget as published, and to change the following **appropriation**: increase activity 5200 by \$118,234 in fund 001. Ayes-Burnside, Crampton, Vail. Nays—none. Carried.

Supervisor Gustafson returned to the meeting.

The board took up a discussion of an increase to the **mileage reimbursement rate** effective 7/1/2000. HHA Agency Director Marilyn Monson's request to the Board of Health for an increase to 32 cents has been approved. This rate applies to the agencies governed by the Board of Health. For other departments, the supervisors hesitated to make a change at the current time because of recent gas price fluctuation, and agreed to wait at least until after July 4th before making any changes.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign Resolution 2000-06-27b

RESOLUTION NO. 2000-06-27b

Resolution amending Resolution No. 2000-05-23, with respect to the Chairman signing a warranty deed.

WHEREAS, on May 23, 2000, the Board of Supervisors of Buena Vista County, Iowa, (the "County"), adopted Resolution No. 2000-05-23, with respect to disposing and conveying property sold at public auction; and

WHEREAS, it is now deemed necessary that Section 2 of Resolution No. 2000-06-23 be amended to reflect that Vice-Chairman Herb Crampton be authorized to sign the warranty deed in the absence of Chairman Doug Bruns, who was out of town and unable to sign;

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

Section 1. Section 3 of Resolution No. 2000-05-23, adopted May 23, 2000, is hereby amended to read as follows:

"SECTION 3. DISPOSAL AND CONVEYANCE. The bid for the purchase of the North 114 feet of Lot Eleven (11) of the Second Auditor's Subdivision of West Half (W1/2) Southeast Quarter (SE1/4) of Section Two (2), Township Ninety (90) N, Range Thirty-seven (37) W, lying South of the I.C.R.R. and West of the C.M. St. Paul & Pacific Railroad, by Doug and Sharen Peters, the same is hereby accepted on behalf of the County of Buena Vista, Iowa, and said property as described above is hereby sold to said bidder and the Vice Chairperson of the Board of Supervisors and County Auditor are hereby directed to execute and deliver a Warranty Deed from the County to the respective bidder upon payment of the total purchase price as accepted."

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed and approved June 27, 2000.

/s/ Doug Bruns, Chairperson, Board of Supervisors

Attest: /s/ Karen Strawn, County Auditor

There having been interest shown in a Newell property after an unsuccessful offering at public auction, Assistant County Attorney Rick Kimble has recommended a new **public hearing** to advise the public of the board's proposal to dispose of the property by sealed bid. Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign RESOLUTION 2000-06-27a, setting a date and time of public hearing regarding disposal of a property in Newell. Carried.

RESOLUTION 2000-06-27a

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

Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA; more generally known as the County Maintenance garage on Williams St. in Newell, IA.

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;

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 11th day of July, 2000, at 8:30 a.m. in the Boardroom 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 Buena Vista County Journal and the Storm Lake Pilot-Tribune, official county newspapers.

Passed, approved, and adopted this 27th day of June, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman Date
Board of Supervisors

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

Nurse Administrator Karole Graen discussed funds received in FY'00 for Medical administrative claiming. These funds were unanticipated when the FY'00 budget was prepared, and still unknown when the FY'00 budget was re-estimated in preparation of the FY'01 budget. The 1st FY'00 amendment, approved 5/23/2000, approved \$94,000 in increased expenditures, of which \$46,000 remains and now must be spent in FY'01 on the administrative claiming program. Graen requested a **budget amendment** in '01 in that amount, the public hearing for the amendment proposed to be held 7/18/2000. The board approved including the request.

Sioux City Fire Chief Bob Hamilton, HazMat/EMS Coordinator Jim Allen, and Brad Robinson from the department, discussed the county's 28E **Hazmat Response Services agreement** with the City of Sioux City. The board had requested that the SCFD release the county from the agreement because it provides no opportunity for the county to participate in the governing of the program, the county doesn't have any ownership of the equipment purchased, and, SCFD has added additional entities to their service area, which results in spreading a limited amount of resources over a larger area. Hamilton pointed out a number of advantages in the way that the agreement is written: the cost is coming down since we are into the program a couple years; the county does not have any liability for what happens in other counties that are also served by SCFD; Sioux City is funding depreciation in order to have funds available for replacement vehicles, and, the county has a known budget figure for the next 7 years. Although there is no ownership with the agreement, in the Region 5 agreement, which the board had discussed, if you leave the group, you take no ownership with you. That would happen only if the group dissolved, and then the depreciated value on partial ownership would not be very much. The board thanked the group for meeting with them. It was generally agreed that more communication would be a benefit to both groups.

Home Care Agency Director Marilyn Monson discussed her grant application for Senior Living Trust funds – a new funding source designed to assist clients so that they can continue to live in their own homes as long as possible. The grant is being written to include moderate as well as low income elderly,

and to expand and enhance homecare aide services including personal senior companion, respite care, assisted transportation, chore service for inside work only, payee program office and program costs, and assistive devices. Monson also discussed the difficulties in trying to find and keep the aides once they have been trained. She reported that the Board of Health had approved a \$2.25/hr increase for aides, and increases of 10% for herself and the agency secretary, all effective 7/1/2000. Noting that she expects to receive the new money in the amount of \$20,000, she projects the program to cost taxpayers approximately \$20,000 in the first year. Once developed, the program should generate revenues to cover the costs. Monson requested an amendment to her FY'01 budget in the amount of \$40,000, with corresponding grant revenue in the amount of \$20,000. The board agreed to include it in the proposed budget amendment (public hearing scheduled for July 18).

The auditor reported on the estimate of the cost of providing services as **fiscal agent** to the 3-County Empowerment Board 'Family Steps', TANF and Hawk-I programs, and to the Juvenile Liaison program. It was the consensus of the board to request an annual administrative fee in the amount of: \$370 in FY'01 for Empowerment-Family Steps, and to make no requests for TANF, Hawk-I, or the Juvenile Liaison programs at this time. The auditor will provide the cost information on the Juvenile Liaison program to the director.

Motion by Vail, second by Crampton, to approve the **minutes** of the 6/20 meeting as printed. Carried.

Motion by Gustafson, second by Burnside, to designate the use of the **Wellmark insurance settlement** in the amount of \$56,440.99 as: any lawful purpose of the general fund. Carried.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the "Termination of Agreement Between Buena Vista County, Iowa, and **Spectra Health Care, Inc.**" which terminates the agreement signed December 19, 1995 and which was due to expire on December 31, 2001.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign **MH provider agreements** with the Oak Haven Care Facility and Spectra Health Care, Inc. FY'01. Carried.

There being no further business, motion by Gustafson, second by Burnside, to adjourn at 2:30 p.m. until Friday, June 30, 2000, at 3:00 p.m. for a special end of fiscal year session.

**BOARD OF SUPERVISORS MEETING
TWENTY-NINTH MEETING, 2000 SESSION (29)
JUNE 30, 2000**

The Buena Vista County Board of Supervisors met in special session on Friday, June 30, 2000, at 3:00 p.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Vail.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Burnside, Crampton, Gustafson. Nays—none. Carried.

Recorder Shari O'Bannon discussed personnel procedures in her office.

Motion by Burnside, second by Gustafson, to approve and to enter into an agreement with the City of **Albert City** to provide zoning director services to the city for a 1 year period retroactive to 11/1/1999, the cost of the services to be \$2,000, and to authorize the Chairperson to sign. Carried.

Motion by Burnside, second by Crampton, to concur with the **Auditor's appointment** of Leigh Madsen to deputy auditor, and to approve her salary at 69% of the Auditor's, effective 7/1/2000. Carried.

It was noted that **Rembrandt Enterprises** has filed a copy of its IDNR construction permit application with the County Auditor. The board will discuss the application at its 7/5 meeting.

Motion by Burnside, second by Gustafson, to enter into agreements with Cindy Hildreth to provide **custodial services** for the DHS Annex and the E. Richland Annex for FY'01. Carried.

Motion by Gustafson, second by Burnside, to authorize the transfer of \$8,527.91 in unexpended operating funds from the FY'00 Conservation Board budget to the **Conservation Land Acquisition Trust fund** to be used for repair of the Linn Grove Dam. Carried.

Motion by Crampton, second by Burnside, to set July 18, 2000, at 8:30 a.m. as the date and time of public hearing for the 1st **FY'01 budget amendment**. Carried.

Motion by Burnside, second by Crampton, to approve the **minutes** of the 6/27 meeting, and the following **reports**: Nov., Jan., Feb. and April Board of Health minutes. Carried.

Supervisors Gustafson and Burnside were appointed to **count cash** in the Sheriff's and Environmental Health Departments.

Supervisors Crampton and Bruns counted **cash** in the Treasurer's office.

There being no further business, motion by Burnside, second by Gustafson, to adjourn at 4:30 p.m. until Tuesday, July 5, 2000, at 8:30 a.m. for the first session of the new fiscal year.

**BOARD OF SUPERVISORS MEETING
THIRTIETH MEETING, 2000 SESSION (30)
JULY 5, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 5, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Public Health Nurse Administrator Karole Graen discussed pay raise/budget issues with the board. The supervisors referred any action to be taken to the Board of Health.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the FY'01 **MH services agreement** with the Humboldt Workshop. Carried.

Supervisor Vail left the meeting to attend a Communications Commission meeting.

CPC Dawn Mentzer updated the board on the hiring of a **case manager**, and requested salary adjustments. Motion by Gustafson, second by Burnside, to approve the raises proposed by the CPC effective 7/1/2000 as follows: new case manager - \$24,000, Wanda Woltman - \$25,500, Kristina Konradi - \$9.82/hr., Dawn Mentzer - \$33,000. Burnside-aye, Crampton-aye, Gustafson-aye, Bruns-nay. Carried.

Motion by Burnside, second by Crampton, to approve the **minutes** of the 6/30 meeting as printed. Carried.

Motion by Crampton, second by Burnside, to approve Resolution 2000-07-05a, appropriating funds from the FY'01 budget to the various departments. Carried.

RESOLUTION 2000-07-05a

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year commencing July 1, 2000 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 2000-01 are hereby appropriated at 100% from the resources of the funds, to the department or office listed in the 2000-01 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, 2000.

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 2000-01 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 2000-01 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, 2001.

Motion by Burnside, second by Gustafson, to approve Resolution 2000-07-05b, authorizing transfers from the general and rural funds to the general supplemental and secondary road funds as detailed in the FY'01 budget. Carried.

RESOLUTION FOR INTERFUND OPERATING TRANSFERS 2000-07-05b

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, 1999 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 \$340,770 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, 2000 and the last one-half to be transferred no earlier than January 1, 2001. 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, 2000 and the last one-half transferred no earlier than January 1, 2001. The sum of \$935,000 (Rural Basic levy) plus \$396,866 (estimated, the actual transfer to be 70% of the local option sales tax collected for FY'00) is ordered transferred from the Rural Services Basic Fund to the Secondary Road Fund (levy and FY'00 L.O.S.T. collections) with one-half the amount transferred no earlier than July 1, 2000 and the last one-half transferred no earlier than January 1, 2001. 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 \$935,000 (levy) plus 70% of the actual local option receipts for the tax collected for FY'00), all for the fiscal year beginning July 1, 2000.

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.

The chairman signed **fuel contracts** with First Coop, Cherokee, as previously approved by the board.

Engineer Ites reported the termination of one **employee** due to the inability to perform the essential functions of the position.

The results of the Tier 3 **environmental study** by ERS for the Hudson St. site has been received, and dictates 3 more cycles of monitoring due to the proximity of the city's plastic pipe across the street.

If the 7/11/2000 public hearing to consider the sale of the old **Newell shed** site results in a decision to sell the property, it is the consensus of the Board to set August 25 at 4:30 p.m. as the deadline for receiving bids, to be opened on August 29 at 10:00 a.m.

Ites reviewed the amendment to his DOT budget due to project completion in FY'01 instead of FY'00, as originally budgeted, the delay caused by the contractor starting later than originally planned. Motion by Crampton, second by Burnside, to approve and to authorize the Chairman and the Auditor to sign the amendment to the FY'01 **DOT budget**. Carried.

Motion by Burnside, second by Gustafson, to set the public hearing date and time to receive, accept and approve the project plans for project #BROS-CO11(42)--5F-11 as 8/1/2000, at 9:00 a.m. in the boardroom Carried.

Supervisor Vail returned to the meeting.

Motion by Crampton, second by Vail, to approve the equipment purchase of an HTC Patcher 48 in the total amount of \$4,770. Ayes—Burnside, Crampton, Vail. Nays—Gustafson. Carried

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign an engineering contract with Kuehl & Payer for a bridge survey, the bridge located between Sec 1 & 12, Providence Twp., in the amount not to exceed \$3,500. Carried.

The board moved to the 2nd floor PMR for a discussion of Rembrandt Enterprises' IDNR construction permit application. Twenty-one interested persons were present. The Chairman opened the discussion with a review of the provisions of Chapter 455B of the 1999 Code of Iowa. The board has the opportunity to provide both public and its own comments on the application, and may schedule a public hearing for the purpose of collecting public comments. The Chairman also read selected portions of the IDNR application. He requested that anyone making objections to be sent along to the IDNR, should also submit them in writing to the board.

There was disagreement as to whether the initial presentations by Darrel Rettig proposed 15 or 30 buildings for the project. Also, no lagoon was mentioned in original discussions. Still to be answered is whether the egg-breaking facility falls under zoning.

The Chairman asked the board members whether or not they wanted to hold a public hearing, this being an optional hearing. Motion by Gustafson, second by Crampton, to set the following date for public hearing to receive comments on the Rembrandt Enterprises construction permit application: 7/25/2000 at 10:00 a.m. in the 2nd floor PMR, to invite at least one of the owners to be present for the hearing, to request that all objections to be presented at the hearing be submitted in writing. Carried.

Four department heads were present for the board's discussion of a policy for the timing of raise requests. Amending departmental budgets after the county budget is set is a problem. Since only 4 department heads were present, the suggestion was made to have the subject discussed at the next DH meeting. The board's proposed policy would be that all raises and/or promotions be presented for approval during Jan/Mar budget period, and not considered at other times; that no budget amendments be allowed to cover raises; and that independent boards should receive a copy of whatever policy is adopted by the supervisors.

Emergency Management Coordinator Bob Christensen was present for the continuing discussion of the county's Hazmat Response services agreement with the Sioux City Fire Department. He reviewed the advantages/disadvantages of each the Sioux City Fire Dept. and the Region 5 group in Fort Dodge. After considering issues raised by the SCFD, the consensus was to stay with the Sioux City Fire Department, and to request a small change to the contract amendment before approving it. Letter – suggested by co attorney.

The board considered proposals for replacement flooring in the administrator's residence at Spectra. Motion by Burnside, second by Gustafson, to accept the low quote from Floors Etc., Storm Lake, in the amount of \$2,327.75 for replacement flooring in the Spectra administrator's residence. Carried.

Motion by Vail, second by Crampton, to approve today's payroll subject to future audit, and to void warrant #121984 (to Hondo's Sales and Service) in the amount of \$348.45, and to re-issue in 2 warrants totaling the same amount (to Hondo's Sales-\$113.97 and Graham Tire \$234.48). Carried.

There being no further business, motion by Burnside, second by Vail, to adjourn at 12:05 p.m. until Tuesday, July 11, 2000, at 8:30 a.m. for a special session.

BOARD OF SUPERVISORS
PUBLIC HEARING
PROJECT # FM-CO11(34)—55-11 (CO. ROAD C-13)
JULY 10, 2000, 7:00 P.M. (31)
AMERICAN LEGION BLDG., SIOUX RAPIDS

County Engineer Jon Ites opened the public hearing on County Road C-13 re-construction project with Chairman Bruns, and Boardmembers Burnside and Vail and 26 interested persons present. Also

present were Assistant County Engineer Steve Wolf, Design Engineer Bob Payer, Kuehl & Payer, Ltd., and Auditor Strawn. Absent: Crampton and Gustafson.

Ites explained that the proposed **project, #FM-CO11(34)—55-11**, is for the total re-construction of county road C-13 from just inside the city limits of Sioux Rapids, on 8th St., to its intersection with county road M-50, a distance of just over 3 miles. The estimated cost is \$1,700,000 for right-of-way acquisition, grading, and replacing structures. Projected revenues include: \$650,000 from the farm-to-market fund, \$600,000 in local dollars, and \$408,000 from a safety grant. Together, traffic count and accident history were reviewed in applying for and awarding the safety grant funding which dictates certain design features to enhance the safety. Kuehl & Payer, Ltd. are the design engineers, with Graham & Associates, Ames, to provide right-of-way acquisition services on 6-7 parcels. On an additional 25 parcels, the Board of Supervisors will make offers at the rate of 3.5 times the assessed value. The proposed timetable is to complete acquisitions by November, giving the state 12 weeks lead time so that a bid letting can take place in March, 2001. Construction would begin in 2001. After grading is completed, the road would be left to settle over 2 winters before paving. The project could be set back if problems arise, i.e. right-of-way acquisition not being completed on schedule.

Ites introduced engineer Bob Payer who described the project, pointing out the design changes along the length of the road. He explained that the grades and length of vertical curves were determined by the requirements of the safety grant funding. The first 1000 feet would have curb and gutter for water control which is required for urban roadways. The road will be widened and have a maximum grade of 7%. Payer pointed out borrow areas and locations where the grade will be raised, plus an area where trees will be cleared and grubbed and the ravine filled in. The area known as 'dead man's curve' will see improved horizontal and vertical curves.

Ites explained that even if the re-construction project is not approved, approximately \$500,000-\$600,000 will need to be spent on replacement of the 3 bridge structures. The structures must be replaced regardless of the outcome of this proposed project.

A number of questions were asked by the audience regarding intersection and driveway height, specific curves, whether the project would proceed if the bids come in over the estimate (no, the bids would be rejected), when was the traffic count taken (1997, updated in 1999, using a specific date and time count, a computer generated projection is made), how much accident history was considered (5 yrs.). It was suggested that the traffic count seems high. Ites explained that the more cars, the more likely the accidents, and therefore the higher the federal criteria for the design. He believes that the fatality on the road probably made it eligible for the safety funding. Most safety funding goes for intersections, but in this case, the funding is for a long segment of the road.

Ites discussed the county's farm-to-market funding. Buena Vista County receives approximately \$700,000 per year. It is possible that a county can draw ahead on these funds, but BV is not in that situation currently. If the project isn't let in this fiscal year, the county will reapply and request that the funding be reserved so that we don't lose it.

Chairman Bruns asked if the audience felt this was a worthwhile project, saying that the board has considered safety a major priority. He asked that persons who wish to provide comment should do so prior to the July 18 meeting at which the project will be considered for approval.

