

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 2017 SESSION (10)
FEBRUARY 28, 2017**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 28, 2017 at 8:30 A.M. in the Boardroom with Chairman Huseman presiding, and the following members present: Altena (arrived at 8:35), Merten, Ringgenberg, and with Auditor Susan Lloyd as clerk for the meeting. Absent: Arends.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Huseman, Merten, and Ringgenberg. Nays: none. Abstentions: none

Motion by Merten, second by Ringgenberg, to approve the **utility permit** for MidAmerican Energy, Fort Dodge, IA, to install a new pole and overhead primary power to the north side of 550th Street to an overhead transformer, approximately 852' west of 70th Ave. and on 550th St., feeding a new valve station for Dakota Access Pipeline, at 699 550th St. Carried.

Altena arrived at 8:35 a.m.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Huseman, Merten, and Ringgenberg. Nays: none. Abstentions: none.

Secondary Road Report: The crews have been hauling gravel; they put the plows on last Thursday, and moved snow Friday and Saturday; they are going to clear the snow from the "no snow removal" roads in preparation of the warming temperatures this weekend; Graves Construction is working on the bridge on M50 and making good progress; there will be a preconstruction meeting tomorrow with Gus Construction regarding the bridge project on M50 south of Hwy 7.

Engineer Brian Blomme, ISG, filed the Commissioners' Report for Reclassification on DD #35. The Commissioners were Marlow Feldman and Brian Waldstein, along with Engineer Brian Blomme. DD #35 was built in 1917. A reclassification of this schedule is needed in order to update the 1911 distribution of benefits. In addition, there is land that has been annexed and needs to be classified and added to this schedule. It was also noted that contained within the watershed of DD #35 is an individual tile district, DD #98, which has also been reclassified as part of this project. With the annexation at a public hearing on April 21, 2015, 427.1 acres of land in 29 parcels, and 21.8 acres of county road right-of-way acres were brought into the assessment boundary of DD #35. The Commissioners' recommend that the report containing one Main Tile assessment schedule and six Lateral Tile assessment schedules for DD #35 be adopted. Motion by Merten, second by Ringgenberg, to tentatively accept the **DD #35** Commissioners Report. Carried.

Motion by Merten, second by Ringgenberg, to set a public hearing on the **DD #35** Commissioners' Report for Reclassification, for April 11, 2017, at 9:00 a.m. in the Courthouse Public Meeting Room. Carried.

Motion by Ringgenberg, second by Merten, to direct legal counsel to prepare notice for publication and mailing for the **DD #35** Reclassification. Carried.

Engineer Brian Blomme, ISG, filed the Commissioners' Report for Reclassification on DD #98. The Commissioners were Marlow Feldman and Brian Waldstein, along with Engineer Brian Blomme. DD #98 was proposed in 1915 and built in 1917. DD #98 is contained within the watershed of a larger drainage district, DD #35. DD #98 outlets directly into DD #35. With the annexation at the public hearing on March 29, 2016, 80.6 acres of benefited land and right-of-way in nine parcels, were brought into the assessment boundary of DD #98. The Commissioners' Report consists of one DD #98 Main Tile schedule. Motion by Altena, second by Merten, to tentatively accept the **DD #98** Commissioners Report for Reclassification. Carried.

Motion by Merten, second by Altena, to set a public hearing on the **DD #98** Commissioners' Report for Reclassification, for April 11, 2017, at 9:30 a.m. in the Courthouse Public Meeting Room. Carried.

Motion by Altena, second by Merten, to direct legal counsel to prepare notice for publication and mailing for the **DD #98** Reclassification. Carried.

Engineer Brian Blomme, ISG, filed the Appraisers' Report for Right-Of-Way on DD #34 Upper Main Open Ditch. The Commissioners were Marlow Feldman and Brian Waldstein, along with Engineer Brian Blomme. The recommended compensation is based on the District acquiring the right of ingress and egress for the maintenance and improvement of the District's open ditch, for a uniform 100' right-of-way, while the landowner maintains ownership and the right to farm this spoil bank. The Appraisers recommend compensation in the amount of \$583 per acre, for the 33.94 acres acquired, for a total of \$19,787.48. This compensation does not include compensation for crop or seeding damages outside the District right-of-way, arising from the work to be performed in 2017. The landowners traversed by the open ditch will be notified to file claims for crop and seeding damages with the County Auditor prior to the completion hearing on the construction project. Motion by Merten, second by Altena, to tentatively accept the **DD #34 Upper Main Open Ditch** Appraisers' Report. Carried.

