

**BOARD OF SUPERVISORS MEETING
TWENTY FOURTH MEETING, 2017 SESSION (24)
JUNE 13, 2017**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 13, 2017 at 8:30 A.M. in the Boardroom with Chairman Huseman presiding, and the following members present: Altena, Arends, Merten, Ringgenberg, and with Deputy Auditor Leigh Madsen as clerk for the meeting.

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

Maintenance Superintendent Bruce McGowan presented the Board a utility permit from Iowa Lakes Electric Company. Motion by Arends, second by Merten to approve a utility permit for **Iowa Lakes Electric Company** to bore under 630th St. between Sections 21 and 16 of Maple Valley Township, to provide service to a new home. Carried

Road Report: The tile crew is working on repairs. The sign crews are replacing & repairing signs. Mowing continues along the black tops. Graveling will begin in Barnes and Scott Township. The Engineer's Office was notified that they will no longer be able to purchase crack fill oil from the DOT. McGowan said that Engineer Bret Wilkinson will be looking in to other sources.

Motion by Altena, second by Arends to approve the **minutes** of 6/6/17, as printed, today's **claims approval list**, and the following **reports**: BV County Solid Waste Commission May Minutes and June Agenda, Updated TA Recycle Center and Hunzelman, Putzier & Co Accountant's Compilation Report. Carried.

The Board asked the Auditor's Office to remind Department Heads to put a description on the **invoice tape** when submitting them for payment.

Motion by Arends, second by Altena to approve payment of the work order for **JT DD #144 Main Tile** for \$357.11. Carried.

I.T. Director Tyler Van Houten talked to the Board about the **ISAC HIPAA Renewal Program**. Van Houten felt it would be in the best interest of the County to continue with ISAC for one more year. The cost is \$1,750.00, which includes annual training for 5 and consultation with the law firm Dorsey & Whitney LLP. Motion by Ringgenberg, second by Arends to continue with ISAC for our HIPAA program for one more year. Carried.

Motion by Altena, second by Merten to approve the Cigarette/Tobacco Permit for **West Lake General Store**. Carried.

Motion by Merten, second by Ringgenberg, to declare the Public Health shredder as **excess equipment** and to accept bids until June 30th at the Public Health Office. Carried.

Motion by Arends, second by Ringgenberg, not to pay the \$2,800 County Mutual Protection invoice to the **Iowa Drainage District Association**. Carried.

Env Health/Zoning Director Kim Johnson reviewed the **Master Matrix** with the Board for Pitts Farm (Sienna Farms) in Section 1 of Elk Township, and explained the points. There are 440 points needed to pass, Pitts Farm (Sienna Farms), received 440 points, and has reached the minimum

requirements for air, water, and community. Letters have been sent to the land owners and the notice was published. There were no complaints or comments received. A third building will be added to an existing site with 2,996 animal units. Also present were one media and Darrell Hunt. Motion by Arends, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2017-06-13-A**, the Master Matrix for Pitt Farm (Sienna Farms) in Section 1 of Elk Township. Carried

RESOLUTION 2017-06-13-A

Recommending approval of the Pitts Finisher Farm (Sienna Farms LLC) Construction Application to the Iowa Dept. of Natural Resources.

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction applications to provide an opportunity for local input; and

WHEREAS, a construction application for the construction of two hog finishing buildings with deep pit manure storage has been submitted by Sienna Farms LLC on May 10, 2017; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 440 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice in the Pilot Tribune on May 31st, as required, and held public hearing in the Supervisors Meeting Room at the Courthouse on June 12th 2017, for the purpose of receiving public comment; None

WHEREAS, the Board of Supervisors shall submit the recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends approval of the construction application of the Pitts Finisher Farm Construction Application.

PASSED, APPROVED AND ADOPTED this 13th day of June, 2017.

/s/Thomas M. Huseman, Chair, Board of Supervisors ATTEST: /s/ Leigh Madsen, Deputy Auditor

Johnson updated the Board on 4 **nuisance properties** in Sulfur Springs. Property #1 did trim trees and cut the grass, but did not remove the car. Property #2 did what was asked, and the property has now been sold. Properties #3 & #4 have not done anything. Taxes are current on all properties. The Board was in agreement with Johnson's recommendation to proceed with court proceedings.

Env Health/Zoning Director Kim Johnson reviewed information regarding a Minor S/D for Charles and Donna Ryherd, in Section 8 of Nokomis Township. Motion by Merten, second by Ringgenberg, to approve **Resolution #2017-06-16-B**, the Minor S/D for Charles and Donna Ryherd, in Section 8 of Nokomis Township. Carried.