Answering a final question, Payer stated that the cost to the city of Sioux Rapids for the city portion of the road is estimated at \$26,000 for grading, curb and gutter, and paving of 230 feet, with the county proposing a 50%/50% cost share, for a total of \$13,000 for the city.

The hearing was closed at 8:20 p.m.

**BOARD OF SUPERVISORS MEETING
THIRTY-SECOND MEETING, 2000 SESSION (32)
JULY 11, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 11, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

8:30 a.m.—The time having arrived for the **public hearing** on the proposed sale of the old Newell secondary road shed site, the Chairman opened the hearing with 0 interested persons present. It was noted that legal notice of today's hearing had been published in the Storm Lake Pilot-Tribune and the BV

Journal, as required. The Chairman reviewed that an auction had been held on May 23 at the site for the purpose of disposing of this property. Although some bids were received, the board had rejected the highest bid. After the auction it was determined that there was still some interest in the property, whereupon the board decided to offer the property for sale by sealed bid. Assistant County Attorney Rick Kimble advised the board of the need for a new public hearing, since the original public hearing was to consider the proposal to sell by public auction. There being no questions and no written or oral comments or objections, motion by Vail, second by Burnside, to close the public hearing. Carried.

Motion by Burnside, second by Crampton, to approve and to authorize the Chairman to sign Resolution 2000-07-11 authorizing the offering of the property for sale by sealed bid. Carried.

RESOLUTION 2000-07-11

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

Parcel in Newell, IA: Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA; more generally known as the County Maintenance garage on Williams St. in Newell, IA, and,

WHEREAS, a public hearing was held on July 11 at 8:30 a.m. for the purpose of hearing public comment on the proposal to sell the property, and,

WHEREAS, the Board of Supervisors has determined that there is no objection, and that 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;

BE IT RESOLVED by the Board of Supervisors of Buena Vista County Iowa, that the property shall be sold by sealed bid to the highest bidder, with the bid deadline of August 25, 2000, at 4:30 p.m. in the office of the Buena Vista County Engineer, and with the Board of Supervisors to take action on Tuesday, August 29.

BE IT FURTHER RESOLVED that the terms of sale will be 10% down by cash or in a Cashier's check within seven working days of acceptance of bid, balance due in 30 days following acceptance, with the county reserving the right to refuse any and all bids.

Adopted this 11th day of July, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman, Date
Board of Supervisors

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

Engineer Jon Ites informed the board of the expiration of the Whitney Pit lease. Motion by Gustafson, second by Vail, to authorize the engineer to negotiate a new lease at \$75/acre for a 3-yr term. Carried.

Motion by Burnside, second by Vail, to approve the underground construction permit application of Prentice Backhoe, Royal, to install a 6" water main in the west ditch of the Lakeside blacktop, 120th Ave, between Daphne and Elm Sts. Carried.

Motion by Crampton, second by Gustafson, to approve the minutes of the 7/5 meeting as printed. Carried. Motion by Vail, second by Burnside, to approve the minutes of the 7/10 meeting as printed. Carried.

Motion by Burnside, second by Crampton, to direct the auditor to void warrant #'s120661 and 122136 to Sharp Credit Co. and Rapids Reproductions, Inc. in the amounts of \$296.96 and \$2,325.00 respectively, the first having been lost, and the last having been issued to the wrong vendor, and to authorize the auditor to re-issue as follows: to DeLage Landen Financial - \$296.96, and to DLT Solutions, Inc. - \$2,325.00. Carried.

Clark Fort discussed his research on worker's compensation rates for FY'01, and on liability coverage for the exposure created by the unrepaired Linn Grove dam. The county has been notified that liability coverage for the dam will cease on September 1, 2000, if the dam repairs are not completed. The county will require the contractor to carry insurance protecting the county during the period of repair, if not complete by September 1.

The county's mod factor for worker's compensation insurance is currently .95. Hartford is no longer offering the discounts due to the increase. IMWCA is a pool with re-insurance which does not

require that we take the exposure with us when we leave the pool. Wages for FY'01 were estimated with a 4.5% increase, the premium to be \$58,813 (\$6,000 less than Hartford). Motion by Gustafson, second by Burnside, to accept the insurance agent's recommendation to purchase worker's compensation coverage for FY'01 from IMWCA. Carried.

Sheriff Chuck Eddy and Deputy Don McClure were present for a discussion of the Season's Center's **MH services in the jail** project. The board will consider an agreement for the additional services at their August 1 meeting.

Motion by Vail, second by Burnside, as trustees of **Jt DD 76-133**, to approve and to authorize the Chairman to sign an easement with the Sac County Conservation Board to maintain outlet conditions for the drainage district (the area to be used for the removal and disposal of trees and brush in the easement area). Carried.

There being no further business, motion by Vail, second by Burnside, to adjourn at 10:25 a.m. until Tuesday, July 18, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-THIRD MEETING, 2000 SESSION (33)
JULY 18, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 18, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Vail, and with Auditor Strawn as clerk for the meeting. Absent: Gustafson who was attending NACo.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Burnside, Crampton, Vail. Nays—none. Carried.

8:30 a.m.—The time having arrived for the **public hearing** on the 1st amendment to the FY'01 budget, the Chairman opened the hearing with 1 interested person present. The auditor reviewed the proposed amendments by service area, and confirmed that proper notice had been published as required. There being no objections, motion by Burnside, second by Vail, to close the public hearing. Carried.

Motion by Crampton, second by Vail, to approve the 1st **budget amendment** to the FY'01 budget as published, and to amend **appropriations** as follows:

increase	activity 1040	fund 001	dept. 37 by	\$21,000	
increase	activity 3040	fund 001	dept. 23 by	\$46,000	
increase	activity 5300	fund 001	dept. 23 by	\$40,000	
increase	activity 6030	fund 020	dept. 20 by	\$2,000	
increase	activity 7110	fund 020	dept. 20 by	\$43,500	
increase	activity 7210	fund 020	dept. 20 by	\$35,000	
increase	activity 9100	fund 001	dept. 41 by	\$6,000	
increase	activity 0220	fund 020	dept. 20 by	\$625,000	Carried.

CPC Dawn Mentzer updated the board on rate increases for sheltered work/work activity services at **Genesis Development**. Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the FY'01 service agreement with Genesis Development. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the FY'00 final report on **substance abuse** funding. Carried.

Motion by Burnside, second by Vail, due to receiving a brain injury waiver for 1 client, to discontinue funding effective 8/1/2000 and to rescind the motion of 4/25/2000 approving funding for 1 client at **Genesis Development** in the amount of "the rate being \$73.98/day for residential services and \$29.40/day for work activity, to begin 7/1/2000". Carried.

Mentzer reported FY'00 revenues for the **case management** program in the total amount of \$70,054.62, with the county's cost being \$7,130.44. Carried.

Engineer Jon Ites reviewed that the board needs to make a decision on whether or not to accept and proceed with the **C-13 project**. The Chairman announced that discussion was open. There were 2 interested persons present. Kermit Schultze presented a petition with over 200 signatures opposing the project due to price. They feel the price is too high; if the county has money for this project, there should be money available to improve the gravel roads in the area and to start crews earlier to clear snow. Another concern is about destroying the trees; it makes no sense to remove trees when another governmental agency is in the business of planting trees. Other persons ask why not hard surface the

park road into the Marathon elevator? There have been 2 fatalities on it in the last 40 years. Edgar Fairchild stated that it makes sense to repair the road when the structures are replaced, as it will need to be done sometime. He is in favor of the project. Schultze asked if the project were approved, what would be the possibility that another project could come up and delay this one – not as currently planned. Ites explained that if the road is not to be done, then the structures would have to have design changes since the proposed road alignment changes were the basis of the currently proposed structure design. The Chairman stated that he feels a commitment to the public to spend local option sales tax dollars for secondary road projects like this project.

For the safety of the public, motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign Resolution 2000-07-18 regarding the **C-13 project**. Carried.

RESOLUTION 2000-07-18

The Buena Vista County Board of Supervisors hereby designates the following in regard to Project FM-CO11(34)—55-11.

- an intent to proceed with the project
- approve funding of the site-specific design for the proposed public improvement
- approve project plans designating the final selection of the route location and
- authorize the acquisition of property or rights in property needed for the project by negotiated purchase or condemnation.

Date: July 18, 2000

/s/ Doug Bruns, Chairman, Buena Vista County Board of Supervisors /s/ Jon Ites, County Engineer

Assistant County Engineer Steve Wolf introduced Brian Linnemeyer, an independent appraiser for the **C-13 project**.

The board considered the project to sign the Hwy 10 "**Scenic Byway**". Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign an agreement with the IDOT to install and maintain the "Scenic Byway" signs which are to be provided by the IDOT. Carried.

The engineer reported that **90th Ave.**, from Hwy 7 to C-49, has been approved for addition to the farm-to-market road system.

Ites advised that NPDES **storm water discharge** rules are changing so that ditch pull-ups, and culvert work could now come under the rules requiring a permit for work that will effect 1-5 acres.

Motion by Vail, second by Burnside, to authorize the County Engineer to approve **utility construction applications** filed for roads on the Iowa state highway system. Carried.

Engineer Ites has received quotes for a cover for the **salt storage shed**. Motion by Burnside, second by Vail, to approve and to accept the low quote of Cover-all of Northwest Iowa, Sac City, for a salt shed cover in the amount of \$5,019.00. Carried.

The board reviewed the applications Ites has received for the openings in his department.

Motion by Vail, second by Burnside, to approve the **minutes** of the 7/11 meeting as printed, and the following **reports**: June Conservation Board minutes, Clerk's fines and surcharges, budget reports, and 4th Qtr FY'00 Clerk's fines and surcharges. Carried.

Motion by Crampton, second by Vail, to approve the appointment, as required in the city's ordinance, of Crystal Klatt to the **Linn Grove City Library Board** representing the rural area. Carried.

Motion by Burnside, second by Vail, to approve a **wage increase** for Don Piercy, driver for the weed department, by 30 cents/hour to \$7.71/hr effective 7/1/2000. Carried.

There being no further business, motion by Vail, second by Burnside, to adjourn at 12:10 p.m. until Monday, July 24, 2000, at 10:00 a.m. in the 2nd Floor PMR for a public hearing on the Rembrandt Enterprises construction permit application to the IDNR.

The Buena Vista County Board of Supervisors met in special session on Monday, July 24, 2000, at 10:00 a.m. in the 2nd Floor Public Meeting Room of the Courthouse with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting. The purpose of the meeting was to conduct a public hearing on the IDNR construction permit application of Rembrandt Enterprises, Inc.

The Chairman opened the hearing with over 50 interested persons in attendance including Darrel and Dave Rettig representing Rembrandt Enterprises. The Chairman introduced board members, stated the purpose of the hearing – to receive comments on the application for submission, with the board's comments, to the Dept. of Natural Resources. The Chairman also reviewed the order of the hearing which was to begin with questions to be addressed to the board, DNR, or the Rettigs, followed by comments from the public, and finally, comments by the board members.

Questions included:

- Q – What happens to 'spent' hens? A – (Darrell Rettig) they will go from the project to slaughter.
- Q – Will there be a problem with an outbreak like the beetles? A – (DR) the wasps to be used to control the flies are a specific type, the size of a gnat, that do not sting animals or humans. They are currently in use in Missouri.
- Q - What happens to the 600 chickens estimated to die daily? A – (DR) dead chickens will be picked up daily, placed in plastic bags and then stored in freezers (1 in each building) until a sufficient number have been collected to call the renderer.
- Q – What happens to the male chicks? A – (DR) the project will be purchasing only female chicks.
- Q – One person asked for the boards' comments. A – The chairman explained that the board will be making comments at the end of the hearing.
- Q – With the considerable amount of land proposed to be covered by buildings with roofs and lanes (30 acres), how will the drainage be affected; won't there be a large wash of the soil which will cause swiftly moving water; will the drainage of the low areas be delayed substantially to cause problems for the residents? A – (Barb Lynch, DNR) there will be no more water to drain away than without the proposed buildings. A storm water permit will be needed which calls for a plan for runoff pollution. Construction techniques (silt fences and other controls) can be employed during construction to slow the speed of water. After construction, other techniques can be used. However, the DNR controls pollutants in the water, not the water itself. As it is, the tiles which feed into the Raccoon River are artificial, with the lake (Grass Lake) being a natural condition. The lake is likely to fill more often.
- Q – Where is manure stored until removed – outside the buildings? A – (DR) no, the manure is stored inside the buildings until removed from the project.

Roger Wolf, Director of the Raccoon River Watershed Project, was asked to comment on additional pollution in the watershed. He stated that any intensive land use is likely to put pollutants in the watershed. 350,000 people in Des Moines count on the Raccoon River as their source of water, so additional pollution is an issue to be concerned about. But, the public should consider that a project such as this could add value to the community, and technology can be used to control pollution, odor, and fly issues. There are already many livestock facilities in the Raccoon River Watershed.

- Q – If no Co-op is going to buy the manure, why isn't there a manure management plan; who will buy it; why isn't this in the permit? A – (DR) the manure will be sold to area farmers, if none buy, at least 2 companies are prepared to buy it all.
- Q – Who will be accountable for the medical bills for people's respiratory problems; when and if there is a problem, who should they call and how soon can they expect an answer? A – (DR) calls should be made to the Rettigs since they are the managers. Locally, Mike Gidley will take calls for the Rettigs, who will get back to them as soon as possible.
- Q – In heavy rains will flash flooding cause pollutants in full lagoons to wash out and be swept into the runoff going into the Raccoon? A – (BL) lagoons are engineered with safety factors in the design. She has never seen a situation where a hard rain has flooded a lagoon and washed out the pollutants. The lagoons require approval and must meet construction standards.
- Q – What is considered 'dry' manure; are the figures in the permit application accurate for the number of birds to be raised; is sawdust added to dry the manure up? A – (DR) the manure will be dried down to about 30% moisture. No sawdust will be added. The figures used in the application are the best tested figures to date.
- Q – Will arsenic be fed to the chickens for fly control? A – (DR) not to his knowledge.
- Q – What will happen to the wild turkeys; an article states that wild turkeys are dying near poultry operations. Won't the manure sitting on top of the ground work against the efforts to re-populate the wild turkey population? A – (BL) she knows very little about the article. Parasites which might exist in the manure will not survive over time. The largest losses are due to loss of habitat.
- Q – How long will it take to remove the manure each spring and fall? A – (DR) it will take about 1 week for each building, with several being emptied at the same time.
- Q – How much water will the operation use; will it run the Dakota aquifer dry? A - (Dave Rettig) approximately 250,000 gallons is the estimated daily usage for the entire operation.

Other statements made:

- Employees should be informed of respiratory hazards, and told to wear masks.
- The board should look at the industry, not just Rettig operations.

The Chairman called for comments in favor of the project. Norm Hogrefe, Norm's Livestock Supply noted that the project will be very beneficial to Buena Vista County and will add quite a little revenue to the area. The manure produced will replace fertilizer which is excellent for the producers and for those with concerns about the watershed. He noted that most change meets resistance, even a new parochial school. The opposition appears to have been lopsided name gathering. The Rettig's will operate a good facility.

In opposition, Denny Smith stated that board members had been manipulated by the Rettigs singling them out and meeting with them one on one. He was disappointed because the Rettigs were unwilling to meet with their group.

Gene Lyster spoke in favor of the project and noted his work with Mr. Taylor, owner. Lyster was disappointed with the name calling, cynicism, calling people liars, and no attempt at fairness. Most of the issues raised were personal issues. BV is an agricultural county. We have to live with some changes. This is a \$35 million dollar project – it is impossible to answer absolutely every question. This is an investment in BV County which will provide tax support in the needier part of the county. Tuscarora received incentives and was only 1/10 of the size of Rembrandt Enterprises, Inc., who has asked for no incentives to date. The level of mistrust is a real negative.

The Chairman read his comments for the DNR including comments about the environment, changing agriculture, and the tax impact. He opposes the project since the benefits of the large project are not sufficient to justify the decline in quality of life issues for our existing citizens who live in close proximity.

Supervisor Burnside reviewed her investigation of sites in other counties and the results of her phone conversations with board members in those counties. What she saw and heard was favorable information, and a sign that good management can make for a good operation. She is in favor of the project.

Supervisor Crampton also reviewed the tour of facilities that he made stating that good management and being a good neighbor are important in running a good facility. With the jobs created, increase to the tax base, and in looking at all sides, he believes that the project could be an improvement to the area, and is in support of the project.

Supervisor Vail noted that there are good and bad points in every venture. We are counting on good management to make this a good project. He also has some concerns about odor, flies, and water quality but has to balance that out with the jobs to be created. He is in favor of the project.

Supervisor Gustafson asked Barb Lynch if the DNR will monitor the water. She responded that the law does not require that they monitor the water. His concerns are with the overloading of animal numbers on a single site, or township or even county. Quality of life is his priority before the dollar bill. He has had bad experiences with some persons, and he doesn't like splitting the communities with issues like this. His major concerns are: 1) flies and odor; 2) noise and air quality; 3) the intakes will take pollution into the Raccoon River. It is ironic that all kinds of work is now starting to improve the Raccoon River Watershed, and this project will be working against it. He is asking the DNR to consider the permit and not approve it.

The board having concluded its remarks, the hearing adjourned at 11:55 a.m. until Tuesday, July 25, 2000, at 8:30 a.m. in the boardroom for a special session.

**BOARD OF SUPERVISORS MEETING
THIRTY-FIFTH MEETING, 2000 SESSION (35)
JULY 25, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 25, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Harlan Gutz met with the board to ask their consideration of placement of a **park bench** in the courtyard in memory of Don Burmeister who took responsibility for years for putting up the veterans flags

at the courthouse on the patriotic holidays. The consensus of the board was to approve, with the location to be discussed with the custodian.

Kathy Bach presented her **Treasurer's Semi-Annual Report** to the Board for the 2nd half FY'00. She reviewed the status of the funds noting that approximately \$705,500 of the 5 operating funds were actually for work that was budgeted for completion in FY'00. Motion by Vail, second by Burnside, to accept and to authorize the Chairman to sign, the Treasurer's report as presented. Carried.

Motion by Crampton, second by Vail, to approve the **minutes** of the 7/18 and 7/24 meetings as printed. Carried.

Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign the fiscal agent agreements with the Iowa Department of Human Services for the **juvenile liaison project** funding for FY'01. Carried.

Motion by Crampton, second by Gustafson, to approve and to authorize the Auditor to **transfer** \$2,600 from the General Fund (001, dept. 22) to the Secondary Road Fund (020, dept. 20), this amount being ½ of the FY'00 cash rent (misc. rec't. #2115) paid by Rick Anderson for the Whitney Pit and having been incorrectly deposited into the General Fund on 10/28/99. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign the **Class C beer and Sunday sales permit** application of Sparky's One Stop, Storm Lake. Carried.