Motion by Ringgenberg, second by Merten, to set a public hearing on the **DD #34 Upper Main Open Ditch** Appraisers' Report, for April 11, 2017, at 10:30 a.m. in the Courthouse Public Meeting Room. Carried.

Motion by Merten, second by Altena, to direct legal counsel to prepare notice for publication and mailing for the **DD #34 Upper Main Open Ditch Appraisers' Report**. Carried.

Hear the Public: Richard Marshall asked the Board about the public hearings scheduled next week on the capital projects loan. Marshall asked if they would be borrowing that much money and pay it off over 5 years. Merten explained that the County hasn't decided yet on the actual amount to be borrowed, this is the maximum that could be borrowed and paid back over 5 years.

Nurse Administrator Pam Bogue informed the Board that she had some good interviews for a new fiscal manager. Bogue also informed the Board that the Board of Health approved paying the Public Health secretary overtime for a short time, due to the fiscal manager vacancy and until someone new is hired and trained. Merten asked whether the overtime needed to be offered to anyone else, since we approved it for the nurses a while back. Bogue stated that it was for different reasons, the previous was due to one nurse on maternity leave, and this is due to the fiscal manager vacancy, and they are in the process of hiring someone new. Bogue stated that it probably wouldn't be more than 30 days. Merten would like to allow the overtime until the

new fiscal manager is fully trained, rather than put a limit on it. Motion by Merten, second by Altena, to concur with the Board of Health, and to pay the **Public Health secretary overtime** for 30 days after the new fiscal manager is hired for the department. Carried.

Motion by Merten, second by Ringgenberg, to set the **Wellmark insurance rates** for FY'18 as presented by Group Services. Carried.

Payroll Deputy Leigh Madsen updated the Board on the **Vision Care Direct** presentation that was made on February 7 by Eddie Struve. Madsen had checked, and found that Vision Care Associates is not currently listed as a provider for this new program that was presented. Madsen contacted Struve, and he is working with Vision Care Associates to get them on board with the plan. No action was taken on the new vision plan, pending whether Vision Care Associates becomes a provider for the new plan. The new plan would be a better benefit for the employee.

Motion by Merten, second by Ringgenberg, to approve the **minutes** of 2/21, as printed, and the following **reports**: January Central IA Detention Commission minutes, February Central IA Detention Commission minutes, January Conservation Board minutes, January Board of Health minutes, and February Western IA Tourism minutes. Carried.

Supervisor meeting reports: Merten attended the Rolling Hills Mental Health Region meeting last week, and will attend Plains Area Mental Health meeting tonight; Huseman attending meetings with Compass Pointe, Iowa Lakes Corridor, and NW IA Regional Housing Trust Fund; Ringgenberg attended the Storm Lake United meeting.

Motion by Altena, second by Merten, to approve the **Jt. DD #19-26** claim for engineering services, payable to BV County Secondary Roads, in the amount of \$525.25. Carried.

Motion by Ringgenberg, second by Altena, to approve the **Jt. DD #14-42 Main** claim for engineering services, payable to BV County Secondary Roads, in the amount of \$348.03. Carried.

Motion by Merten, second by Ringgenberg, to approve the Class C, Outdoor & Sunday Sales liquor license for LCCC, Inc., DBA **Lake Creek Golf**. Carried.

Drainage Attorney Gary Armstrong was present for his appointment. Motion by Ringgenberg, second by Altena, to go into **closed session** (a 10:45 a.m.) under Chapter 21.5(1)(c) of the 2017 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Ringgenberg. Motion carried.

Motion by Merten, second by Altena, to go out of **closed session** at 11:15 a.m. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the **Underwriter Engagement Letter** with Northland Securities, for the issuance of General Obligation Capital Loan Notes. Carried.

Motion by Ringgenberg, second by Merten, to approve and authorize the Chair to sign the **Bond Counsel Engagement Agreement** with Ahlers & Cooney, P.C., on the proposed issuance of approximately \$1,920,000 General Obligation Capital Loan Notes. Carried.

There being no further business, motion by Altena, second by Ringgenberg, to adjourn the meeting at 11:23 a.m. until Tuesday, March 7, at 8:30 a.m. for a regular session.