

**BOARD OF SUPERVISORS MEETING  
THIRTY-NINTH MEETING, 2017 SESSION (39)  
OCTOBER 3, 2017**

The Buena Vista County Board of Supervisors met in regular session, on Tuesday, October 3, 2017 at 8:30 A.M. in the Boardroom, with Chairman Huseman presiding, and the following members present: Arends, Merten, Ringgenberg, and with Auditor Susan Lloyd as clerk for the meeting. Absent: Altena.

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

The Chair opened the Public Hearing on the proposed **road vacation** in Sulphur Springs of the entire platted alley in block 3, north of Lake Street, the entire platted alley in block 6, between Lake Street and Mount Street, the remainder of the platted alley in block 7, south of Lake Street, the remainder of the platted alley in block 11, south of Mount Street, the entire platted alley in block 5, west of 1st Street, the entire platted 2nd Street in block 5, north of Mount Street, and the portion of 1st Street, between blocks 3 & 4, north of Lake Street & south of the railroad tracks. Engineer Wilkinson, a representative for the Elevator, two landowners, and one media were present. Merten had received a comment from an owner in Sulphur Springs, with questions, but no objections. The Elevator representative stated that they don't have any objections to the roads being vacated. Motion by Arends, second by Ringgenberg, to close the public hearing. Carried. Motion by Merten, second by Arends, to vacate and close the roads and authorize the Chair to sign Resolution #2017-10-03-B. Carried.

**RESOLUTION #2017-10-03-B  
RESOLUTION TO VACATE A COUNTY ROAD**

**WHEREAS**, A public hearing was conducted on 10/3/2017 following publication and service of notice as required by law on the proposed vacation and closure of a portion of Buena Vista County Secondary Road, described as follows:

The following descriptions, all in the original plat for the Town of Sulphur Springs in T90N R36W Section 9 of Providence Township in Buena Vista County:  
the entire platted alley in block 3, north of Lake Street &  
the entire platted alley in block 6, between Lake Street and Mount Street &  
the remainder of the platted alley in block 7, south of Lake Street &  
the remainder of the platted alley in block 11, south of Mount Street  
& the entire platted alley in block 5, west of 1st Street &  
the entire platted 2nd Street in block 5, north of Mount Street &  
the portion of 1st Street, between blocks 3 & 4, north of Lake Street & south of the railroad tracks  
As shown in Exhibit A

**WHEREAS**, No objections have been received, either in writing or by persons present.

**NOW THEREFORE BE IT RESOLVED** by the Buena Vista County Board of Supervisors that the subject section of road be ordered vacated and closed.

The following descriptions, all in the original plat for the Town of Sulphur Springs in T90N R36W Section 9 of Providence Township in Buena Vista County:  
the entire platted alley in block 3, north of Lake Street &  
the entire platted alley in block 6, between Lake Street and Mount Street &

the remainder of the platted alley in block 7, south of Lake Street &  
the remainder of the platted alley in block 11, south of Mount Street  
& the entire platted alley in block 5, west of 1st Street &  
the entire platted 2nd Street in block 5, north of Mount Street &  
the portion of 1st Street, between blocks 3 & 4, north of Lake Street & south of the railroad tracks  
As shown in Exhibit A (map attached to filed resolution)

**PASSED, APPROVED AND ADOPTED** this 3rd day of October, 2017.

/s/ Thomas M. Huseman, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Merten, second by Ringgenberg, to approve and authorize the Board to sign plans for **Project #STP-S-CO11(115)--5E-11**, the C49 Federal Aid paving project. Carried.

**Secondary Road Report:** Engineer Wilkinson met with Blacktop Services about the rough spot on M50, south of Hwy 7. There are a few issues on the seal coat roads that will be addressed in the Spring. The crew is graveling roads, rocking, edge rutting, and doing tile repairs.

Env Health/Zoning Director Kim Johnson presented information regarding a Minor S/D for Doris Fondroy in Section 14 of Lincoln Township. Motion by Arends, second by Merten, to approve and authorize the Chair to sign **Resolution #2017-10-03-A** Minor S/D for Doris Fondroy in Section 14 of Lincoln Township. Carried.

#### **RESOLUTION 2017-10-03-A**

**WHEREAS** Patrich Eich on behalf of Doris E. Fondroy has presented a preliminary and final plat (of survey) on the following described property:

LOT A OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTH ¼ CORNER OF SAID SECTION 14; THENCE NORTH 89°44'11" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼, 310.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°15'49" WEST, 725.00 FEET; THENCE SOUTH 89°44'11" WEST, 50.00 FEET; THENCE NORTH 00°15'49" WEST, 165.00 FEET; THENCE NORTH 89°44'11" EAST, 365.00 FEET; THENCE SOUTH 00°15'49" EAST, 290.00 FEET; THENCE SOUTH 89°44'11" WEST, 188.00 FEET; THENCE SOUTH 00°15'49" EAST, 600.00 FEET TO A POINT ON SAID SOUTH LINE; THENCE SOUTH 89°44'11" WEST ALONG SAID SOUTH LINE, 127.00 FEET TO THE POINT OF BEGINNING CONTAINING 4.036 ACRES MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