Motion by Gustafson, second by Burnside, to approve the FY'01 **Cigarette licenses** of the Little Sioux Golf and Country Club, Sioux Rapids, (#A06808); Pronto Market, Storm Lake (#A06809); and Sparky's One Stop, Storm Lake (#A06810). Carried.

The board discussed yesterday's public hearing on the Rembrandt **Enterprises Inc.** construction permit, and directed the Auditor to forward the comments of both the board members, and the public, to the DNR.

There being no further business, motion by Gustafson, second by Burnside, to adjourn at 9:20 a.m. until Tuesday, August 1, 2000, at 8:30 a.m. in the boardroom for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-SIXTH MEETING, 2000 SESSION (36)
AUGUST 1, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 1, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

8:30 a.m.--The time having arrived for the public hearing on **project #BROS-CO11(42)—5E-11** for replacement of a bridge located on the west half of the road located between Sections 13 & 24 Elk Twp., the chairman opened the hearing with no interested persons present. Engineer Jon Ites reviewed the project noting the cost will be paid 80%/20% from federal and farm-to-market funds. There being no written or vocal objections, motion by Burnside, second by Vail, to close the public hearing. Carried.

Motion by Gustafson, second by Crampton, to approve and to authorize the Chairman to sign Resolution 2000-08-01 accepting project BROS-CO11(42)—5E-11. Carried.

RESOLUTION 2000-08-01

The Buena Vista County Board of Supervisors hereby designates the following in regard to Project BROS-CO11(42)—5E-11.

- an intent to proceed with the project
- approve funding of the site-specific design for the proposed public improvement
- approve project plans designating the final selection of the route location and
- authorize the acquisition of property or rights in property needed for the project by negotiated purchase or condemnation.

Date: August 1, 2000

/s/ Doug Bruns, Chairman, Buena Vista County Board of Supervisors

/s/ Jon Ites, County Engineer

Ites discussed a location on the closed portion of the road and an unlisted bridge on the south side of Section 32, **Providence Township**, this being on the north side of Section 5, Delaware Township, Sac County. The east part of the road had been vacated in 1976. Options for providing access to an inside parcel of land were discussed. No action was taken at this time.

Motion by Burnside, second by Vail, to accept the proposal from Equity Contracting, Adel, Iowa, in the amount of \$10,920 for **bridge deck repair**, the bridge being located on C-49 over the Raccoon River. Carried.

Motion by Vail, second by Crampton, to approve the following **underground utility permits**:

- Iowa Lakes Electric Cooperative, Estherville, to install underground single phase service to Bill Titus between Sections 29 and 30, Scott Township;
- Iowa Telecommunication Services, Grinnell, Iowa, to move a pedestal 20' south of present location in Section 26, Barnes Township. Carried.

10:00 a.m.—The time having arrived for the bid letting on the year's **seal coating** projects, bids were received from Blacktop Services, Humboldt, IA, Sta-Bilt, Harlan, IA, and Manatt's Inc., Brooklyn, IA. Motion by Vail, second by Crampton, pending verification of the proposal price extensions, to accept the low bid of Blacktop Services Co., Humboldt, IA, in the total amount of \$98,095.53 for the following projects: segment of M-36, segment of C-25, Casino Beach S/D, Stoney Point S/D, South Cove S/D, and Schaller S/D. Carried.

The engineer and Supervisor Gustafson will attend the August 7, 2000, Alta City Council meeting regarding the proposed **M-31 re-construction project** on the west side of Alta.

EnvHlth/Zoning Director Kim Johnson provided cost center reports for FY'00 for her department.

It was noted that the **Spectra generator fuel tank** requires a change in fill location per an inspection report. By consensus, the Board agreed to authorize Jerry Culbertson, Iowa Petroleum Equipment Co., Storm Lake, to work with Interim State Fire Marshall on behalf of the county, to develop a solution to the problem. Vice-Chairman Crampton will contact Culbertson.

Motion by Burnside, second by Vail, to approve the **minutes** of 7/25 meeting as printed, and the following **reports**: March E911 Service Board minutes, April-June Spectra lagoon monitoring reports by Mangold, 4th Qtr FY'00 Recorder's fees, Farm to Market fund statement, June detainee report – NW IA YES Center. Carried.

The board considered the proposal of the Season's Center to provide mental health services in the jail. The sheriff reported that the initial training for jail personnel has been completed satisfactorily. The board noted that this was a new concept, not being done elsewhere. The board would like an evaluation of the project when the project is complete. Motion by Gustafson, second by Crampton, to approve and to authorize the Chairman and the Sheriff to sign a 6 month agreement with the **Season's Center** to provide mental health intervention services to prisoners in the county jail for the period of 8/1/2000 to 1/31/2001 at a contract cost of not to exceed \$20,500, with a program evaluation to be done at or near the end of the agreement period. Carried.

CPC Dawn Mentzer reported on her selection for the case manager position. Motion by Gustafson, second by Burnside, to **employ** Jessica Rooks as a case manager beginning 8/7/2000 at a salary of \$23,500, eligible for an increase of \$500 after 6 mos. and a favorable evaluation. Carried.

The **MH services appeal** scheduled for today was cancelled. Mentzer discussed procedure for handling decisions/appeals.

There being no further business, motion by Vail, second by Burnside, to adjourn at 12:30 p.m. until Tuesday, August 15, 2000, at 8:30 a.m. in the boardroom for a regular session.

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**BOARD OF SUPERVISORS MEETING
THIRTY-SEVENTH MEETING, 2000 SESSION (37)
AUGUST 15, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 15, 2000, at 8:30 a.m. in the Boardroom with Vice-Chairman Crampton presiding, and with the following others present: Burnside, Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Bruns, Vail.

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

Willard Christensen, Evelyn Christensen, Gary Brees, Tracy Bengston, Bob Christensen and Bob Donahoo, presented a petition signed by 45 persons requesting that the "**Brooke Creek Bridge**" in Brooke Township be repaired or replaced. Christensen also provided information from Historic American Engineering Records. The bridge was inventoried by Clayton Fraser for the Iowa Historic Bridge Inventory, and then has since been placed on the National Register of Historic Places because of its architecture. The documentation for placement on the NRHP states that the bridge, as an example of a spandrel arch, concrete construction structure, retains a high degree of integrity of design, materials and workmanship.

Engineer Jon Ites responded that an inspection by a bridge engineering consultant recently advised closing the bridge immediately, as it is structurally unsound in regard to its transportation function. He recommended that no crossing at all be permitted. Bridge replacement is estimated to be substantial. The board could commission a study to estimate the cost of repair, if that is desired. It appears that at this time, the cost of replacement/repair is prohibitive. Engineer Jon Ites will send a copy of the full report of the bridge consultant to those persons present, when it is received. Bob Christensen asked if the bridge could be closed to all of the public except the landowners. Ites responded that the road could be vacated, and the bridge be sold to the owners. There is a process for taking this type of action. Supervisor Gustafson pointed out that some desirable projects are just not possible due to the extreme cost, and just can't be done even though many people support it.

Rod Rodriguez, La Amistad, discussed the possibility of recognizing the contributions of **Latino-Americans** in the American military services during Latino Heritage month, September 15 through October 15. He requested a letter of support from the board for activities planned for that month. Motion by Burnside, second by Gustafson, to send a letter to Governor Vilsack encouraging his support and requesting his participation in Latino Heritage month activities. Carried.

Engineer Jon Ites reported on the meeting with the city of Alta on **M-31 reconstruction**. Councilmembers were interested in seeing the plans, but none are available as the design work is now in progress. He reviewed the agreement between the city and the county for development of the project. It has been sent to the City of Alta for approval.

Ites asked the board who is responsible for the portion of the **worker's compensation** bill not paid by the insurance carrier for one employee. More information is needed before answering the engineer's question.

Motion by Burnside, second by Gustafson, to approve and to authorize the Vice-Chairman to sign, the **maintenance seal-coat** contract with Blacktop Service Company, Humboldt, and to accept their certificate of insurance. Carried.

Ites reported on his investigation on material costs for the replacement (**bridge**) structure located on the south side of Section 32, Providence Township. A hydrolysis analysis is being prepared for Bud Vote, Sac City Surveying.

A & K Materials has requested an extension of time on using land at the Goldsmith Pit as a storage site for railroad track reclamation materials. They would like a 4-month extension of their agreement. Ites noted that their operation has not bothered the county's operation. Motion by Gustafson, second by Burnside, to approve and to authorize the Vice-Chairman to sign, an extension of the lease with A & K Materials, Salt Lake City, Utah, until December 25, 2000, for use of the **Goldsmith Pit** site, with the stipulation that the company is responsible for clean-up at the site to the satisfaction of the county engineer. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Vice-Chairman to sign the **utility construction permit** applications as follows:

- Peoples Telephone Company, Aurelia, to install 2400 linear feet of telephone cable on the south side of Section 31, Elk Township;
- Iowa Telecommunications Services, Inc., Grinnell, to install 2900 linear feet of telephone cable on the east side of Section 26, Barnes Township, with the old line to be abandoned;
- City of Newell to install 2" copper water main under 200th Ave. (hog buying blacktop) at a location 200' north of Hwy 7. Carried.

Ron Neulieb, **Control Systems Specialists**, met with the board to discuss an outstanding bill that the county has with his company for repair work done on the air-conditioning system installed by his company at Spectra Health Care, Inc. in 1997. Neulieb believes that the problems have been corrected.

Gustafson reported on his recent visit, that the humidity in the dining room was 80%. Neulieb suggested that maybe a correction could be made with a larger air handling system for the dining room. He is willing to make minor adjustments if warranted, but larger changes would have to be billed. Neulieb explained that his attorney had recommended that he not sign the letter sent to him by the County Attorney in January, after which the county would have been prepared to pay \$5,000. Since the county had not received a response, as requested in the letter, no partial payment of the bill had been made. The county believes that the system should be working satisfactorily by now, with Neulieb believing that the project, as designed, is complete. Motion by Burnside, to pay Control Systems Specialists, in full, the remaining balance of the bill of \$10,xxx.xx. Vice-Chairman Crampton seconded the motion. Gustafson suggested that he would prefer to take action with a full board present. The Vice-Chairman withdrew his second, and the motion died. The board set a meeting for Thursday, August 17, at 11:00 a.m. for action on the bill.

Env Health/Zoning Director Kim Johnson discussed the possibility of adding a part-time employee in order to handle the workload. The Iowa Department of Inspections and Appeals has stated that the county will now be responsible for issuing their own licenses. They will also be increasing the number of inspections of at-risk locations. Johnson believes that whatever changes DIA makes in its inspection procedure, her department should change as well to maintain consistency. The state will begin implementation of risk-based inspections beginning January 1, 2001. Additional inspections will reduce the time that the current inspector has available to do the clerical work, including the local issuance of the licenses. Gustafson suggested that since Veterans Services Officer Clint Hoferman is also in need of some clerical assistance, perhaps an arrangement could be made between the 2 departments and keep the total hours under 35 hours per month. Johnson will present the same information to the Board of Health at their next meeting, and report back to the supervisors.

Lloyd Galbraith was present to discuss appointment as the county's representative to the **Western Iowa Tourism** board for the term ending January 1, 2001. The board would authorize mileage, meal and registration fee reimbursement for the meetings that he attends. He would like to check further on the organization's activities and will then get back to the board.

Genesis Development Executive Director Terry Johnson and Site Coordinator Cindy Wiemold were present to update the board on current activity and preliminary statistics for FY'00, there having been 68 Buena Vista County residents served in last fiscal year.

CPC/Community Services Director Dawn Mentzer introduced Jessica Rooks, the new case manager. Mentzer requested approval to hire a temporary clerical assistant to work during an employee's maternity leave, beginning sometime in September. The board approved. Motion by Gustafson, second by Burnside, to approve and to authorize the Vice-Chairman to sign an amendment to the **General Relief Guidelines** by changing qualification criteria from residency to legal settlement. Carried.

Mentzer also discussed a general relief case on which a decision is still pending.

Public Health Nurse Administrator Karole Graen reported that she expects to receive revenues in the amount of \$19,000 more than budgeted during FY'01 from: Iowa Department of Public Health, the Senior Living Trust, and from Iowa Department of Human Services for the Hawk-I program.

Burnside was scheduled for another meeting at 1:30 p.m., so the meeting was adjourned due to lack of a quorum, until Thursday, August 17, 2000, at 11:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
THIRTY-EIGHTH MEETING, 2000 SESSION (38)
AUGUST 17, 2000**

The Buena Vista County Board of Supervisors met in special session on Thursday, August 17, 2000, at 11:00 a.m. in the Boardroom with Vice-Chairman Crampton presiding, and with the following others present: Burnside, Gustafson, Vail, and with Deputy Auditor Kennedy as clerk for the meeting. Absent: Bruns.

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

Ron and Craig Neulieb, **Control Systems Specialists**, met with the board to discuss an outstanding bill that the county has with their company for repair work done on the air-conditioning system installed at Spectra Health Care, Inc. in 1997. Ron went out to Spectra and tested the level of humidity. The level was 68%. They checked and replaced some of the filters. He mentioned purchasing a service

agreement. They would check on the equipment and filters periodically. Crampton requested that Ron put together a proposal for a service agreement and also talk to Sue Morrow regarding sharing the cost of this service agreement and then reporting back to the board. Motion by Burnside, second by Vail, to pay the full amount owed to Control Systems Specialists (\$12,857.70) at their August 29, 2000 meeting. Ayes: Burnside, Crampton, Vail. Nays: Gustafson. Motion carried.

Motion by Vail, second by Gustafson, to authorize the Vice-Chairman to sign the first amendment to the **HAZMAT agreement** with the City of Sioux City. Carried.

Motion by Gustafson, second by Burnside to authorize the Vice-Chairman to sign the letter of authorization to Citizen's First National Bank for the County Engineer to obtain a **credit card** for his department. Carried.

The board approved payment to **IMWCA** for \$27,303.00 for the 25% down payment plus the first and second installments on the workers comp insurance for FY '01. Carried.

Motion by Vail, second by Gustafson to adjourn at 12:00 noon until Tuesday, August 22, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
THIRTY-NINTH MEETING, 2000 SESSION (39)
AUGUST 22, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 22, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Crampton, Gustafson, Vail. Nays—none. Carried.

Environmental Health Director Kim Johnson reported to the board the resignation of Lorri Wood as Food Establishment Inspector.

Insurance agent Clark Fort was present to discuss several **worker's compensation** issues. IMWCA is currently building a Preferred Provider Organization, hopefully to include physicians in the Storm Lake area, for the purpose of trying to keep workers' compensation expense down. Whether or not to have a designated physician for worker's comp injuries is the choice of the employer. It is another way to keep costs under control. Engineer Jon Ites noted that some doctors/clinics are entering worker's comp charges on the individual employee's record, as though the employee is liable for the expense. Fort stated this is not appropriate, and may suggest the need for some education. Fort also reviewed a number of forms suggested by the IMWCA for improving the management of workers compensation claim expense. On the subject of independent contractors, the county, by having its secondary road contracts approved by DOT, receives certificates of insurance from all its contractors. Fort will check with IMWCA to see if they accept independent contractors as another class under the w/c coverage, or whether the independent contractor has to provide his/her own worker's comp coverage.

Jerry Culbertson, Iowa Petroleum, discussed his proposal to install fill and spill containment for the generator fuel tank outside the **Spectra Health Care, Inc.** building. The original design as installed was for the fill location to be inside the building, however, the county has just become aware that this location is not acceptable. Motion by Gustafson, second by Crampton, to accept Iowa Petroleum's proposal to re-install fill and spill containment outside the building leased by Spectra Health Care, Inc., in the total amount of \$1,470, and authorized Culbertson to proceed with the work.

John Murray was present to discuss 2 **delinquent tax properties**. He has filed a claim against the estate of Neal Nielsen for the back taxes, but the hearing has not yet been scheduled. The county is requesting that some of the proceeds of the estate be used for the unpaid tax. Murray has contacted the property owners adjacent to a parcel in Sioux Rapids under the ownership of the now defunct New Concept Mfg. None of the adjacent landowners are interested in acquiring the parcel. He suggested the possibility of asking the share holder (of New Concept) for a quit claim deed to get the property into the county's name and to avoid the cost and procedure required for taking a tax sale deed. Murray will investigate further.

Engineer Jon Ites asked whether the board wanted to negotiate price on **trucks and snow equipment** for the current year, as was done last year. Two trucks are budgeted for this year.

Engineer Jon Ites reviewed a letter from Ivan Droessler, Kuehl & Payer, Ltd., regarding the replacement of a structure in **DD #274 Jt.** Both the Sac County Board of Supervisors and the Buena Vista County Board of Supervisors, as Trustees of Jt. DD #274, will need to approve the replacement. Motion by Crampton second by Vail, to approve as Trustees of Jt. DD #274, and to authorize the Chairman to sign, Resolution 2000-08-22B approving installation of twin 60" culverts in DD #274. Carried.

(BUENA VISTA COUNTY) **RESOLUTION 2000-08-22B**

WHEREAS, the Buena Vista County/Sac County Secondary Road Departments jointly are replacing a wood structure on the County Line between Section 32 Providence, Buena Vista County and Section 5 Delaware, Sac County; and,

WHEREAS, the crossing provides land access only to the east side of the waterway, also known as Joint Drainage Ditch 274; and,

WHEREAS, a review of the ditch hydraulics determines that twin 60" culverts will provide adequate opening for the drainage ditch; and,

NOW THEREFORE BE IT RESOLVED, that the Trustees of Joint Drainage Ditch 274 hereby approve the installation at the stated location.

/s/ Buena Vista County Trustees	8/22/2000	/s/ Sac County Trustees	Date
Attest:		Attest:	
/s/ Buena Vista County Auditor		Sac County Auditor	

Ites received an inquiry from the DNR asking whether there is any land in the county which might be suitable and available for development of an **ATV park**. There would need to be a local ATV club sponsor, if a park were to be developed here.

A letter from the State Historical Society confirms that the **Brooke Creek Bridge**, due to its historical designation, could be replaced only if first, an alternate route around it could not be achieved. The purpose of the historical designation is to preserve the history.

A report of Buena Vista County's allocation of **BROS funding** available, as reported by IDOT was reviewed.

Motion by Gustafson, second by Vail, to approve Resolution 2000-08-22A authorizing the County to apply for membership in the Iowa Municipalities Workers' Compensation Association (IMWCA). Carried.

RESOLUTION 2000-08-22A

A RESOLUTION AUTHORIZING THE COUNTY TO APPLY FOR MEMBERSHIP IN THE IOWA MUNICIPALITIES WORKERS' COMPENSATION ASSOCIATION (IMWCA).

