

**BOARD OF SUPERVISORS MEETING
TWENTY-SEVENTH MEETING, 2017 SESSION (27)
JULY 11, 2017**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 11, 2017 at 8:30 A.M. in the Boardroom with Chairman Huseman presiding, and the following members present: Altena, Arends, Merten, Ringgenberg, and with Auditor Susan Lloyd 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

Motion by Merten, second by Ringgenberg, to amend today's agenda by adding additional action items for **fireworks permit applications**. Carried.

Engineer Bret Wilkinson discussed the issues of **White Cap Road**. The curve currently falls outside of the original platted streets. Wilkinson has been asked by the landowner to pull the curve back, to get it into the ROW. There was 1 media and 7 other people, including the landowners involved present. If the curve is moved back, there are several lilac bushes that would need to be removed along with some concrete from one landowner's driveway. Currently, there is a 12' encroachment on the curve. Two landowners present (Snyders) are not in favor of the lilac bushes being removed. Now with the resurfacing project, the Board and the Engineer would like to get it corrected before the sealcoat is done. Mrs. Snyder questioned if the bushes really needed to be removed, since they have been there 30-40 years. Also commented that without the bushes and without a stop sign, they are concerned about the safety of their children. Arends commented that with other projects, when it is discovered that something is wrong, the Board and engineer want to correct the errors before going forward with a project. Huseman agrees with Arends, that it needs to be corrected, and if a stop sign would help with safety, he is in favor. Another landowner (Wordekemper) informed the Board of the history of the road. Attorney Dan Connell, representing the interests of Wordekemper, commented that he has been working on this since 2003 to get the road back in the ROW. Engineer Wilkinson commented that the legal width for a vehicle without a special permit is 8'6" wide, so you are approaching the 18' width of the road. The Board asked Wilkinson to find the pin on the property, and then to talk with Wordekemper and Snyders, to figure out what will be done and then bring it back to the Board. The seal coat project will be done before the end of September.

Engineer Bret Wilkinson received quotes from Caterpillar and John Deere for a new **motorgrader**. Caterpillar quoted a 12M3, all-wheel drive motorgrader, with a price of \$324,174.00 with a trade in of the current machine of \$50,000, for a net cost of \$274,174.00. John Deere quoted a JD 7726, 6 wheel drive with a price of \$304,000 with a trade in of \$53,000 for a net cost of \$251,000. Wilkinson commented that one complaint from the Shop was the additive that was required for the warranty on the current model. The John Deere representative said that it wasn't required on this new model. Both representatives were present for the discussion. Merten asked both representatives if they do leases, and both stated that they can do 5 year leases. Arends would like to see both machines demonstrated before a decision is made. John Deere wouldn't have a machine here before a month, unless they went to another location. Caterpillar would have something here in 10 days. John Deere has a demo machine currently in Grand Island, NE, so Arends asked if someone could go there to run it for a day. A machine needs to be ordered soon in order to have it delivered in September. Merten thinks that we need to get moving on this, and not wait to see the demo. Wilkinson stated that if the Board wanted to go with the John Deere, he would prefer sending a guy out to NE to look at it and try it. Merten doesn't think it is worth sending a guy out to NE to look at a new John Deere. Motion by Merten, to purchase the John

Deere machine. If the motion passes, then Merten would be in favor of sending a guy out to look at the machine. Motion died for lack of a second. The Board asked for a life cycle analysis to be ready for next week.

Engineer Bret Wilkinson received a quote from Caterpillar for a wheeled excavator. The cost is \$306,340.52. They would allow a trade-in for \$20,000, but he also asked for additional quotes for a forestry head (\$17,468), a case drain (\$2,000), connector lines and fittings (\$2,000), and a cab guard (\$3,250). John Deere representative asked if the Board would like to entertain a quote from John Deere. Motion by Ringgenberg, second by Arends to purchase the wheeled excavator from Caterpillar. Ayes: Altena, Arends, Huseman, Ringgenberg. Nays: Merten. Motion carried.