RESOLUTION 2017-06-13-B

WHEREAS Charles J. Ryherd and Donna M. Ryherd have presented preliminary and final plat (of survey) on the following described property:

DESCRIPTION – LOT ONE OF LOT A

A TRACT OF LAND LOCATED ENTIRELY WITHIN LOT A AND BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE ¼ SE ¼) OF SECTION 8, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southeast Quarter (SE ¼) of said Section 8, Thence on a previously recorded bearing of North 89°44'44" West, along the South line of said Southeast Quarter (SE ¼), 425.61 feet, to the Southeast (SE) corner of Lot A in said Section 8, being also the Point of Beginning. Thence continuing North 89°44'44" West, along said South line, 582.29 feet; Thence North 00°11'12" West, 486.92 feet to the North line of said Lot A; Thence South 89°52'08" East, along said North line, 567.26 feet to the East line of said Lot A; Thence South 01°56'56" East, along said East line, 488.49 feet to the Point of Beginning.

Hereafter known as Lot One of Lot A of Section 8, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 6.43 Acres, and is subject to all easements of record.

WHEREAS, the final plats meet 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:

DESCRIPTION – LOT ONE OF LOT A

A TRACT OF LAND LOCATED ENTIRELY WITHIN LOT A AND BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE ¼ SE ¼) OF SECTION 8, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southeast Quarter (SE ¼) of said Section 8, Thence on a previously recorded bearing of North 89°44'44" West, along the South line of said Southeast Quarter (SE ¼), 425.61 feet, to the Southeast (SE) corner of Lot A in said Section 8, being also the Point of Beginning. Thence continuing North 89°44'44" West, along said South line, 582.29 feet; Thence North 00°11'12" West, 486.92 feet to the North line of said Lot A; Thence South 89°52'08" East, along said North line, 567.26 feet to the East line of said Lot A; Thence South 01°56'56" East, along said East line, 488.49 feet to the Point of Beginning.

Hereafter known as Lot One of Lot A of Section 8, Township 91 North, Range 38 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:

DESCRIPTION – LOT ONE OF LOT A

A TRACT OF LAND LOCATED ENTIRELY WITHIN LOT A AND BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE ¼ SE ¼) OF SECTION 8,

TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southeast Quarter (SE ¼) of said Section 8, Thence on a previously recorded bearing of North 89°44'44" West, along the South line of said Southeast Quarter (SE ¼), 425.61 feet, to the Southeast (SE) corner of Lot A in said Section 8, being also the Point of Beginning. Thence continuing North 89°44'44" West, along said South line, 582.29 feet; Thence North 00°11'12" West, 486.92 feet to the North line of said Lot A; Thence South 89°52'08" East, along said North line, 567.26 feet to the East line of said Lot A; Thence South 01°56'56" East, along said East line, 488.49 feet to the Point of Beginning.

Hereafter known as Lot One of Lot A of Section 8, Township 91 North, Range 38 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 13th day of June, 2017.

/s/Thomas M. Huseman, Chair, Board of Supervisors ATTEST: /s/ Leigh Madsen, Deputy Auditor

Assessor Kathy Croker stopped in to inform the Board about District Court filing on Walgreens. The Board agreed with Crocker to continue with Bill Stiles as legal counsel.

Dale Arends reported from the safety committee meeting. A quarterly newsletter was discussed. CPR/AED classes will be scheduled for June 20 & 27 at 1:30 in the public meeting room. New employee training will be held June 20 from 11:00 to 12:00 at the meeting room at Public Health.

The Buena Vista County Board of Supervisors held a teleconference with Pocahontas County Board of Supervisors regarding Jt. DD #150 Branch 8 & 9, with the following members present: Buena Vista County: Altena, Arends, Huseman, Merten, Ringgenberg, Deputy Auditor Leigh Madsen, and Drainage Clerk Kristina Konradi; Pocahontas County: Louis Stauter, JoAnn Peters, Jeff Ives, Clarence Siepker, Ed Dewey and Auditor Kelly Jepsen and 2 press in attendance. Motion by Stauter, second by Arends, to appoint Ives as Chair and Jepsen as Secretary. Carried. The purpose of the meeting was to levy for Jt. DD #150 Branch 8 & 9. Motion by Dewey, second by Merten, to levy for Jt. DD #150 Branch 8 & 9. The meeting was adjourned.