WHEREAS, the Iowa Municipalities Workers' Compensation Association, a Chapter 28E association, has been established as a group self-insurance program, for the purpose of providing coverage for workers' compensation and related employer liability to Iowa cities, counties, 28E entities and a political subdivision and,

WHEREAS, the county of Buena Vista County desires to become a member of the Association, a self-insured group, in order to obtain coverage for workers' compensation and related employer liability.

NOW THEREFORE BE IT RESOLVED, that the county of Buena Vista County hereby adopts the Agreement of the Iowa Municipalities Workers' Compensation Association, and authorizes and directs the Chair, of the County Board of Supervisors and the County Auditor to execute the documents necessary for the county to become a member of the Association.

Passed this 22nd day of August, 2000.

/s/ Doug Bruns, Chairman, Board of Supervisors	/s/ Karen M. Strawn, County Auditor
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Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign the FY'01 agreement for services with the Regional Transit Authority. Carried.

Motion by Crampton, second by Gustafson, to approve the minutes of the 8/1, 8/15, and 8/17 meetings as printed, and the following reports: FY'00 Public Health Nurse revenues and expenditures, June & July Communication Commission minutes, July list of detainees at YES Center, budget reports, June-July Board of Health minutes; also reviewed: ITT Hartford loss runs. Carried.

Motion by Vail, second by Gustafson, to appoint Brenda Halverson to the Buena Vista County Board of Health with the term to expire 12/31/2004, replacing Avonne Frederickson, whose term expired 12/31/99. Carried.

In order to change the existing payroll deduction process so that employee contributions for health insurance are deducted from the employees' checks prior to the time the county issues the warrant for the premiums due, motion by Vail, second by Crampton, to direct the auditor to deduct the employee share of the Wellmark insurance premium for the months of October and November, 2000, from the October, 2000, paychecks. Carried.

Motion by Gustafson, second by Vail, to adjourn at 11:35 a.m. until Tuesday, August 29, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTIETH MEETING, 2000 SESSION (40)
AUGUST 29, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 29, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, Vail, and with Auditor Strawn as clerk for the meeting.

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

Deputy Auditors Sue Kennedy and Jean Chindlund, and Engineer's Office Manager, Shirley Johnson, discussed the board's recent decision regarding a payroll procedural change. For the benefit of employees, the impact of doubling up on the payroll deduction for the family health insurance premium, would be lighter if done after the 1st of the year. Motion by Crampton, second by Gustafson, to rescind the August 22, 2000 motion regarding the payroll procedure change, and to direct the auditor instead, to deduct the employee share of the Wellmark insurance premium for the month of March, 2001, from the last paycheck issued in January, 2001, and the 2 paychecks to be issued in February, 2001, (in addition to deducting the February premiums from the February paychecks. Carried.

The auditor advised the board that Deputy Auditor Jean Chindlund has submitted her resignation from employment effective with the completion of her election duties following the November 7, 2000, General Election.

Community Services Director Dawn Mentzer discussed a formal complaint received from one person regarding the handling of a general relief request. No action will be taken at this time.

Engineer Jon Ites opened 4 sealed bids for the Newell property (old Newell shed site) ranging from \$315 to \$10,625. Motion by Burnside, second by Vail, to accept the high bid of Calvin Tuttle in the amount of \$10,625 for the old Newell shed site, with the successful bidder to post 10% of the bid price within 7 days of receiving notice of the award, and the balance upon closing, and, to approve and to adopt Resolution No. 2000-08-29, a resolution to dispose and convey the property. The roll call vote on this resolution was: Burnside-aye, Crampton-aye, Gustafson-aye, Vail-aye. Nays—none. Abstentions—none. Carried.

**RESOLUTION NO. 2000-08-29
(Resolution to Dispose and Convey)**

A RESOLUTION PROVIDING FOR THE DISPOSAL AND CONVEYANCE OF: Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA; more generally known as the County Maintenance garage on Williams St. in Newell, IA.

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

SECTION 1. PURPOSE. The purpose of this resolution is to dispose of and convey Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA; more generally known as the County Maintenance garage on Williams St. in Newell, IA.

SECTION 2. FINDINGS OF FACT. The Board of Supervisors hereby makes the following findings:

- Buena Vista County, Iowa, is the owner of Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA; more generally known as the County Maintenance garage on Williams St. in Newell, IA.
- In accord with the instructions of the Board of Supervisors, there was published in the Storm Lake Pilot-Tribune on July 1, 2000, and the Buena Vista County Journal on July 5, 2000, papers having general circulation in Buena Vista County, the dates being not less than four nor more than twenty days before the date of the hearing, notice of intent to dispose and convey the Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA; more generally known as the County Maintenance garage on Williams St. in Newell, IA.
- The Board of Supervisors of Buena Vista County held a public hearing on July 11, 2000 at 8:30 a.m. and determined that it would be in the best interest of the County and its citizens to sell the above described real property, and in connection advertised for sealed bids to be submitted by August 25, 2000.
- In accord with the instructions of the Board of Supervisors there was published notice of sealed bids to be accepted in connection with said disposal, in the Storm Lake Pilot-Tribune on July 20, 2000, in The Times on July 19, 2000, and in the Buena Vista Journal on July 19, 2000. All of said papers have general circulation in Buena Vista County.
- On August 25, 2000, the four sealed bids received were accepted for the sale of said property, and Calvin Tuttle, submitted the highest bid - \$10,625.
- The Board of Supervisors has determined that said offer is a fair and reasonable offer for said property and that the acceptance of the bid would be in the best interest of the County of Buena Vista and its citizens and that said offer should be accepted and said property sold in accordance therewith.

SECTION 3. DISPOSAL AND CONVEYANCE. The bid for the purchase of the Lot Fourteen (14), Block Twenty-eight (28), Ninth Addition to the town of Newell, IA; more generally known as the County Maintenance garage on Williams St. in Newell, IA, submitted by Calvin Tuttle, the same is hereby accepted on behalf of the County of Buena Vista, Iowa, and said property as described above is hereby sold to said bidder and the Chairperson of the Board of Supervisors and County Auditor are hereby directed to execute and deliver a Warranty Deed from the County to the respective bidder upon payment of the total purchase price as accepted.

SECTION 4. REPEALER. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

SECTION 5. EFFECTIVE DATE. This resolution shall become effective after its passage.

ADOPTED THIS 29th day of August, 2000.

/s/ Doug Bruns, Chairperson of the Board of Supervisors, Buena Vista County
Attest: /s/ Karen M. Strawn, Buena Vista County Auditor

The engineer distributed copies of the consulting engineer's evaluation of the **Brooke Creek Bridge**. The auditor will send copies of the report to the persons who had attended the August 15, 2000 board meeting as they had requested.

The engineer has received notice from the IDOT that the two-year work plan for the Hudson St **L.U.S.T.** site has been received and accepted. The letter noted testing requirements and the next reporting date – Oct. 30, 2000. The engineer noted that there will be ongoing costs.

Daryl Seivert, Newell, who had been scheduled to meet with the board, cancelled his appointment to discuss the **Neal Nielsen property** on which the county holds a tax sale certificate.

Motion by Vail, second by Gustafson, to approve the **minutes** of the 8/22 meeting as printed. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the chairman to sign the "Cellular Phone Use Policy". Carried.

Motion by Burnside, second by Vail, to adjourn at 11:00 a.m. until Tuesday, September 12, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-FIRST MEETING, 2000 SESSION (41)
SEPTEMBER 12, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 12, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, 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—Burnside, Crampton, Gustafson. Nays—none. Carried.

Treasurer Kathy Bach requested action on several tax suspensions/abateements. Motion by Burnside, second by Gustafson, to approve a tax suspension (to remain until lifted) on parcel #4372.00, pursuant to Chapter 427.9 of the 1999 Code of Iowa. Carried.

Motion by Crampton, second by Gustafson, to abate the drainage assessment in the name of Midwestern RR Properties, Inc., a defunct company, on parcel #350-000, the assessment being uncollectible. Carried.

Motion by Gustafson, second by Burnside, to abate the current taxes on the real estate in Nokomis Township from which mobile home parcel #11101.50 has been moved into Alta, there being taxes due also on the real estate in Alta, (this eliminates double taxation). Carried.

Motion by Burnside, second by Crampton, to abate current taxes on mobile home parcel #1034.50, the mobile home having been junked after paying up the delinquent taxes. Carried.

Motion by Crampton, second by Gustafson, to abate the current taxes and tax sale certificate on mobile home title #11-W095844, parcel #551-1700, the mobile home having been junked. Carried.

Motion by Gustafson, second by Burnside, to abate current taxes on parcel #'s 2717.00, 2774.00, 2764.00, 2960.50, 3125.00, 3113.25, and special assessment on parcel #3113 (having been picked up by the City of Newell on tax sale certificate procedure). Carried.

Motion by Crampton, second by Burnside, to abate current taxes (the county's portion) on parcel #5693.02, as the county is exempt, and the county having sold the property. Carried.

Motion by Gustafson, second by Crampton, to abate the current taxes on parcel #7199.50 as previously agreed, following notice of the removal of the (hog) building by burning and all back taxes having been paid. Carried.

Community Services Director Dawn Mentzer presented her case management cost report, due September 30. The projected rate was greater than actual, so the county must refund the overpayment on the reimbursements made at the projected rate. Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the case management cost report for FY2000. Carried.

Motion by Crampton, second by Gustafson, to approve and to authorize the Chairman to sign the FY'01 provider agreement with PLUS, Inc., Spirit Lake, IA for 1 person. Carried.

Mentzer reported on the status of hiring a temporary secretary, and, on the status of a client complaint. It was the consensus of the board that the employee is to sign a letter of apology in the complaint matter. The board will also send a letter informing the applicant of the proper procedure for appealing a decision.

Motion by Burnside, second by Gustafson, to approve the underground utility construction permit application of Dave Mortensen, Alta, to replace the existing 1½" private water line crossing M-31 between Sections 22 & 23, Nokomis Township. Carried.

Calvin Tuttle, the successful bidder on the old **Newell shed site**, has requested access to the building prior to closing. It was the consensus the board to **approve**, provided he obtains insurance.

Motion by Crampton, second by Burnside, to approve and to authorize the Chairman to sign an application for a variance from the city's Board of Adjustment to add an office space (16'x20') on to a building at the **Hudson St. site**. Carried.

Engineer Iles confirmed that the board did not have any suggestions for a location (such as a gravel pit), or any local interest in an **ATV park**, at this time.

Motion by Gustafson, second by Burnside, to authorize the engineer to negotiate with the property owner on **fence replacement rates** for a location on Expansion Blvd where a culvert replacement is planned. Carried. The landowner had requested more than what is currently authorized based on the estimate he has received to have the work done, as he is not able to do it himself.

Motion by Burnside, second by Gustafson, to approve and to authorize a 3-yr lease with Rick Anderson for the **Whitney Pit** for 118.9 acres at \$75/acre/yr., the same as Clay County in number of years and rate. Carried.

Motion by Crampton, second by Burnside, to authorize the expenditure of funds for **tile repair** on a waterway outlet, damaged by the county, at a location on the north side of South Cove Park. Carried.

The engineer discussed applicants for the 2 open positions.

Pat Mooney, Northwest Concrete, was present to request a variance from the Iowa Administrative Code regulating the riser size for **sewer systems**. He would like to use a riser of less than 18", as opposed to the 24" specified in the code since he believes that the smaller the riser, the greater the safety, and, no other counties where he does business refuse to allow the smaller size. The IAC allows the county to be more restrictive, if it so chooses, however, the Board of Health, which is the governing body responsible for this section of the IAC, has directed that the code be enforced at 24". Motion by Gustafson, second by Burnside, to request a county attorney's opinion on: 1) the county's potential liability with regard to safety on enforcing the IAC's 24" rule, 2) how the county can invoke home rule in the matter, and, 3) how to interpret the word restrictive – does that mean less than or greater than 24"? Carried. Environmental Health Director Kim Johnson will prepare the request.

Johnson discussed the new state **Wastewater Assistance Program** which would provide low or no interest loans to rehabilitate or improve existing septic systems, as problems are identified. For this program to be available in Buena Vista County, the county would have to manage the program and require septic system inspection at the time of real estate transfer. The average number of transfers of rural properties which would require an inspection is about 30/yr. This would increase the workload for the EnvHlth/Zoning department, however, at least a part of that associated cost could be recovered through an inspection fee. Septic system problems identified through inspection at the time of a real estate transfer would not be eligible for the loan program, since the cost of rehabilitation or improvement could be anticipated and included in financing arrangements. There will be an informational meeting in October on the subject.

Attorney Jon Murray was present with Tom Smith of Smith & Smith Farms, Richard & Cheryl Lange, Bill Lange and Jeff Smith to discuss the proposed placement of **twin culverts** under a road **on the BV/Sac County line** to replace a bridge. Smith and Smith Farms has a concern because they are an upstream owner -- their water will not drain as quickly with that size culvert. Without adequate drainage, the property owners would suffer damage and crop loss. The owners request another solution or no change at all. Engineer Jon Iles explained that the change being considered is necessary because the bridge has failed and the county must provide access to the landowner. This bridge is on a road which is Sac Co's for maintenance purposes. Their inspection of the bridge has led to this plan. He pointed out that doing nothing cuts off access to 2 property owners. The owners request that the county not proceed at the current time, and allow time to hold a joint meeting with Sac County to further discuss the matter. Motion by Gustafson, second by Crampton, to place this project on hold until a meeting with Sac County Supervisors and the landowners can be arranged. Carried.

Motion by Burnside, second by Crampton, to approve the **minutes** of the 8/29 meeting as printed, and the following reports: August Clerk's fines & forfeitures & surcharges, budget reports, Aug-Sept day care, general relief & veterans relief. Carried. Also reviewed were: August detainees at YES Center, June NWIPDC Council minutes and Sept agenda.

Regarding a request for input from NWIPDC on a **Hazard Mitigation grant program**, the board deferred any response until additional information is received.

Motion by Gustafson, second by Burnside, to adjourn at 1:45 p.m. until Friday, September 15, 2000, at 2:00 p.m. for a special session to canvass the 2000 Regular School Election.

**BOARD OF SUPERVISORS MEETING
FORTY-SECOND MEETING, 2000 SESSION (42)
SEPTEMBER 15, 2000**

The Buena Vista County Board of Supervisors met in special session on Friday, September 15, 2000, at 2:00 p.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Crampton, Gustafson, and Vail, and with Deputy Auditor Chindlund as clerk for the meeting. Absent: Burnside.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Crampton, Gustafson, Vail. Nays—none. Carried.

Upon completion of the canvass of the September 12, 2000, Regular School Election and pursuant to Chapter 50.24 of the 1999 Code of Iowa, motion by Vail, second by Gustafson, to declare the results of the canvass as follows:

Alta Community School District: total voters - 94

For School Board Director - elect 2

Kevin Cone	90	elected
Dan Sliefert	77	elected
Scattering	5	

Albert City-Truesdale School District: total voters - 371

For School Board Director - elect 2

James Peterson	281	elected
Douglas Rebhuhn	303	elected
Scott Lovin	45	
Scattering	7	

Public Measure G - PPEL authorizing a \$1.34/thous levy and an income surtax not exceeding 20% for 10 years commencing 2002: Yes – 251 No - 84

Newell-Fonda School District: total voters - 90

For School Board Director, District 1 - elect 1

Tracy A. Baak	80	elected
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For School Board Director, District 2 - elect 1

Greg Baskerville	83	elected
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Sioux Central School District: total voters - 204

For School Board Director, District 2 - elect 1

Paul Thomsen	186	elected
Scattering	2	

For School Board Director, District 3 - elect 1

Kevin Ehlers	153	elected
Michael R. Rebhuhn	49	

Storm Lake School District: total voters - 660

For School Board Director - elect 2

Daniel E. Douglas	619	elected
Sherise J. Gibson	83	
Peter Steinfeld	570	elected

Iowa Lakes Community College

Public Measure H - authorizing a \$.2025/thous levy for buildings and grounds for 10 years commencing 2002: Yes - 27 No - 21

Iowa Central Community College

For Director, District 3 – to fill a vacancy - elect 1

Larry E. Hecht	495	
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Carried.

Motion by Crampton, second by Vail, to adjourn until Tuesday, September 19, 2000, at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
FORTY-THIRD MEETING, 2000 SESSION (43)
SEPTEMBER 19, 2000**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 19, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

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

Juvenile Probation Officers Bob Fritz and Rich Detrick, with juvenile liaison officers Tammy Nepple and Barb Kruse, met with the board to discuss the school based supervision program which is into its second school year. Jennifer Schumacher has been hired for the 3rd liaison position for Albert City-Truesdale and Newell-Fonda schools beginning September 25. She replaces John Jorgensen who resigned to return to school. The liaisons described their responsibilities and the many ways they interact with the students and parents. Fritz complimented the liaisons and assured the board that positive results of the program have been seen after just the first year, while often it takes 4-5 years to see results. They have done a good job.

Community Services Director Dawn Mentzer informed the board that she has hired Judy Brenner for the clerical opening in her department. Motion by Gustafson, second by Burnside, to approve the employment of Judy Brenner for the temporary part-time clerical position in the Community Services department effective 9/19 at \$8.00/hr. Carried.

EnvHealth/Zoning Director Kim Johnson reported that Heather Leisinger has been selected to fill her part-time clerical position which will be shared with the Veterans Services Officer. Motion by Crampton, second by Vail to employ Heather Leisinger for the part-time clerical position to be shared between the EnvHealth/Zoning and Veterans Services Officer at an hourly rate of \$7.71 effective 9/20/2000. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the amendment to the 28E agreement with Juvenile Court Services, IA Dept of DHS, DHS-Buena Vista Cluster Decategorization Project, Storm Lake CSD, St. Mary's School, Sioux Central CSD, Newell-Fonda CSD, Albert City-Truesdale CSD, and Alta CSD for School-Based Supervision Program, the amendment being to substitute the following for 6.1 "In consideration for providing these services required by this Agreement, County shall be paid \$109,474 per year from Decat.": Carried.

Engineer Jon Ites has submitted his FY2000 annual report - Road and Bridge Work on Farm-to-Market and Local Secondary Roads to IDOT and delivered a copy to the board.

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign the final estimates on project #'s FM-11(23)—55-11, FM-11(31)—55-11, FM-11(35)—55-11. Carried.

A teleconference meeting between the Sac County Board of Supervisors, concerned landowners, and the Buena Vista County Board of Supervisors, for the purpose of discussing the replacement structure selected for the bridge on the SacCounty/BVCounty line and located in DD #274 Jt., has been set for Tuesday, October 24 at 10:30 a.m.

Ites reported that Sac County, upon the recommendation of their bridge consultant, has closed another bridge on the Sac/BV line, located over the Raccoon River.