Engineer Bret Wilkinson received a request from Ag Partners, they want to smooth out the crossing between Valero and Ag Partners. Valero has been contacted and doesn't want to contribute anything. The railroad doesn't own the crossing up that far. Ag Partners would like to split the cost 50/50 with Ag Partners supplying the rail, and the County doing the asphalt work on the 2 crossings. The cost estimate is \$30,000 for the County, plus labor for the guys to haul material away and do the asphalt work to the approach. Arends stated that both entities should contribute since it is their rail. Merten commented that maybe the County should contribute \$30,000 only, which includes the labor and asphalt. Motion by Merten, second by Huseman, to have the County contribute \$30,000 to smooth out the railroad crossing in Albert City, between Ag Partners and Valero, which would include the in kind contribution of the County for labor and the asphalt. Carried.

Engineer Wilkinson will come back at the end of the meeting to finish his items.

Env Health/Zoning Director Kim Johnson reviewed information she received regarding a Minor S/D for Mitchell Sundblad, Jill Marie Sundblad, Ken Eric Sundblad, and Linette Sundblad, in Section 35 of Poland Township. Motion by Arends, second by Altena, to approve and authorize the Chair to sign Resolution #2017-07-11-A the Minor S/D for Mitchell Sundblad, Jill Marie Sundblad, Ken Eric Sundblad, and Linette Sundblad, in Section 35 of Poland Township. Carried.

RESOLUTION 2017-07-11-A

WHEREAS Robert Mitchell Sundblad and Jill Marie Sundblad and Ken Eric Sundblad and Linette Sundblad have presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE ¼ SE ¼) OF SECTION 35, TOWNSHIP 93 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter (SE ¼) of said Section 35; Thence on a previously recorded bearing of South 00° 00' 00" East, along the East line of said Southeast Quarter (SE ¼), 472.25 feet to the Point of Beginning; Thence continuing South 00° 00' 00" East, along said East line, 300.00 feet to the North line of a previously surveyed tract; Thence North 88° 20' 43" West, along said North line, 456.88 feet to the Northwest (NW) corner of said previously surveyed tract; Thence North 00° 00' 00" West, 300.00 feet; Thence South 88° 20' 43" East, 456.88 feet to the Point of Beginning.

Hereafter known as Lot B in Section 35, Township 93 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 3.15 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 B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE ¼ SE ¼) OF SECTION 35, TOWNSHIP 93 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter (SE ¼) of said Section 35; Thence on a previously recorded bearing of South 00° 00' 00" East, along the East line of said Southeast Quarter (SE ¼), 472.25 feet to the Point of Beginning; Thence continuing South 00° 00' 00" East, along said East line, 300.00 feet to the North line of a previously surveyed tract; Thence North 88° 20' 43" West, along said North line, 456.88 feet to the Northwest (NW) corner of said previously surveyed tract; Thence North 00° 00' 00" West, 300.00 feet; Thence South 88° 20' 43" East, 456.88 feet to the Point of Beginning.

Hereafter known as Lot B in Section 35, Township 93 North, Range 35 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 B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE ¼ SE ¼) OF SECTION 35, TOWNSHIP 93 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter (SE ¼) of said Section 35; Thence on a previously recorded bearing of South 00° 00' 00" East, along the East line of said Southeast Quarter (SE ¼), 472.25 feet to the Point of Beginning; Thence continuing South 00° 00' 00" East, along said East line, 300.00 feet to the North line of a previously surveyed tract; Thence North 88° 20' 43" West, along said North line, 456.88 feet to the Northwest (NW) corner of said previously surveyed tract; Thence North 00° 00' 00" West, 300.00 feet; Thence South 88° 20' 43" East, 456.88 feet to the Point of Beginning.

Hereafter known as Lot B in Section 35, Township 93 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 11th day of July, 2017.