Motion by Arends, second by Altena to set the levy for Jt. DD #150 at 18.5% with Buena Vista County collecting \$927.11. Carried.

Motion by Merten, second by Arends to set the levy for Jt. DD #144 at 36% with Buena Vista County collecting \$964.08. Carried.

Motion by Arends, second by Merten to set the levy for Jt. DD #146 at 19% with Buena Vista County collecting \$3,869.92. Carried.

Motion by Arends, second by Ringgenberg, to set the levy for Jt. #DD 22-173 at 50% with Buena Vista County collecting \$145.42. Carried.

Motion by Merten, second by Arends to set the following levies with a 10 year waiver and 5% interest for the following drainage districts: DD106 North Main Open Ditch at 900% providing \$95,310.00, DD106 North Main Tile at 97.5% providing \$23,400.97, DD106 North Branch A at 73% providing \$9,026.35, DD106 North Branch B at 64.5% providing \$8,694.04, DD106 North Lat 1 at 130% providing \$685.10, DD106 North Lat 2 at 150% providing \$711.27, DD106 North Lat 3 at 180% providing \$1,551.60, DD106 North Lat 4 at 600% providing \$1,434.00, DD106 North Lat 5 at 150%

providing \$3,735.60, DD106 North Lat 5A at 70% providing \$1,538.06, DD106 North Lat 6 at 160% providing \$1,876.58, DD106 North Lat 7 at 140% providing \$1,873.47, DD106 North Lat 7A at 140% providing \$302.97, DD106 North Lat 8 at 110% providing \$3,356.91, DD106 North Lat 9 at 400% providing \$997.88, DD106 South Main Open Ditch at 1480% providing \$21,645.00, DD106 South Main Tile at 90% providing \$21,625.10, DD106 South Lat 10 at 310% providing \$944.79, DD106 South Lat 11 at 130% providing \$527.02, DD106 South Lat 12 at 80% providing \$10,507.01, DD106 South Lat 12A at 230% providing \$1,035.99, DD106 South Lat 12B at 110% providing \$740.39, DD106 South Lat 12C at 1020% providing \$581.40, DD106 South Lat 12D at 400% providing \$485.52, DD106 South Lat 13 at 220% providing \$1,209.34, DD106 South Lat 14 at 215% providing \$689.23, and DD106 South Lat 15 at 165% providing \$485.93. Carried.

Motion by Arends, second by Ringgenberg, to set the following levies with a 10 year waiver and 5% interest for the following drainage districts: DD #35 Main Tile at 2% providing \$9,556.71, DD #35 Lat 1 at 6% providing \$3,372.00, DD #35 Lat 2 at 12.2% providing \$2,818.20, DD #35 Lat 3 at 6.3% providing \$1,430.10, DD #35 Lat 4 at 9% providing \$1,152.00, DD #35 Lat 5 at 6.3% providing \$1,140.30, and DD #35 Lat 6 at 2% providing \$1,594.00. Carried.

Motion by Ringgenberg, second by Arends, to set the levy for DD #98 at 9% providing \$6,678 with a 10 year waiver and 5% interest. Carried.

Engineer Brian Blomme, ISG, presented an Engineer's Report for annexation on DD #101. It was found that 3,947 acres of farm land drain to the Main Open Ditch of DD101. It is recommended that the Board of Supervisors consider annexation of these parcels.

Motion by Ringgenberg, second by Merten, to tentatively accept filing of the Engineer's Report for Annexation on DD #101. Ayes: Altena, Huseman, Merten, and Ringgenberg. Nays: none. Abstentions: Arends. Carried.

Motion by Merten, second by Altena, to set the public hearing for the Engineer's Report for Annexation of DD #101 on July 25th at 8:45 a.m. in the Courthouse Public Meeting Room. Ayes: Altena, Huseman, Merten, and Ringgenberg. Nays: none. Abstentions: Arends. Carried.

Motion by Merten, second by Altena, to direct the Auditor's Office to publish the notice prepared by legal counsel for the public hearing of the Engineer's Report for Annexation of DD #101. Ayes: Altena, Huseman, Merten, and Ringgenberg. Nays: none. Abstentions: Arends. Carried. This public hearing will precede the continuation of the DD #101 MOD Public Hearing.

There being no further business, motion by Merten, second by Arends, to adjourn the meeting at 11:23 a.m. until Tuesday, June 20 at 8:30 a.m. for a special session.