The city of Storm Lake has requested to purchase 500 ton of gravel. It was the consensus of the board to agree, with the city to do their own loading

Motion by Gustafson, second by Crampton, to approve and to authorize the Chairman and all members to sign the agreement with the City of Alta for curb replacement and resurfacing of county route M-31 project # STP-CO11(47)—5E-11. Carried.

It was the consensus of the board to set October 24, 2000, as the date to receive quotes for replacement **equipment** (hydraulic excavator).

Motion by Gustafson, second by Crampton, to take quotes for this FY's truck and snow **equipment** purchases. Ayes—Burnside, Crampton, Gustafson. Nay--Vail. Carried.

The board discussed the **lighting of certain intersections** around the county. Engineer Ites recommended setting up criteria for determining which intersections to approve for lighting so that future requests could be considered in a fair and consistent manner. Traffic count, accident count, etc. could be considered. The Chairman suggested allowing safety concerns to be a part of the criteria. Supervisor Gustafson suggested prioritizing and doing so many per year.

Weed Commissioner Norm Lund reported a complaint from one person regarding **weed spray** damage. Cody Smallwood is requesting compensation for hemlock plantings he believed died due to weed spraying by the county. Testing is being done to determine what chemical may have damaged the hemlock.

Motion by Vail, second by Gustafson, to direct the Auditor to **transfer** \$854 from the General Basic Fund to the REAP fund, the amount being for property taxes which may not be paid from REAP funds. Carried.

Motion by Burnside, second by Crampton, to adjourn at 10:45 a.m. until Tuesday, September 26, 2000, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-FOURTH MEETING, 2000 SESSION (44)
SEPTEMBER 26, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 26, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

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

It was noted that the **Linn Grove dam** repair was complete as of September 20.

Supervisor Gustafson noted that **detention** statistics from the YES Center are not yet available.

The board considered possible dates for the next **jt. city/county meeting**.

The board determined that it will not meet during the week of October 2nd, the next meeting scheduled for October 10th for a regular session.

Motion by Vail, second by Crampton, to **employ** Jennifer Schumacher as a juvenile liaison for the Albert City-Truesdale and Newell-Fonda Community School Districts effective 9/25/00 at a salary of \$24,000/yr. Carried.

Supervisor Crampton left the meeting to attend a funeral. Unless noted otherwise, all remaining motions were carried with the following vote: Ayes—Burnside, Gustafson, Vail. Nays—none. Carried.

Engineer Jon Ites requested approval to hire 2 employees. Motion by Vail, second by Burnside, to **employ** Kevin Lullman effective 9/29 with his assignment to be split between Storm Lake & Newell, and Ed Dowdy effective 10/9 with his assignment to be split between Storm Lake & Sioux Rapids, their positions to be classified as Equipment Operator I and the pay rate for each to be \$2/hr less than the rate for an Equipment Operator I (or \$11.94/hr. to start), and both eligible for the customary increases until reaching the full payrate. Carried.

With no objection from the board, Ites added 2 tandem axle truck chassis to the list of equipment for which the board will accept **quotes** on 10/24/00.

Ites reported that the **sealcoat projects** are complete, and that re-seeding the shoulders is nearly complete.

The board discussed changing the date of the meeting with the Sac County Board of Supervisors, regarding a replacement structure in **DD #274 Jt.**, in order to have a face-to-face meeting instead of a teleconference. The location of the structure is south of Section 32, Providence Township. Ites will check on alternative dates.

The board recessed temporarily to move to the 2nd floor Public Meeting Room to accommodate 16+ persons in attendance for the discussion of the DNR comments on the issues submitted by the Board of Supervisors opposing the issuance of the construction permit application of **Rembrandt Enterprises, Inc.** The Chairman opened the discussion with an explanation that the Board of Supervisors had received both the DNR's comments, and notice that the permit had been granted. He further explained that the county has 14 days to contest the decision to issue the permit by filing a demand for hearing.

Supervisor Gustafson stated that he feels that there is no point in contesting the decision, that the IDNR has control over most of these issues, not the county.

One person questioned DNR's comment #37 which indicates wasps will not be used for pest control.

Referring to a letter he had received from DNR Deputy Director Larry Wilson, Supervisor Gustafson stated that an answer is needed to questions - whether an egg-breaking facility is industrial and governed by county zoning; whether an egg breaking facility which has been identified as industrial would change the status of the whole operation. He stated that at this point, the county has no control, only the DNR. The county will only have authority when Rembrandt Enterprises, Inc. requests a zoning change. Other issues will require a change in the law.

Supervisor Burnside stated that she had done some additional investigation in counties that have similar facilities. All six of the counties have chicken confinement feeding operations with an egg breaking facility. All six are zoned ag, not industrial.

Sue Morrow asked if anyone had heard that Clay County is rumored to be getting an egg breaking facility.

The Chairman stated that it is in everyone's best interest to know whether the egg breaking facility is agricultural or industrial. The board intends to request an Attorney General's opinion to find out. Motion by Gustafson, second by Vail, to instruct the County Attorney to request an opinion of the Attorney General on the following questions: 1) Is the egg-breaking facility industrial or agricultural? 2) Are the lagoons, that would be built to industrial standards, industrial or agricultural? 3) If the egg-breaking facility is determined to be industrial, does that convert the entire operation to industrial? Carried. It was noted that the board is requesting an Attorney General's opinion because the county attorney has a conflict of interest with his brother having been retained to represent Glen Taylor, the owner of the operation.

Supervisor Gustafson mentioned a recent television program which explained the benefits of surrounding a facility with rows of trees. It was the consensus of the board to send a letter requesting that Rembrandt Enterprises, Inc. consider in its construction plan, planting 3 rows of trees around the perimeter of the building site.

The Chairman thanked those present for their attendance, and the board returned to the boardroom for the remainder of the meeting.

Motion by Vail, second by Burnside, to approve the **minutes** of the 9/15 and the 9/19 minutes as amended, and, the following **reports**: FY2000 Conservation Board annual report, August Conservation Board minutes, July Spectra lagoon monitoring report; also reviewed: (year 2000) DNR site inspections, and a license and permit bond for a junkyard owned by Kenneth J. Miller. Carried.

Motion by Burnside, second by Vail, to approve and to authorize the Chairman to sign the revised adoption agreement for the **Flexible Benefits Plan for Employees** retroactive to July 1, 2000. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign the Certification of **Cost Allocation Plan** for FY1999 as prepared by DMG-Maximus, Inc. Carried.

Motion by Vail, second by Burnside, to adjourn at 11:45 a.m. until Tuesday, October 10, 2000, at 8:30 a.m. for a regular session.

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 10, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

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

Environmental Health/Zoning Director Kim Johnson discussed the well testing-rehabilitation-closure grant program. Motion by Crampton, second by Burnside, to approve and to authorize the Chairman to sign the **Well grant** application to the DNR. Carried.

Supervisors Crampton and Vail agreed to attend a workshop meeting for counties considering implementing the **septic system** low interest loan program.

Johnson requested that the Board of Supervisors and the Board of Health meet in November to lay out a long term plan for the **Env Health/Zoning department** - discuss which of the multitude of programs the boards wish to be implemented/continued in this county.

Motion by Vail, second by Gustafson, to approve the **employment** of Don McLain as an Inspector in the Env Health/Zoning Dept. effective 10/16 at \$10/hour. Carried.

Johnson provided copies of Assistant County Attorney Dave Patton's opinion on **septic access riser** questions. His opinion stated that smaller risers are **less** restrictive than the requirements in the Iowa Administrative Code, and that under home rule, the county is permitted only to be **more** restrictive.

Motion by Burnside, second by Crampton, to approve and to authorize the Chairman to sign a Certificate of Appreciation for Charlene Anderson who has donated approximately 6,000 volunteer hours to the **Public Health department** at the immunization clinic over 14 years. Carried.

Community Services Director Dawn Mentzer discussed a **MH funding** question for 1 client. Motion by Vail, second by Gustafson, to deny the funding request from one agency for the client. Carried.

To facilitate planning for the **Community Services department**, Mentzer discussed the increasing case load for her department through referrals (9 DHS clients from Genesis, 1 from another county, 2 locals). In addition, within the near future there will be a number of persons who will need services and need to seek living arrangements outside of their parents' homes. To the extent possible, these cases will be added gradually.

Engineer Jon Ites reported on crop yields from the **Hayes Pit farm** operated by Gary Pickhinke.

None of the **railroad crossings** in Buena Vista County qualify for improvement under the point system (# of trains, angle of crossing, etc.) Railroad crossing improvement application for M-27 & M-50 has been submitted, with the justification being to standardize the signaling at all **paved** road grade crossings for this rail line.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the final estimate on **project #L-FM-503—73-11**, the re-surfacing of the Lakeside blacktop. Carried.

Ites circulated the report updating the Tier 3 study on **Hudson St.** LUST site.

Motion by Vail, second by Burnside, to approve and to enter into an agreement with the City of **Sioux Rapids** for the plans for improvement to the extension of C-13 located inside the city limits, **project # FM-TFS-CO11-(34)--5B-11**. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign the **utility construction permit** applications as follows:

- of Cherokee Rural Water, Cherokee, IA, to install a 2" waterline to be bored under 300th Ave approximately 660' north of Hwy 7 between Sections 20 & 21, Nokomis Township;
- of Cherokee Rural Water, Cherokee, IA, to install a 2" waterline to be bored under 620th St. approximately 50' west of 60th Ave between Sections 11 and 14, Maple Valley Township;

- of IES Utilities – Alliant Energy, Spirit Lake, IA, to install 2,600' of overhead and 4,200' of underground 3-phase 12,470 volt line on the east side of Section 23 and the east side of the N½ of Section 26, all of Barnes Township, or from the new substation south to Rembrandt Enterprises pullet facility Carried.

A letter from an anonymous writer requesting changes to improve **traffic safety** at the intersection of Sections 2 and 11, Providence Township, was discussed. Trees obscure the site distance at the intersection. Ites will inspect the site, measure the distance from the trees to the intersection, and report back to the board.

Ites has received a request for tree and brush removal in **DD#49 Lateral 2**. The most recent work in that district was an improvement in 1985-86. Spray treatment will kill about 80%, but other measures will be needed to complete the job. He will prepare specs so that proposals to do the work can be requested.

The board discussed the need to assign or hire a person to perform 'watchman' type duties, and, to prepare an inventory and develop a plan for tree & brush removal in the **drainage districts**. Ites noted that several surrounding counties have a full-time drainage technician on staff in the engineer's office. There will be further discussion after some information is obtained.

To implement the board's current budget for paying a **beaver bounty** for those trapped in the county but not in drainage ditches, the board directed the auditor to modify the forms and prepare a media release.

Motion by Gustafson, second by Crampton, to approve and to authorize all board members to sign a letter of support for a Season's Center \$600,000 rural development network grant application for their **mental health and substance abuse services in the jail** project. If received, these funds would replace the county's current funding. Funds would be used to employ a person to coordinate the program, and typical office expenses in addition to the cost of services. The program would be serving dual diagnosis people in a collaborative effort with public health, case management, mental health, law enforcement and legal entities. Carried.

With Darren Baumgarner, NWIPDC, and Environmental Health/Zoning Director Kim Johnson, the board discussed the housing survey to be conducted in the rural areas of the county for the comprehensive **housing needs assessment** being prepared by NWIPDC. Supervisors will submit any additional questions to be added to the survey form to Johnson or Baumgarner.

General Relief Director Paula Guerra and an applicant were present to talk about the applicant's **general relief** request. Motion by Gustafson, second by Vail, to pay the physician's bill. Carried. The board declined to assist with the hospital bill.

Motion by Crampton, second by Burnside, to approve the **minutes** of the 9/26 meeting as printed, and the following **reports**: Sept Clerk fines-forfeitures-surcharges, Spectra lagoon discharge monitoring report, NWIPDC Policy Council minutes, budget reports, 1st Qtr FY'00 Sheriff's fees, Clerks fines-forfeitures-surcharges; also reviewed IDNR underground manure storage structure site inspections. Carried.

Motion by Vail, second by Burnside, to direct the Auditor to make corrective **transfers** retroactive to 9/27/2000 as follows: \$10.48 from 060 Emergency Management Fund to 001 General Basic fund, and, \$48.17 from 001 General Basic to 002 General Supplemental, both from Nov/Dec 1999 and having to do with electronic fund transfers. Carried.

The board acknowledged receipt of \$9,652.50 today from Calvin Tuttle, the balance due on his sealed bid for the old **Newell shed site**.

Motion by Crampton, second by Burnside, to adjourn at 12:15 p.m. until Tuesday, October 24, 2000, at 8:30 a.m. for a regular session.

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 24, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

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

By teleconference, Lloyd Galbraith, Newell, discussed his attendance at a Western Iowa **Tourism** meeting in Okoboji in September. He reported changes being discussed for the Tourism Committee. Because of the necessary time requirement, he declined an appointment to the committee, but agreed to serve as a substitute, if needed.

Clark Fort, Colburn & Elk **Insurance**, informed the board that the exclusion on the county's liability policy for the **Linn Grove dam** has been removed. Insuring the repaired dam will require an additional premium of \$1,500. Fort also recommended that all sources of coverage be reviewed at the next occasion for review, including ICAP, a risk retention group, which is pooled coverage. The board expressed concern over the additional required premium. Fort will go back to the insurance company to try to negotiate the premium. If he is unsuccessful, the board would like to meet with a company representative.

Supervisor Gustafson presented **juvenile detention** statistics for fiscal year 2000. Buena Vista County was the responsible county for half of the total detained individuals for a total of \$149,500. It was noted that only \$70,000 was budgeted in the current year.

EnvHealth/Zoning Director Kim Johnson introduced Don McLain to the board as the new inspector in her department. Johnson requested a **public hearing** date for a subdivision request. Motion by Burnside, second by Gustafson, to set the date and time of public hearing as October 31, 2000, at 8:30 a.m. for the Schroll subdivision request. Carried.

Engineer Jon Ites presented summaries of **equipment quotes**. On a 4x2 **truck chassis**, quotes were received from Fitzpatrick Truck, Storm Lake; Bushlow Truck, Cherokee; and Barry Motor, Danbury. Motion by Crampton, second by Vail, to purchase a Chevrolet C7H042 from Fitzpatrick Truck for a gross price of \$39,138, less \$6,500 trade-in, or a net of \$32,638. Carried.

On two 6x4 **truck chassis**, quotes were received from Barry Motor, Danbury, and Bushlow Truck, Cherokee. The engineer recommended purchase of the Sterling trucks due to similarity with existing equipment, to avoid stocking additional parts, and due to International not meeting specifications on the engine or transmission. Motion by Gustafson, second by Burnside, to purchase two 6x4 truck chassis from Bushlow Truck for a gross price of \$122,992, less \$30,700 trade-in, for a net price of \$92,292. Ayes—Burnside, Gustafson, Bruns. Nays—Crampton, Vail. Carried.

On a 4 wheel drive **hydraulic excavator**, quotes were received from Swaney Equipment, Fort Dodge, and Ziegler Cat, Fort Dodge. Motion by Vail, second by Gustafson, to purchase a Liebherr A904 hydraulic excavator from Swaney Equipment, Fort Dodge, for a gross price of \$174,995, less a trade-in of \$11,000, for a net price of \$163,995. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign a power of attorney authorizing Engineer Jon Ites to act as the county's agent for **USDA programs**. Carried.

Motion by Crampton, second by Burnside, to approve and to authorize the Chairman to sign the final estimate on **project #L-FM-504—73-11**. Carried.

Motion by Gustafson, second by Crampton, to approve, and to authorize the chairman to sign, the following **utility construction permit** applications:

- Lundell Construction, Cherokee, to install a 1½" PVC waterline to existing meter pit, under C-65 to the Recycle Center, all between Sections 13 and 24, Hayes Township;
- Iowa Lakes Electric Coop., Estherville, to install a 3-phase 7200/12470 volt underground distribution line on the north side of Section 7, Providence Township, from the substation east to east of the Melvin Gutz building site, in the private right-of-way;
- MidAmerican Energy Co., Storm Lake, to install an 8000 volt underground power cable to replace overhead cable, at the request of Enron, from 300' north of the SE corner of Section 12, to 20' south of the NE corner, Section 13, Nokomis Township;

- MidAmerican Energy Co., Storm Lake, to install an underground power cable to replace overhead cable, at the request of Enron, from 40' north of the SE corner NE¼, Section 13, to 40' south of the NE corner SE¼, Section 13, Nokomis Township.

Carried.

At 10:00 a.m., the board temporarily recessed to move to PMR #1 for a meeting with the Sac County Board of Supervisors, and interested landowners, for discussion of a **bridge replacement** on the BV/Sac County line. Present from Sac County were: Board Chairperson Laura Foell, Supervisor Russ Kroeger, Co. Auditor Jim Dowling, and Co. Engineer John Johnson; Ivan Droessler from Kuehl & Payer; landowners-Chuck Wadsley, Tom Smith, Jeff Smith, Bill Lange and Richard Lange. BV Co. Engineer Jon Ites reviewed the history of the bridge in question (south of Section 32, Providence Twp.), including the decision to replace the bridge with twin 5' culverts in a joint project with Sac County. He further explained that using a larger culvert for replacement would effect the bridge downstream in Jt. DD #274. Using a larger culvert would increase the cost.

Engineer Ivan Droessler reported on his study of the effect of the larger culvert and what would then be necessary for a structure downstream in Jt. **Drainage District #274**. If a 108" structure is used above, he would recommend an 11' structure for adequacy in a normal drainage event.

Sac Co. Engineer John Johnson agreed that 108" structure would be acceptable.

Tom Smith stated that the landowners did not want to lose any of their existing drainage relief. They don't want to go backwards. Therefore they would like to see a larger structure.

Ites stated that the culvert sizes being considered are all smaller than what the existing bridge is, so they will decrease the drainage flow. Also, increasing the size of the replacement will result in higher cost for both material and installation. He recommends a 108" culvert for the replacement on the BV/Sac Co. line.

Droessler recommended a 120" culvert on the Chuck Wadsley crossing.

Motion by Vail, second by Burnside, to install a 108" culvert on the BV/Sac Co. line bridge. Carried.

[For information only: Sac Co. Supervisor Russ Kroeger moved that a 108" culvert be installed on the BV/Sac Co. line bridge and approved the additional cost of materials and installation, seconded by Foell. Carried.]

[[At this time, the two Boards of Supervisors convened a meeting of the joint Board of Trustees of **DD #274**. Motion by Foell, second by Vail, to appoint Doug Bruns – Chairman, and Karen Strawn – Secretary, for the meeting. Ayes—Foell, Kroeger, Bruns, Burnside, Crampton, Gustafson, Vail. Nays—none. Carried.