/s/ Tom Huseman, Chair, Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Hear the Public: Sandy Johnson, BV County Fair, asked the County to sign the letter to Monsanto to be the umbrella organization to receive a donation from Monsanto. Motion by Merten, second by Arends, to approve and authorize the Chair to sign the letter to **Monsanto**, stating that the County would be the umbrella organization to receive the \$2,500 donation, and pass it along to the Fair Board. Carried.

Hear the Public: Conservation Director/Weed Commissioner Greg Johnson informed the Board that he has received a complaint regarding the Williams Organic Farm property, about the Canada thistles on their land. Johnson did a site inspection on July 8, and determined that on a 50 acre field, 80% was covered with Canada thistles, and of those, approximately 50-75% have seeded out. Johnson will be sending notice for them to comply within five days, and after that time, the Board may cause the same to be done and assessed to the landowner.

Motion by Altena, second by Arends, to approve the **minutes** of 6/27/17, as printed, today's **claims approval list**, and the following **reports**: June Public Health agenda & packet, July Rolling Hills Mental Health Region update, April NW IA Regional Housing Trust Fund minutes & June agenda, June

Sheriff's Report of Fees Collected, May BVCS Early Childhood Iowa minutes & June agenda and packet. Carried.

Motion by Arends, second by Merten, to approve and authorize the Chair to sign the **Liquor License Application** for a Class C Beer permit and Sunday Sales for Al's Corner Oil Co., DBA Sparky's One Stop. Carried.

Motion by Ringgenberg, second by Arends, to approve the **Jt. DD #181** invoice for Pocahontas County Secondary Roads for CMP pipe in the amount of \$1,528.40. Carried.

Motion by Merten, second by Ringgenberg, to approve the **fireworks permit** for Rick Glienke, for August 5, 2017, with Glienke being responsible for all safety and liability. Carried.

Donald Griffis was present for the discussion on the notices he received on his property in Sulphur Springs, along with Env Health/Zoning Director Kim Johnson and County Attorney Dave Patton. Griffis would like to keep the property, but can't afford to tear everything down. Johnson stated that there is no water or sewer to the property. Johnson has ruled that it is an unsafe area, with falling down structures and a lot of trash along with several vehicles that don't run. The Iowa Code states that once property has been declared unsafe, the County legally has to get rid of it after 90 days, and assess the costs to the landowner. The notice gave him 30 days, and after the 30 days, Johnson would get a contractor to clean it up. Griffis could sell the property in the meantime, before the County cleans it up. Motion by Arends, second by Ringgenberg, to uphold Johnson's decision declaring the property of Donald Griffis in Sulphur Springs as a **nuisance**, but extending the deadline, giving him 30 days from today for Griffis to clean up the property before the County moves in and starts cleaning up. Carried.

Motion by Merten, second by Altena, to approve the FY'18 **Vision Care Direct** rates, with the County paying up to \$11.88, for the employee's vision insurance. Carried.

Engineer Bret Wilkinson returned to the Boardroom, and presented the preliminary proposal for the **new Secondary Road building**, developed by I & S Group. The Board had several questions for Wilkinson to get answers for, and then requested Wilkinson bring the information back to another meeting.

Motion by Arends, second by Ringgenberg, to authorize the Chair to sign the **final pay estimate** of Graves Construction, on the bridge project in Section 10 of Grant Township. Carried.

Motion by Merten, second by Altena, to authorize the Chair to sign the **sealcoat 2017 contract**. Carried.

Secondary Road Report: They are shouldering and edge rutting; they are crack sealing on the roads; and the two mowers are going.

Motion by Arends, second by Altena, so approve the **fireworks permit** of Dennis Mattson, for July 22, with Mattson being responsible for all safety and liability. Carried.

There being no further business, motion by Altena, second by Merten, to adjourn the meeting at 12:25 p.m. until Tuesday, July 25, at 8:30 a.m. for a regular session. (No meeting is scheduled for July 18) Carried.