Motion by Kroeger, second by Vail, to approve using a 120" culvert at the Wadsley crossing, to appoint Engineer Ivan Droessler to do the design work, and to let bids for same. Ayes—Foell, Kroeger, Bruns, Burnside, Crampton, Gustafson, Vail. Nays—none. Carried.

Motion by Gustafson, second by Foell, to approve payment of \$827.90 to Kuehl & Payer, Ltd., for engineering services. Ayes—Foell, Kroeger, Bruns, Burnside, Crampton, Gustafson, Vail. Nays—none. Carried.

Motion by Gustafson, second by Crampton, to adjourn the joint meeting at 11:25 a.m. Ayes—Foell, Kroeger, Bruns, Burnside, Crampton, Gustafson, Vail. Nays—none. Carried.]]

At 11:30 a.m., the Buena Vista County Board of Supervisors returned to the boardroom for the remainder of their regular meeting.

NWIPDC Executive Director Dave Horan, and planner Darren Bumgarner, were present to discuss their agency. They are an agency providing planning and development services to many jurisdictions including cities and counties. The jurisdictions also contract with the agency for grant writing and special projects. Horan noted that the jurisdictions are the owners of the work in progress and responsible for public access, not the agency.

Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign Resolution 2000-10-24, and, 'Summary of FY'01 Trial Program for **Beaver Trapping** in Non-Drainage District Areas'. Carried.

RESOLUTION 2000-10-24

Title: Resolution to Establish Beaver Bounty Program in Non-Drainage District Areas of the County.

WHEREAS, the Buena Vista County Board of Supervisors, as Trustees of the Drainage Districts, have a responsibility to maintain the serviceability of the districts; and,

WHEREAS, beaver dams impede the drainage of water requiring costly work to be performed to remove the dams; and,

WHEREAS, the Buena Vista County Board of Supervisors as Trustees of the Drainage Districts currently has a beaver bounty program which pays \$25/beaver only for beavers trapped in the drainage districts of the county; and,

WHEREAS, beaver dams constructed just above or below a drainage district also contribute to reduced serviceability of the districts,

NOW THEREFORE BE IT RESOLVED, that the Buena Vista County Board of Supervisors hereby establishes a trial program for FY2001 to pay a beaver bounty of \$25/beaver trapped in any non-drainage district area in the county, up to a total of \$1,000 for the year; and,

BE IT FURTHER RESOLVED THAT, participation in the trial program, shall require that a trapper register in the office of the Buena Vista County Auditor, where trapping forms and a summary of the program will be available.

ADOPTED this 24th day of October, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman 10/24/00
Board of Supervisors

Attest: /s/ Karen M. Strawn, Co. Auditor 10/24/00

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign Resolution 2000-10-24a which authorizes the auditor to issue certain warrants without prior Board approval.

RESOLUTION 2000-10-24a

Title: Resolution to Authorize County Auditor to issue warrants under \$200 without prior Board approval.

WHEREAS, the Buena Vista County Board of Supervisors approves expenditure claims for payment every other Tuesday; and,

WHEREAS, occasionally an emergency or otherwise urgent need to pay an expenditure claim at other times than the regular time arises; and,

WHEREAS, it is the intent of the Buena Vista County Board of Supervisors that expenditures of the county be paid promptly to avoid penalties, to take advantage of price discounts, or to solve some time-related issue;

NOW THEREFORE BE IT RESOLVED, that the Buena Vista County Board of Supervisors hereby authorizes the County Auditor to issue expenditure claims under \$200 without prior approval of the Board of Supervisors, upon receipt of appropriate documentation, when a compelling reason exists.

ADOPTED this 24th day of October, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman 10/24/00
Board of Supervisors

Attest: /s/ Karen M. Strawn, Co. Auditor 10/24/00

Motion by Burnside, second by Gustafson, to approve the **minutes** of the 10/10 meeting as printed, and the following **reports**: 1st Qtr FY'01 Recorder's fees, Sept. Conservation Board minutes; the board also reviewed the 1st Qtr 2001 Farm-to-Market fund report, and loss runs for county's insurance coverages. Carried.

Motion by Vail, second by Gustafson, to direct the auditor to **void warrants:**

- #121884 (outstanding) issued 6/20/00 to GTE Midwest for \$562.32, and to re-issue it to Iowa Telecom (new company name), the payment having been issued for E911 services;
- #122463 (apparently lost and outstanding), issued 7/18/00 to Kummerfeldt Service for \$20.00 (LP gas tank rental), and to re-issue the warrant in the same amount to the same vendor to pay the past due account.

Carried.

Motion by Crampton, second by Vail, to approve the request for **family medical leave** for Stacy Tiefenthaler. Carried.

Motion by Vail, second by Crampton, to adjourn at 12:30 p.m. until Tuesday, October 31, 2000, at 8:30 a.m. for a special session.

BOARD OF SUPERVISORS MEETING
FORTY-SEVENTH MEETING, 2000 SESSION (47)
OCTOBER 31, 2000

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 31, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

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

8:30 a.m. – The time having arrived for consideration of the Schroll subdivision request, the Chairman opened the discussion with no interested members of the public present. Zoning Director Kim Johnson noted that a notice of hearing is not required for today’s consideration. She explained the elements of the request and reported that the Board of Adjustment had recommended approval of the request. There being no written or oral objections to the request, motion by Vail, second by Burnside, to close the discussion. Carried.

Motion by Crampton, second by Burnside, to approve Resolution 2000-10-31, approving the subdivision request of Charles, David & Steven Schroll as follows: Carried.

Resolution 2000-10-31

WHEREAS, Charles, David, and Steven Schroll have presented a preliminary and final plat (of survey) on the following described property:

Lot A: a tract of land located in the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) of Section 20, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and being more particularly described as follows:

Commencing at the Northwest (NW) corner of the Northeast Quarter (NE¼) of said Section 20; Thence on a previously recorded bearing of South 90°00’00” East, along the North line of the Northeast Quarter (NE¼), 1,408.85 feet to the point of beginning. Thence South 00°25’32” East, 275.23 feet; Thence North 89°54’00” East, 161.78 feet; Thence North 00°38’00” West, 274.96 feet to the North line of said Northeast Quarter of the Northeast Quarter (NE¼ NE¼); Thence North 90°00’00” West, along said North Line, 160.78 feet to the point of beginning.

Hereafter known as Lot A of Section 20, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 1.02 acres and is subject to all easements of record.

AND

Lot B: A tract of land located In the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) Of Section 20, Township 90 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 Northeast Quarter (NE ¼) of said Section 20: Thence on a previously recorded bearing of North 90°00’00” West, along the North line of the Northeast Quarter of the Northeast Quarter (NE¼ NE¼), 763.72 feet to the point of beginning. Thence South 00°38’00” East,

235.00 feet; Thence South 90°00'00" West, 264.00 feet; Thence South 00°42'56" East, 39.94 feet; Thence South 89°54'05" West, 50.32 feet; Thence North 00°38'00" West, 274.96 feet to the North line of said Northeast Quarter of the Northeast Quarter (NE¼ NE¼); Thence South 90°00'00" East, along said North line 314.23 feet to the point of beginning.

Hereafter known as Lot B of Section 20, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 1.74 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: 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 Lot A of Section 20, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and Lot B of Section 20, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, is hereby accepted subject to the following if any: none

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of Lot A of Section 20, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and Lot B of Section 20, Township 90 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 31st day of October, 2000.

/s/ Doug Bruns, Chairman
Board of Supervisors

/s/ Karen M. Strawn, Auditor
& Clerk to the Board

Clark Fort introduced to the board, Ken Sosnowski, general agent for Penco who provides service for the liability coverage written with The Hartford. Previously, the **Linn Grove dam** was covered by general liability without a rider, or additional premium. Following repair of the dam in September, The Hartford is requesting an additional premium of \$1,500. Sosnowsky offered a reduction of the premium amount to \$1,250 to cover the period of 9/1/00 to 6/30/01. He indicated that though it was not generally known, the prior coverage did include a separate amount within the liability coverage. Dam coverage is and was \$1,500, although the billing, nor the policy indicated the \$1,500 for the dam.

Steve Gustafson was present to discuss a question he had with the assessment of his empty hog buildings. To avoid assessment and taxation, he had been told that the buildings need to be torn down. The board confirmed the information.

Mark Castenson, planner from NWIPDC, was present to answer the board's questions regarding the county's application for a **Hazard Mitigation** planning grant. Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign the application for federal assistance in the form of a hazard mitigation planning grant, and to designate NWIPDC as the authorized representative to facilitate writing the plan. Carried. Motion by Burnside, second by Gustafson, to approve and to authorize all supervisors to sign, an agreement to provide matching funding (75% federal / 25% or \$1,000.00, with not more than \$500 in-kind match) in local monies for the hazard mitigation planning grant. Carried. Motion by Gustafson, second by Vail, to authorize the Chairman to sign the FEMA Sheet of Assurances and Certifications for Non-construction programs. Carried.

The Board of Supervisors welcomed Virgil Jensen to their meeting with thanks and in recognition of his 30 years of service to the veterans of Buena Vista County. Jensen has been a member of the Buena Vista County **Veterans Affairs Commission** since 1970. Jensen described how the work has changed over the years including the fact that at that time, he was responsible for a specific portion of the county. Commissioners used to prepare their own claims without clerical assistance. The budget was also higher at that time than it is now.

Ivan Droessler, Kuehl & Payer, Ltd., presented the preliminary results of a study of **DD #81** following the county's receipt of a petition for drainage relief submitted by the City Council of Albert City. Preliminary plans and a report are completed, the proposal being an open ditch along the existing surface channel. The original design of the district is inadequate for the current need. The possible construction cost is \$105,000, with 3½ acres of mitigation. Current per acre costs for mitigation are running \$5,500-7,000/ac. Approximately 10 acres would need to be purchased to mitigate the 3½ acres. The total for the project including reclassification is estimated at \$273,000 or an average of \$197/ac. Property receiving higher benefits will have a higher assessment. A remonstrance requires 70% of the owners, representing 50% of the land, in order to stop the project. Supervisor Gustafson suggested holding an informational

meeting before the investigation goes further along. Droessler suggested that the city has been talking about it, and he recommends completing the study before holding a meeting, since he is so close to completion. Dean Sundblad, representing the farmer whose land will be affected, asked questions about the current design, and whether modifications are possible – yes. Supervisor Burnside also suggested an informal meeting to provide some information, to bring everyone up to the same level of information. Jay Erlandson, City Councilman for Albert City, said that he is familiar with the project because he is on the council, but he doesn't know how much the general public knows about the project.

Droessler also reported on **DD #274**. He has been working on the Wadsley crossing design. The county will need to decide quickly on several questions about the bridge – remove and destroy or save, etc. in order to be able to let this project for installation to be done at the same time as the bridge replacement on the county line. Droessler has estimated the project at about \$16,000. A teleconference with the Sac County Board of Supervisors will be arranged to discuss several new ideas.

Engineer Jon Ites noted that the traffic safety fund agreement was not ready for discussion today.

Motion by Crampton, second by Vail, to approve **project #BROS-CO11(42)—5F-11** between 12 & 13, Elk Township for letting and to authorize the boards' signatures on the design cover sheet. Carried.

Ites estimated that the **bridge** South of Section 36, Providence Township, would cost approximately \$100,000 to bring it up to 11 ton load limit, and over \$400,000 to replace. Removal will not be cheap either - \$20-30,000. He expects there would probably be resistance to closing the road and removing the bridge.

CPC Dawn Mentzer reported that she is applying thru the University of Iowa Hospital for funding for one patient to transition into **(MH) community placement** from Woodward. Both the Howard Center and Genesis Development are currently full, so are partners in the application. The application for \$15,000 must be submitted by 11/9/00, and if approved, must be expended by 6/30/01.

Mentzer informed the board that due to budget problems of the Judicial system, the **Judicial Hospitalization Referees** are being eliminated statewide effective 11/1/2000. This will impact Buena Vista County. Magistrate Donavon Schaeffer will now be responsible for these duties. Because he is not in town, and will be serving 3 counties, it is not likely he will have the time to do the intensive screening as Hugh Perry has done, which has resulted in the best use of county funds. The board agreed to sign a letter to the Chief Justice of the Iowa Supreme Court on the matter, with a copy to be sent to Judge Vipond of the 3rd District, Lt. Governor Sally Peterson, and ISAC to inform them and to encourage reconsideration of the decision.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the **minutes** of the 10/24 meeting as printed. Carried.

Motion by Vail, second by Crampton, to adjourn at 11:45 a.m. until Tuesday, November 7, 2000, at 8:30 a.m. for a regular session. Carried.

BOARD OF SUPERVISORS MEETING
FORTY-EIGHTH MEETING, 2000 SESSION (48)
NOVEMBER 7, 2000

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 7, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Crampton, Gustafson, Vail. Nays—none. Carried.

Deputy Assessor Kim Carnine presented signed family farm applications for FY'02. Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign the **family farm applications** for FY'02 as recommended by the Assessor, and to disallow one application on parcel #'s 8661.00, .10, 8664.00, .10, .20, .30 as recommended by the Assessor. Carried.

Carnine informed the board of Assessor Ted Van Grootheest's ISAA 2000 **award** for "Outstanding Contribution" which was given in to him in a surprise presentation by the group.

Engineer Jon Ites has received a letter from A&K Railroad requesting another extension on their lease of the **Goldsmith Pit** near Marathon. The board discussed the current or future impact of the activity on county operations, and clean-up that will be needed when they leave. Motion by Vail, second by Crampton, to approve an extension of A&K Railroad's lease on the Goldsmith Pit until June 25, 2001 for price of \$3,600, paid in advance. Carried.

Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign Resolution 2000-11-07 which accepts and approves an agreement for the receipt and use of \$408,000 in traffic safety funds. Carried.

RESOLUTION 2000-11-07

TITLE: Resolution accepting and approving Agreement # 2001-TS-005.

WHEREAS, Buena Vista County has made application for funding through the Traffic Safety Improvement Program under Iowa Code Section 312.2(16) (1999), and

WHEREAS, said application has been approved, for project #FM-TSF-CO11(34)—5B-11 in the amount of \$408,000; and,

WHEREAS Buena Vista County has reviewed agreement # 2001-TS-005 and finds it agreeable;

THEREFORE BE IT RESOLVED, the Buena Vista County Board of Supervisors hereby accepts this Agreement and authorizes the Chairman to sign said agreement, to be attested by the Buena Vista County Auditor; and,

AND BE IT FURTHER RESOLVED AND NOTED certain provisions under Section 3 of Agreement #2001-TS-005 will be completed under project # programmed to be completed during FY'03

ADOPTED this 7th day of November, 2000, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Doug Bruns, Chairman, Board of Supervisors Attest: /s/ Karen M. Strawn, Co. Auditor

Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign the final pay estimate to Blacktop Service Company, Humboldt, in the amount of \$2,428.71 for FY'00 **projects #1-6 (seal coating)** on segment of M-36, segment of C-25, Casino Beach S/D, Stoney Point S/D, South Cove S/D, and Schaller S/D). Carried..

Ites presented **quotes on equipment** to outfit the 3 truck chassis purchased previously. Motion by Gustafson, second by Vail to accept the low quote of Crysteel Truck, Lake Crystal, MN, in the amount of \$9,860.00 for a 12' truck box and hydraulics for the new **single axle truck** chassis. Carried.

Motion by Vail, second by Crampton, to accept the low quote of Hiway Truck, Fort Dodge, in the amount of \$85,408.00, for truck boxes, snow equipment, tailgate sanders and underbody scrapers for the 2 **tandem axle truck** chassis purchased previously. Motion by Gustafson to amend the motion by deleting the underbody scrapers from the Highway Truck quote. This motion died for lack of a second. The Chairman then returned the discussion to consideration of original motion, calling for the vote. Ayes—Crampton, Vail, Bruns. Nays—Gustafson. Carried.

Ites informed the board that there is a move to privatize the insurance program for the leaking underground fuel storage tank clean-up fund, replacing the current program under which GAB Robbins acts as the State of Iowa's agent. County engineers were asked for their input on how to set up the program. Buena Vista County has received notice that it will be reimbursed \$38,816.60 (the upper limit is \$1,000,000/site) from the LUST Fund for costs expended up to and including the last round of testing and Tier 3 report for the **Hudson St. site**.

Ites also informed the board that the September and October **Road Use Tax** fund distributions were in identical amounts. October was wrong incorrect and should have been approximately \$4,500 less. The adjustment is to be made next month

The Quadrennial Needs Study Committee and Co. Engineer's Association are discussing ways to stabilize the amount of **Road Use Tax** distributions to counties. Currently there are some wild variations. The timing of new inventories together with other criteria has created some significant swings.

The 200 crop year corn from the S. Hayes Pit farm has been sold.

Motion by Gustafson, second by Vail to approve the following underground utility permits applications:

- by Roger Laursen to install a 1” underground waterline extension from Dave Gunderson to Laursen’s property (between Sections 6 & 7 Brooke Township);
- by Iowa Lakes Electric Cooperative, Estherville, to install underground single-phase 7200 volt cable from the west end of N. Sioux Rd 1450’ across N. River Rd., the east along the south side of N. River Rd for approximately 5600’, approval being contingent upon the engineers inspection of the site. Carried.

10:30 a.m. – The time having arrived for a DD #274 Jt. teleconference with the Sac Co. Board of Supervisors, a telephone call was placed to Sac County. Present for the meeting were Sac County Supervisors Laura Foell, Rebecca Hillmer, and Russ Kroeger, BV County Supervisors Bruns, Crampton, Gustafson and Vail, BV County Auditor Strawn, and Engineer Ivan Droessler, Kuehl & Payer. The purpose of the meeting was to discuss whether or not to offer Chuck Wadsley a damage payment in lieu of replacing the bridge on his crossing with the 120” culvert as previously discussed and agreed.

Droessler explained that although the joint board had agreed to replacing the structure with a 120” culvert, the board could consider offering a ‘damage’ payment instead. Since Wadsley has access to his property, even without the crossing, he might be interested. Also, when the district installs the culvert, the cost is paid by the district and then assessed back to the members of the district. Wadsley would then be responsible for his share of the cost. The ultimate result of a damage payment could be a smaller cost to the members of the district and cash to Wadsley. Droessler also advised that if the joint board would consider this possibility, the advice of legal counsel should be sought prior to taking any action.

Foell believes that Wadsley would not be interested because he wants the crossing. Gustafson suggested that there would be no cost to asking Wadsley to consider it, and a savings to the district if he agreed. Motion by Gustafson, second by Kroeger, to extend an offer of cash ‘damages’ in place of a 120” culvert to Wadsley, the offer to be communicated by telephone by Droessler on behalf of the joint board. No amount was specified for the offer, but the offer would not exceed the cost that the district would incur if the culvert were installed - \$16,000. Ayes—Hillmer, Kroeger, Crampton, Gustafson, Vail, Bruns. Nays—Foell. Carried.

Droessler asked the joint board what they wanted done with the old materials when the bridge is removed. The consensus was to offer the materials to the contractor for salvage, and to include that information in the specs. Droessler also asked the board to consider a completion date of May 15 or June 1, 2001, since it is not likely the work can be done this fall. The joint board agreed.

Their meeting having been concluded, the joint board ended the teleconference.

Motion by Vail, second by Gustafson, to approve the minutes of the 10/31 minutes as printed, and the following reports: Oct Clerk’s fines, fees and surcharges; also reviewed Oct NWIPDC Policy Council minutes. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign a letter of support to accompany a grant application for funds to combat youth smoking in the county. Carried.

Motion by Vail, second by Gustafson, to adjourn until Tuesday, November 14, 2000, at 8:30 a.m. for a special session to canvass today’s General Election. Carried.

BOARD OF SUPERVISORS MEETING
FORTY-NINTH MEETING, 2000 SESSION (49)
NOVEMBER 14, 2000

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 14, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

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

John Murray, President of the Buena Vista County Bar Association, was present to discuss the **Law Library**. Now that the library is computerized, some changes in resources to be purchased are recommended. Motion by Crampton, second by Burnside, to make changes as presented and to contract with Westlaw for and to authorize the Chairman to sign a contract with Westlaw.

Motion by Gustafson, second by Crampton, to approve the **minutes** of the 11/7 meeting as printed, and the following **reports**: Oct Conservation Bd minutes, Sept & Oct YES Center detainee listings, Oct Spectra lagoon test by Mangold Environmental; also reviewed: The Hartford loss runs. Carried.

Motion by Vail, second by Gustafson, to appoint Roger Peterson to the **Zoning Commission**. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign a provider and program participation agreement with **Northwest Iowa Health Center**. Carried.

Deputy Auditor Sue Kennedy reviewed the status of several bills for maintenance on plant equipment at Spectra.

Upon completion of the **Canvass** of the tally lists of the November 7, 2000, General Election, pursuant to Chapter 50.24 of the 1999 Code of Iowa, motion by Gustafson, second by Burnside, to declare the results as follows (candidates receiving 5 votes or less are listed together as scattering): (*indicates elected or approved, ~indicates write-in)

TOTAL VOTERS: 8,027

For the office of **President & Vice President**:

George W. Bush & Dick Cheney	4,354
Al Gore & Joe Lieberman	3,297
James Harris & Margaret Trowe	5
David Mc Reynolds & Mary Cal Hollis	1
Pat Buchanan & Ezola Foster	59
Harry Browne & Art Olivier	15
Ralph Nader & Winona Laduke	227
Howard Phillips & J Curtis Frazier	8
John Hagelin & Nat Goldhaber	7
Scattering (w/i)	4

For the office of **United State Representative**, District 5:

Tom Latham	5,417
Mike Palacek	2,105
Ben L. Olson	108
Ray Holtorf	72
Scattering (w/i)	1

For the office of **State Representative**, District 9:

Dan Huseman	752
Scattering (w/l)	0

For the office of **State Representative**, District 10:

Russell Eddie	4,289
Sue Morrow	2,403
Gary L. Meier Jr.	244
Scattering (w/l)	1

For the office of **County Supervisor**, District 2:

Lorna Burnside*	6,209
Scattering (w/i)	36

For the office of **County Supervisor**, District 3:

Herbert D. Crampton*	4,683
Tom Ellis	2,614
Scattering (w/i)	6

For the office of **County Auditor**:

Karen M. Strawn*	6,346
Scattering (w/i)	19

For the office of **County Sheriff**:

Gary J. Launderville	3,551
Chuck Eddy*	4,297
Scattering (w/i)	5

For the office of **Township Trustee**, elect 2 per township (~no winner declared):

Barnes	Richard Noll*	93	Larry Riitscher*	88
Brooke	Wendell Nothwehr*	68		

Coon	Dennis Gutz*	88	Arden Jorgensen*	90	Scattering (1 person)	1
Elk	Craig Rehnstrom*	99				
Fairfield	Waldo Johnson*	114	James Peterson*	105		
Grant	Dan P. Ehlers*	126	Bruce Richardson*	11	Scattering (2 persons)	3
Hayes	James R. Foell*	300	Don Jackson*	263	Scattering (1 person)	1
Lee	Greg Sundblad*	99	Ed Madsen*	83	Scattering (1 person)	1
Lincoln	Tom Cavanaugh*	75				
Maple Valley	Roger Kuhrts*	102	Max L. Taber*	101	Scattering (1 person)	1
Newell	Dale Bodholdt*	1	Roger Sarchet*	1		
Nokomis	Ray C. Mortensen*	163	Dave Mortensen*	8	Scattering (3 persons)	4
Poland	Robert L. Anderson*	65	Larry Weishaar*	69		
Providence	Everett Von Ehwegen*	92	Paul Smith*	89		
Scott	Wencil Small*	94			Scattering (1 person)	3
Washington	Dave Merten*	9	Bob Holmes*	4	Scattering (3 persons)	3

For the office of **Township Clerk, Washington Twp.**, to fill a vacancy, elect 1:

Terry Stull* 172

For the office of **County Hospital Trustee**, elect 3:

Glen Huntington* 4,604
Michael F. Sharar* 4,415
Robert M. Thompson* 4,531
Scattering (persons) 20

For the office of **Soil & Water Conservation Commissioner**, elect 3:

Robert L. Anderson* 4,439
Dwight A. Young* 4,417
Brian Waldstein* 16
Scattering 62

For the office of **Agricultural Extension Councilmembers**, elect 4:

Karla J. Christensen* 4,335
Merri Drzycimski* 4,018
Dawn Prosser* 3,976
Brian J. Waldstein* 4,581
Scattering 35

For the office of **Agricultural Extension Councilmembers**, to fill a vacancy, elect 1:

Leon Williams (w/i)* 19
Scattering (25 people w/i) 29

Shall the following **Supreme Court Judges** be retained in office:

James H. Carter Yes—3,679 No--884
Mark S. Cady Yes—3,386 No--923

Shall the following **Court of Appeals Judges** be retained in office:

John C. Miller Yes—3,526 No--755
Anuradha Vaiteswaran Yes—3,040 No—1,031
Van D. Zimmer Yes—3,273 No--829
Daryl L. Hecht Yes—3,315 No--839

Shall the following **District Court Judges** be retained in office:

David A. Lester Yes—3,525 No--783
Joseph J. Straub Yes—3,503 No—911

Shall the following **District Associate Court Judge** be retained in office:

David C. Larson Yes—3,585 No--738

Shall the following **District Alternate Associate Court Judges** be retained in office:

Jon M. Martin Yes—3,550 No--737

Shall the following **District Associate Juvenile Court Judges** be retained in office:

Mary L. Timko Yes—3,767 No--797

Constitutional Convention Question – Shall there be a convention to revise the constitution, and propose amendment or amendments to same? Yes—1,788 No—3,737

and to direct that abstracts be prepared and filed as required by the Secretary of State. Ayes—Burnside, Crampton, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

Motion by Vail, second by Crampton, to adjourn at 11:50 a.m. until Tuesday, November 21, 2000, at 8:30 a.m. for a regular session. Carried.

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 21, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

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

Kuehl & Payer Engineer Ivan Droessler reported on his discussion with Chuck Wadsley. Droessler had been authorized by the joint **DD #274** Board of Trustees to offer cash damages instead of installing a culvert to replace a bridge. Wadsley informed Droessler that he wants the crossing, and is not interested in 'damages'. Wadsley is also satisfied that the joint board offer the bridge salvage material to the contractor. Droessler presented and reviewed his project specifications and plans for the filed crossing culvert in SW¼ NE¼ Section 16, T89N, R36W. Motion by Burnside, second by Vail, to set the bid letting date for December 12, 2000, at 10:30 a.m. Carried. The notice of letting will be published in Sac City Sun and (twice in) the 3 BV County official papers, not less than 4 days prior to the letting.

EnvHealth Director Kim Johnson reviewed several requests for subdivisions and zoning reclassifications. Motion by Vail, second by Burnside, to set the following **public hearings** for Tuesday, December 5, 2000:

- **Subdivision request** of Chris Willfong for a location in Section 14, Providence Twp – 8:30 a.m.;
- **Rezoning request** of Jeff Christensen, from C to R-1, for a location at the intersection of C-49 & M54 – 8:40 a.m.;
- **Rezoning request** of Craig Wells, from A-1 to R-1, for a location east of Lakeside in Section 12, Hayes Township – 9:00 a.m.;
- **Subdivision request** of Craig Wells for a location in Section 12, Hayes Township – 9:10 a.m.

Carried.

The Chairman noted receipt of a letter of response from Chief Judge Lavorato regarding the lack of state funding for the position of **Judicial Hospitalization Referee**.

Engineer Jon Ites presented an agreement for federal funds on a bridge replacement. Motion by Crampton, second by Vail, to approve and to authorize the Chairman to sign the funding agreement for federal highway bridge replacement and rehabilitation funds for **project #BROS-CO11(42)—5F-11**, permitting up to 80% reimbursement to the county. Carried.

Ites has again submitted an application for Fundco funding for the **bridge** on the Raccoon River located 2 miles south of C-49 on a farm-to-market gravel road.

Linn Grove has acknowledged receipt of the agreement to reimburse Buena Vista County for **project # L-FM-504**, and proposed a repayment schedule. Motion by Vail, second by Gustafson, to approve and to authorize the chairman to sign the Linn Grove repayment schedule agreement for project #L-FM-504. Carried.

Motion by Burnside, second by Crampton, to approve a claim for registration fees for Supervisor Crampton and Engineer Ites from board funds for the December 1 **ISAC Drainage Seminar** in Fort Dodge. Carried.

Motion by Vail, second by Burnside, to approve and to authorize the Chairman to sign snow removal agreements with **Rembrandt** and **Truesdale** for the 2000-01 snow season. Carried.

Ites discussed the need to advise the public of their responsibility for **mailbox** replacement when the installation of the mailboxes are not in compliance with the county ordinance. He will talk to post office personnel about their printed materials on the subject.

The board acknowledged receipt of a **letter of demand** damages for injuries and damage suffered from an accident near Linn Grove due to alleged loose gravel.

Court Assigned Special Advocate Coordinator Kathy Fritz was present to discuss the CASA program she supervises, and the vision needs of 2 children in the program. As coordinator of the CASA program, Fritz recruits and trains volunteers to advocate for children who are victims of abuse and

neglect. After receiving 30 hours of training, volunteers are assigned to 1 case and become guardian ad litem for the child (children). Fritz currently has 19 CASAs but sees the need for up to 30. The CASA's responsibility is to speak up for the best interest of the child, not necessarily for what the child (children) wants. The CASA program is directed by Iowa Supreme Court – to be the eyes and ears of the judge, to avoid the case getting 'lost'. CASAs learn the facts of the case, the people involved in the child's life, assess and investigate, and visit with the child at least 1 time/month, but often much more. CASAs get involved at home of a child from the age of 0 to 17, which is where the problems are. These are children declared by the court to be 'CHINA', Children in Need of Assistance. The CASA writes reports and makes recommendations to the court to keep the child's needs before the court. Phone expense and mileage may be reimbursed. Fritz handles fundraising, including Community Chest funds, and recognition and other types of appreciation for CASA volunteers to keep the program viable.

CASA volunteer Julie Kelly talked a little about her experience with the program. She presented a request for 2 pair of eyeglasses (\$168) for 2 of the children (siblings) she is assigned. Motion by Burnside, second by Vail, to approve payment for 2 pair of eyeglasses for 2 children from **Buckingham Estate funds**. Carried.

Weed Commissioner Norm Lund stopped in with his annual weed commissioner's report. Motion by Vail, second by Crampton, to approve and to authorize the chairman to sign the **weed commissioner's annual report** to the Iowa Department of Agriculture. Carried.

Motion by Crampton, second by Gustafson, to approve the following changes in the **Community Services Department**: change Kristina Konradi's status from full-time to part-time (24 hours/week) effective 11/27/00, and, extend Judy Brenner's temporary status by 3 months commencing 11/27/00. Carried.

Motion by Vail, second by Burnside, to approve the **minutes** of the 11/14 meeting as printed, and the following **reports**: Oct. budget reports. Carried.

The auditor reported that the county's total **local option sales tax** receipts for FY'00 was \$536,536.72., with 70% - \$375,575.71 to be transferred to Secondary Roads. This is \$4,372.71 more than had been budgeted for the secondary road fund.

Motion by Burnside, second by Crampton, to adjourn until Tuesday, November 28, 2000, at 8:30 a.m. for a special session. Carried.

BOARD OF SUPERVISORS MEETING
FIFTY-FIRST MEETING, 2000 SESSION (51)
NOVEMBER 28, 2000

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 28, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Crampton, Gustafson, Vail. Nays—none. Carried.

Veterans Services Officer Clint Hoferman updated the board on his department. The new secretary has begun and is assisting with computer work. Hoferman reported that Buena Vista County has approximately 1,870 veterans registered with the Veterans Administration. The VA has initiated a number of new programs this past year. Preliminary budget issues were discussed.

Communications Center Supervisor Mark Van Hooser reported that the process for console replacement installation began yesterday with electricians. Equipment replacement will be done during the second and third weeks of December. The wireless E911 surcharge collections distributed through the State of Iowa, approximately \$100,000 for this county, will pay a portion of the cost, with the balance from the county's landline surcharge fund.

Engineer Jon Ites presented a utility permit application. Motion by Vail, second by Crampton, to approve and to authorize the Chairman to sign the **utility permit application** of Iowa Lakes Electric Cooperative, Estherville, Iowa, to install an underground single-phase 7,200 volt power distribution line to convert service to Ken Kies from overhead to underground at a location across 250th Ave. on the BV Co./Pocahontas Co. line. Carried.

Ites submitted for the board's discussion and consideration "Guidelines for Rural Mailboxes and Supports". He asked for input on how to approach the subject with the rural residents regarding the liability and potential for damage to property and person. No action was taken at this time.

Stop sign locations are being reviewed. Ites requested that the board identify any sites they would like checked.

Delayed by early morning weather related accidents, Sheriff Chuck Eddy discussed current activity in his department, including the court schedule for the murder trial of two youths. The INS video-conferencing project has been held up due to the need for a T-1 fiber-optic connection. The two newest deputies have completed specialized training in weapons and arson investigation.

The board discussed a schedule for the upcoming FY'02 budget preparation. Department heads will be asked to submit budgets earlier this year in order to accommodate an earlier review period.

Motion by Vail, second by Gustafson, to adjourn until Tuesday, December 5, 2000, at 8:30 a.m. for a regular session. Carried.

BOARD OF SUPERVISORS MEETING
FIFTY-SECOND MEETING, 2000 SESSION (52)
DECEMBER 5, 2000

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 5, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting.

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

Zoning Director Kim Johnson reported that there had not been a quorum present at last night's Zoning Commission meeting. Therefore, no official action could be taken.

8:30 a.m.--The time having arrived for the public hearing on the Chris Willfong subdivision request for a parcel in Providence Township. Notice of public hearing has been published as required by law. Johnson reviewed the elements of the request. There being no interested persons present to make objection, nor any written objection received, motion by Burnside, second by Vail, to recess the public hearing until Tuesday, December 19, 2000, at 7:30 p.m. at the E. Richland Annex. Carried. The board took no action pending the recommendation of the Zoning Commission on December 19.

8:40 a.m.--The time having arrived for the public hearing on the Jeff Christensen request for a zoning re-classification request, from C to R-1, for a location in Coon Township. Notice of public hearing has been published as required by law. Johnson reviewed the elements of the request. There being no interested persons present to make objection, nor any written objection received, motion by Burnside, second by Vail, to recess the public hearing until Tuesday, December 19, 2000, at 7:35 p.m. at the East Richland Annex. Carried. The board took no action pending the recommendation of the Zoning Commission on December 19.

8:50 a.m.--Pursuant to Chapter 352.9 of the 1999 Code of Iowa, Craig Wells was present to request withdrawal of a parcel of land from an established ag area. The strip provides western access to a field which is no longer needed. The strip of land is included in an area which has a rezoning request from A-1 to R-1. Withdrawal of the parcel will permit uniform zoning across a subdivision. No action was taken, pending receipt of a written request.

9:00 a.m.--The time having arrived for the public hearing on the Craig Wells request for a zoning re-classification request from A-1 to R-1 in Hayes Township. Notice of public hearing has been published as required by law. Johnson reviewed the elements of the request. There being no interested persons present to make objection, nor any written objection received, motion by Crampton, second by Vail, to recess the public hearing until Tuesday, December 19 at 7:40 p.m. at the East Richland Annex. Carried. The board took no action pending the recommendation of the Zoning Commission on December 19.

9:10 a.m.--The time having arrived for the public hearing on the Craig Wells subdivision request for an area in Hayes Township. Notice of public hearing has been published as required by law. Johnson reviewed the elements of the request. There being no interested persons present to make objection, nor

any written objection received, motion by Vail, second by Gustafson, to recess the public hearing on Tuesday, December 19, 2000, at 7:45 p.m. at the E. Richland Annex. Carried. The board took no action pending the recommendation of the Zoning Commission on December 19.

Emergency Management Director Bob Christensen updated the board on the hazmat training which has been scheduled for 2001, and plans for Domestic Preparedness assessment and strategy.

Motion by Gustafson, second by Vail, to accept the **quote** of Paul Park Company in the amount of \$2,724.45 for remodeling of the men's central restroom at **Spectra Health Care, Inc.** Carried.

Motion by Vail, second by Crampton, to approve the **minutes** of the 11/21 and 11/28 meetings as printed, and the following **reports**: 11/16 Mangold Environmental sampling report of the Spectra lagoon, 1st Qtr FY'01 loss runs for G/L, E&O, and umbrella coverages, and November budget reports. Carried.

UDMO Exec Director Larry Rohret and Storm Lake Site Director Joan Spooner met with the board to present their funding request for the **FY'02 budget** - \$19,715 – the same as for the current year. They reviewed the activity at the Storm Lake site, and also, their local and very successful Labor Day fundraiser.

Motion by Burnside, second by Vail, to adjourn at 12:10 p.m. until Tuesday, December 12, 2000, at 8:30 a.m. for a special session to canvass today's special elections. Carried.

BOARD OF SUPERVISORS MEETING
FIFTY-THIRD MEETING, 2000 SESSION (53)
DECEMBER 12, 2000

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 12, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, and Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Vail.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Burnside, Crampton, Gustafson. Nays—none. Carried.

Supervisor Crampton briefly reported on the **Empowerment** program, the status of the position of director, funding, etc.

The board reviewed a 3/7/2000 memo from the Legislative Fiscal Bureau regarding **HSB 666-Property Tax Levy Growth Limitation Bill**. More information is needed.

Upon completion of the **canvass** of the December 5, 2000, Special Elections in the Cities of Sioux Rapids and Storm Lake, pursuant to Chapter 50.24 of the 1999 Code of Iowa, motion by Burnside, second by Gustafson, to declare the results as follows, and to direct the Auditor to prepare abstracts as required: **Sioux Rapids** – total voters – 100; Sara Gregory-14, Rick Stoppelmoor-52-**elected**, Jim Wise-34. **Storm Lake** – total voters – 561; Sherise Gibson-98, Randy Persoon-15, Hector Velez-444-**elected**, Scattering-4. Carried.

Engineer Jon Ites reported on several issues discussed at the **IDDA** annual meeting and the ISAC Drainage Seminar held Dec. 1 in Fort Dodge including hiring a director, status of dues paid, and the status of the Charles Gunn lawsuit. It was noted that Chairman Bruns had been elected to the IDDA Board of Directors.

Motion by Gustafson, second by Burnside, to accept the **quote** of Schoon Construction, Inc., Cherokee, in the amount of \$184 each for cutting/re-cutting 54 rumble panels. Carried.

Ites presented a list of the projects which have been totally or partially funded with **local option sales tax** receipts since FY'98.

Ites requested information needed for preparation of his **FY'02 budget** including the amount of the transfers to be made from General and Rural Basic to Secondary Roads, and, whether or not applicable insurance will be paid from Secondary Roads or General Basic. The board requested the engineer to prepare a couple proposals for increasing the local participation percentage over several years.

10:30 a.m. – The time having arrived for opening the bids for the culvert project on **DD #274 Jt.**, Engineer Ivan Droessler, Kuehl & Payer, opened bids from L A Carlson Contracting, Inc., Merrill, IA; Goodburn Construction, Cushing, IA; Lundell Construction, Cherokee, IA; Nelson & Rock Contracting, Inc., Onawa, IA; Richard Construction Co., Sac City, IA; Valley Contracting, Inc., Estherville, IA; & Wetherell Excavating, Storm Lake, IA. Motion by Burnside, second by Gustafson, to reject the bid for the DD #274Jt. Culvert project without opening it, of Weston Ag Service, Inc., Manson, IA, as it did not have the required bid bond accompanying it, and none had been faxed to the auditor's office in time for the opening. Carried.

Droessler read the bid totals with L A Carlson Contracting Inc. submitting the low bid, and the 2nd low from Richards Construction Co. Droessler withdrew to check figures and totals. Upon his return and report that figures were correct, the board contacted the Sac County Board of Supervisors for a joint session. Present at **Sac County** were: Supervisors Russ Kroeger, Laura Foell, & Rebecca Hillmer, and Auditor Jim Dowling. Chairman Bruns reported on the bid opening, naming L A Carlson Contracting, Inc. as the low bidder.

Motion by Gustafson, second by Kroeger, that Bruns serve as Chairman, and Strawn as clerk, for this joint board of trustee meeting for **DD #274**. Ayes—Burnside, Crampton, Gustafson, Foell, Hillmer, Kroeger. Nays—none. Carried.

Motion by Hillmer, second by Crampton, to accept the low **bid** of L A Carlson Contracting, Inc., Merrill, IA, in the amount of \$15,430.15 for project #006090 – bridge removal/replace with culvert for DD #274 Jt. Ayes—Burnside, Crampton, Gustafson, Foell, Hillmer, Kroeger. Nays—none. Carried.

There being no further business, motion by Burnside, second by Foell to adjourn the DD #274 Jt. Meeting. Ayes—Burnside, Crampton, Gustafson, Foell, Hillmer, Kroeger. Nays—none. Carried.

Motion by Foell, second by Crampton, that Bruns serve as Chairman, and Strawn as clerk, for a joint meeting of the trustees of **DD #19-26 Jt.** Ayes—Burnside, Crampton, Gustafson, Foell, Hillmer, Kroeger. Nays—none. Carried.

Upon review of a letter dated 12/5/2000 from Bud Vote, Watchman for the district, recommending a 22% levy, motion by Hillmer, second by Burnside, to order a 22% **levy** of the original assessment schedule for DD #19-26 MOD with a levy date of September 1, 2001, delinquent October 1, 2001, with 9% waiver interest. Ayes—Burnside, Crampton, Gustafson, Foell, Hillmer, Kroeger. Nays—none. Carried.

There being no further business, motion by Kroeger, second by Crampton, to adjourn the meeting. Ayes—Burnside, Crampton, Gustafson, Foell, Hillmer, Kroeger. Nays—none. Carried.

Engineer Droessler reported that the landowner in **DD #81** has applied for a wetland determination, the results of which look favorable. As soon as the determination is received, he will file his report.

Motion by Burnside, second by Crampton, to approve the **minutes** of the 12/5 meeting as corrected, and the following **reports**: Nov. Clerk's fines & surcharges, Conservation Board minutes, Mangold monitoring report for Spectra lagoon. Also reviewed: Nov. NW IA YES Center detainee list. Carried.

Motion by Crampton, second by Burnside, to adjourn at 11:50 a.m. until Tuesday, December 19, 2000, at 8:30 a.m. for a regular session. Carried.

**BOARD OF SUPERVISORS MEETING
FIFTY-FOURTH MEETING, 2000 SESSION (54)
DECEMBER 19, 2000**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 19, 2000, at 8:30 a.m. in the Boardroom with Chairman Bruns presiding, and with the following others present: Burnside, Crampton, and Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Vail.

Unless noted otherwise, the motions were carried with the following vote: Ayes—Burnside, Crampton, Gustafson. Nays—none. Carried.

Community Services Director Dawn Mentzer, General Relief Director Paula Guerra, and Nurse Administrator Karole Graen discussed the funds in the Buckingham Estate which are for the medical

needs of children in Buena Vista County. Mentzer discussed a local doctor's recent request for emergency TB chest X-rays for school-aged children in the Storm Lake school district. Since no program was in place to timely handle the request, emergency contact of a majority of board members was necessary. A process is needed to access the funds more expeditiously. The board agreed. Motion by Crampton, second by Gustafson, to approve resolution 2000-12-19, and to authorize the Chairman to sign. Carried.

RESOLUTION 2000-12-19

Title: Resolution authorizing Community Services Director and Nurse Administrator to access Buckingham Estate funds.

WHEREAS, in 1975, the Estate of J. A. Buckingham, deceased, established a trust fund for the benefit of children in Buena Vista County, Iowa, who would otherwise be unable to secure needed medical and hospital care; and,

WHEREAS, the Board of Supervisors of Buena Vista County, were named Trustees of said Trust, and as such may expend the principal and income to carryout the purpose of the trust; and, further may designate a qualified person or persons to administer said trust;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS, that the Community Services Director and/or the Nurse Administrator are hereby authorized to jointly approve expenditures of up to \$200 per child without prior approval by the Board of Supervisors, when no other source of funding is available, to pay for the medical needs of children in Buena Vista County.

Approved at Storm Lake, Iowa, this 19th day of December, 2000.

/s/ Doug Bruns, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, Auditor

Regional Transit Authority Executive Director Rose Lee met with the board to request funding in the FY'02 budget. She is requesting a capital match of \$9,186 for each of the next 3 years, down from \$10,017 in the current year. Lee presented the agency's FY2000 annual financial report.

CPC Dawn Mentzer reported that her grant application for funding in the amount of \$13,738 to transition one client out of Woodward had been approved. If the move is successful, the client would benefit from the less restrictive environment, and the county's cost is lowered. She also discussed provider rates for the FY'02 budget. The only agency which has contacted her to date has requested a 3% increase. Mentzer will contact other providers to ask if they plan to request an increase.

Mentzer discussed how the commitment process is working with the elimination of the judicial hospitalization referee.

Engineer Jon Ites reported that Preston Jacobs, Bruce McGowan, Jim Curry and Ron White are the secondary road employees who will meet with Chairman Bruns and Supervisor Crampton to discuss wage increases for FY'02.

Ites reviewed projections for increasing the general and rural basic levies for secondary roads. Motion by Burnside, second by Crampton, for the FY'02 budget, to increase the general basic levy for transfer to secondary roads to its statutory maximum, and to increase the rural basic levy for transfer to secondary roads to 77.5% of the statutory maximum, and finally, to direct that the county assistance funds be deposited in the general basic fund with the note that ½ of the funds shall be applied to the cost of insurance for secondary road activities. Ayes—Burnside, Crampton, Bruns. Nays—Gustafson. Abstentions—none. Carried. For information purposes, the impact of the increase in the rural basic levy on the 160 acres would be approximately \$10.75 for the average 160 acres.

Sheriff Chuck Eddy requested approval to increase mileage from 31 cents to 34.5 cents, now that the INS has increased what they will allow. Motion by Gustafson, second by Burnside, to approve an increase in the mileage rate for Sheriff's fees from 31 cents/mile to 34.5 cents/mile, effective immediately. Carried.

Eddy, with Deputy Don McClure, discussed some changes in the Sheriff's department. Shift scheduling will change on Jan. 1. This includes a change in the scheduling of Deputies Simons and McClure who are supervisors of patrol deputies, and of the jail and the civil division. Eddy requested approval to increase their percentage to 85% from the current rate of 80%, on an hourly rate, not a salary basis, beginning July 1, 2001. Burnside suggested spreading this change over 2 years. The board agreed that he should budget it at 82.5%. Eddy would also like to change the way that staff members

receive increases by allowing the sheriff to approve a specific increase from a range, based upon merit and evaluation. No action was taken at this time on the method for approving deputy increases.

The board left the meeting for a lunch meeting at BVU on managing health care costs.

Sheriff Eddy and Deputy McClure proposed a new pay schedule for full time jailers to bring their wages up to the average of other county, non-managerial employees. No action was taken on the proposal.

Motion by Burnside, second by Crampton, to approve the minutes of the 12/12/00 meeting as printed. Carried.

Motion by Burnside, second by Crampton, to approve and to authorize the Chairman to sign a Resolution 2000-12-19.1 to develop a Hazard Mitigation Plan for the county. Carried.

RESOLUTION 12-19.1

A RESOLUTION OF THE 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 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 . . .

DEVELOPMENT OF A MULTI-HAZARD MITIGATION PLAN

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, Iowa, 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 19th day of December, 2000.

/s/ Doug Bruns, Chairman, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Motion by Crampton, second by Burnside, to recess the meeting until 7:30 p.m. in the East Richland Annex. Carried.

7:30 p.m.—The time having arrived for the board to reconvene their meeting (in the East Richland Annex following the completion of the Zoning Commission meeting) Chairman Bruns re-opened the meeting with Supervisors Burnside, Crampton, Gustafson and Vail, Zoning Director Kim Johnson, and Auditor Strawn present. The Chairman reopened the 12/5/00 public hearing on the Chris Willfong subdivision request for a parcel in Providence Township, which had been recessed to await a recommendation of the Zoning Commission. Though the time had passed for receiving objections to the subdivision request, none had been received. Johnson reported that the Zoning Commission had recommended approval of the subdivision request. Motion by Vail, second by Gustafson, to close the public hearing. Carried.

Motion by Gustafson, second by Vail, to accept the recommendation of the Zoning Commission and to approve Resolution 2000-12-19A approving the Willfong subdivision request. Carried.

RESOLUTION 2000-12-19A

WHEREAS, Jack and Christel Willfong have presented a preliminary and final plat (of survey) on the following described property:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW¼ NW¼) OF SECTION 14, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Northwest Quarter (NW¼) of said Section 14; Thence on previously recorded bearing of South 00°00' West, along the West line of said Northwest Quarter (NW¼), 630.8 feet; Thence South 89°18' East, 300.5 feet to the Point of Beginning. Thence continuing South 89°18' East, 136.5 feet; Thence North 00°18' West, 225.1 feet; Thence South 89°40' West, 116.0 feet; Thence South 03°36' West, 48.4 feet; Thence North 87°50' West, 15.3 feet; Thence South 00°14' West, 175.0 feet to the Point of Beginning.

Tract contains 0.68 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: above described parcel is to become part of Willfong's original lot and shall not become a parcel to be sold on it's own.

WHEREAS, the final plat meets with the approval of the Board subject only to the following if any: above described parcel is to become part of Willfong's original lot and shall not become a parcel to be sold on it's own.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that: A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW¼ NW¼) OF SECTION 14, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Northwest Quarter (NW¼) of said Section 14; Thence on previously recorded bearing of South 00°00' West, along the West line of said Northwest Quarter (NW¼), 630.8 feet; Thence South 89°18' East, 300.5 feet to the Point of Beginning. Thence continuing South 89°18' East, 136.5 feet; Thence North 00°18' West, 225.1 feet; Thence South 89°40' West, 116.0 feet; Thence South 03°36' West, 48.4 feet; Thence North 87°50' West, 15.3 feet; Thence South 00°14' West, 175.0 feet to the Point of Beginning is hereby accepted subject to the following if any: above described parcel is to become part of Willfong's original lot and shall not become a parcel to be sold on it's own.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of: A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW ¼ NW ¼) OF SECTION 14, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Northwest Quarter (NW¼) of said Section 14; Thence on previously recorded bearing of South 00°00' West, along the West line of said Northwest Quarter (NW¼), 630.8 feet; Thence South 89° 18' East, 300.5 feet to the Point of Beginning. Thence continuing South 89°18' East, 136.5 feet; Thence North 00°18' West, 225.1 feet; Thence South 89°40' West, 116.0 feet; Thence South 03°36' West, 48.4 feet; Thence North 87°50' West, 15.3 feet; Thence South 00°14' West, 175.0 feet to the Point of Beginning and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 19th day of December, 2000.

/s/ Doug Bruns, Chairman, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

The Chairman reopened the 12/5/00 public hearing on the Jeff Christensen request for a zoning re-classification request, from C to R-1, for a location in Coon Township. Though the time had passed for receiving objections to the re-classification request, none had been received. Johnson reported that the Zoning Commission had recommended approval. Motion by Gustafson, second by Vail, to close the public hearing. Carried.

Motion by Burnside, second by Vail, to accept the recommendation of the Zoning Commission and to approve the Christensen re-zoning request from C to R-1 for the following location: N½ of 2 acres in the SE corner of the SE¼ of Section 29, T91N, R3W, more particularly described as a tract of land beginning at the SE corner of Section 29, less public Highways D and L in T91N, R35W, of the 5th P.M. running thence North 12 rods along said Highway D; thence West 26½ rods; thence South 12 rods; thence East along Public Highway L 26½ rods to the place of beginning. Carried.

The Chairman reopened the 12/5/00 public hearing on the Craig Wells request for a zoning re-classification request, from A-1 to R-1, for a location in Hayes Township. Though the time had passed for receiving objections to the re-classification request, none had been received. Johnson reported that the Zoning Commission had recommended approval. Motion by Vail, second by Gustafson, to close the public hearing. Carried.

Motion by Vail, second by Crampton, to accept the recommendation of the Zoning Commission and to approve the Wells re-zoning request from A-1 to R-1 for: a tract of land located in the W½ of Section 12, T90N, R37W of the 5th P.M. and being more particularly described as follows: Beginning at the Southwest (SW) Corner of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of said Section 12; Thence on a previously recorded bearing of North 00°51'50" West, along the West line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼), 1336.88 to the North line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼); Thence North 89°36'48" East, 823.80 feet; Thence South 00°51'50" East, 1336.88 feet to the South line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼); Thence continuing South 00°51'50" East, 24.00 feet; Thence South 89°36'48" West, 823.80 feet to the West line of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼); Thence North 00°51'50" West, along said West line, 24.00 feet to the Point of Beginning to the place of beginning. Carried.

The Chairman reopened the 12/5/00 public hearing on the Craig Wells subdivision request for a parcel in Hayes Township, which had been recessed to await a recommendation of the Zoning Commission. Though the time had passed for receiving objections to the subdivision request, none had been received. Johnson reported that the Zoning Commission had recommended approval of the subdivision request. Motion by Burnside, second by Vail, to close the public hearing. Carried.

Motion by Vail, second by Burnside, to accept the recommendation of the Zoning Commission and to approve Resolution 2000-12-19B approving the Wells subdivision request. Carried.

RESOLUTION 2000-12-19B

WHEREAS, Craig and Cindy Wells have presented a preliminary and final plat (of survey) on the following described properties: A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER (W½ SW¼) OF SECTION 12, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of said Section 12; Thence on a previously recorded bearing of North 00°51'50" West, along the West line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼), 1336.88 to the North line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼); Thence North 89°36'48" East, 823.80 feet; Thence South 00°51'50" East, 1336.88 feet to the South line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼); Thence continuing South 00°51'50" East, 24.00 feet; Thence South 89°36'48" West, 823.80 feet to the West line of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼); Thence North 00°51'50" West, along said West line, 24.00 feet to the Point of Beginning.

WHEREAS, the final plat meets with the approval of the Zoning Commission subject to the following if any: the removal of that portion of land that lies within the Subdivision and Well's Ag Area from the ag area.

WHEREAS, the final plat meets with the approval of the Board subject only to the following if any: the removal of that portion of land that lies within the Subdivision and Well's Ag Area from the ag area.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that: A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER (W½ SW¼) OF SECTION 12, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of said Section 12; Thence on a previously recorded bearing of North 00°51'50" West, along the West line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼), 1336.88 to the North line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼); Thence North 89°36'48" East, 823.80 feet; Thence South 00°51'50" East, 1336.88 feet to the South line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼); Thence continuing South 00°51'50" East, 24.00 feet; Thence South

89°36'48" West, 823.80 feet to the West line of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼); Thence North 00°51'50" West, along said West line, 24.00 feet to the Point of Beginning is hereby accepted subject to the following if any: the removal of that portion of land that lies within the Subdivision and Well's Ag Area from the ag area.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of: A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER (W½ SW¼) OF SECTION 12, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of said Section 12; Thence on a previously recorded bearing of North 00°51'50" West, along the West line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼), 1336.88 to the North line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼); Thence North 89°36'48" East, 823.80 feet; Thence South 00°51'50" East, 1336.88 feet to the South line of said Northwest Quarter of the Southwest Quarter (NW¼ SW¼); Thence continuing South 00°51'50" East, 24.00 feet; Thence South 89°36'48" West, 823.80 feet to the West line of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼); Thence North 00°51'50" West, along said West line, 24.00 feet to the Point of Beginning and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 19th day of December, 2000.

/s/ Doug Bruns, Chairman, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Motion by Vail, second by Bruns, to adjourn at 8:40 p.m. until Tuesday, January 2, 2001, at 8:30 a.m. for an organizational and regular session. Carried.