**AND**

LOT B OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTH ¼ CORNER OF SAID SECTION 14; THENCE NORTH 89°44'11" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼, 437.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°15'49" WEST, 600.00 FEET; THENCE NORTH 89°44'11" EAST, 188.00 FEET; THENCE SOUTH 00°15'49" EAST, 600.00 FEET TO A POINT ON SAID SOUTH LINE; THENCE SOUTH 89°44'11" WEST ALONG SAID SOUTH LINE, 188.00 FEET TO THE POINT OF BEGINNING CONTAINING 2.590 ACRES MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR 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:**

LOT A OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTH ¼ CORNER OF SAID SECTION 14; THENCE NORTH 89°44'11" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼, 310.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°15'49" WEST, 725.00 FEET; THENCE SOUTH 89°44'11" WEST, 50.00 FEET; THENCE NORTH 00°15'49" WEST, 165.00 FEET; THENCE NORTH 89°44'11" EAST, 365.00 FEET; THENCE SOUTH 00°15'49" EAST, 290.00 FEET; THENCE SOUTH 89°44'11" WEST, 188.00 FEET; THENCE SOUTH 00°15'49" EAST, 600.00 FEET TO A POINT ON SAID SOUTH LINE; THENCE SOUTH 89°44'11" WEST ALONG SAID SOUTH LINE, 127.00 FEET TO THE POINT OF BEGINNING CONTAINING 4.036 ACRES MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

**AND**

LOT B OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTH ¼ CORNER OF SAID SECTION 14; THENCE NORTH 89°44'11" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼, 437.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°15'49" WEST, 600.00 FEET; THENCE NORTH 89°44'11" EAST, 188.00 FEET; THENCE SOUTH 00°15'49" EAST, 600.00 FEET TO A POINT ON SAID SOUTH LINE; THENCE SOUTH 89°44'11" WEST ALONG SAID SOUTH LINE, 188.00 FEET TO THE POINT OF BEGINNING CONTAINING 2.590 ACRES MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD;

are 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 THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTH ¼ CORNER OF SAID SECTION 14; THENCE NORTH 89°44'11" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼, 310.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°15'49" WEST, 725.00 FEET; THENCE SOUTH 89°44'11" WEST, 50.00 FEET; THENCE NORTH 00°15'49" WEST, 165.00 FEET; THENCE NORTH 89°44'11" EAST, 365.00 FEET; THENCE SOUTH 00°15'49" EAST, 290.00 FEET; THENCE SOUTH 89°44'11" WEST, 188.00 FEET; THENCE SOUTH 00°15'49" EAST, 600.00 FEET TO A POINT ON SAID SOUTH LINE; THENCE SOUTH 89°44'11" WEST ALONG SAID SOUTH LINE, 127.00 FEET TO THE POINT OF BEGINNING CONTAINING 4.036 ACRES MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

**AND**

LOT B OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THE POINT OF BEGINNING; THENCE NORTH 00°15'49" WEST, 600.00 FEET; THENCE NORTH 89°44'11" EAST, 188.00 FEET; THENCE SOUTH 00°15'49" EAST, 600.00 FEET TO A POINT ON SAID SOUTH LINE; THENCE SOUTH 89°44'11" WEST ALONG SAID SOUTH LINE, 188.00 FEET TO THE POINT OF BEGINNING CONTAINING 2.590 ACRES MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

and copies of said final plat shall be of record in the appropriate County offices.

**PASSED, APPROVED AND ADOPTED** this 3rd day of October, 2017.

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

Bldg/Grounds Supt. Joe Keller presented his project cost from Mid-American for the main floor lighting project, with the cost of \$17,110.93. Motion by Merten, second by Ringgenberg, to approve and authorize the Chair to sign the **LED lighting contracts** for the 1<sup>st</sup> floor of the Courthouse, in the amount of \$17,110.93. Carried.

Bldg/Grounds Supt. Joe Keller informed the Board that he is going to begin working on updating the **bathrooms** in the Courthouse, painting, and possibly new counters. The Board was favorable to this project.

Bldg/Grounds Supt. Joe Keller informed the Board that there is a 1991 Arens 36" deck **snow blower** that he states is too big, and doesn't work well anymore, so he would like to dispose of it. The consensus of the Board is to have Keller trade in the snow blower and get something that he could use.

Bldg/Grounds Supt. Joe Keller informed the Board that he is going to begin a security/remodel project at **DHS**. The Board commended Joe for all of the work that he does.

Motion by Ringgenberg, second by Merten, to approve the **minutes** of 9/26, as corrected, today's **claims approval list**, and the following **reports**: June SHIELD Board minutes & September agenda, September Lake Improvement Commission Staff Report, August RIDES minutes & September agenda, NW IA YES Center September agenda & August reports, September North Raccoon River Watershed minutes, August Board of Health minutes & September agenda, Upper Des Moines Annual Report for FY'17. Carried.

Motion by Arends, second by Ringgenberg, to approve and authorize the Chair to sign the FY'18 pledge letter to **NW IA Regional Housing Trust Fund, Inc.** in the amount of \$10,093. Carried.

Motion by Merten, second by Arends, to authorize Sac County Auditor to pay the outstanding bills relevant to the **Des Moines Waterworks lawsuit**, as funds become available. Carried.

Motion by Merten, second by Arends, to approve and authorize the Chair to sign the **Manure Easement Agreement** for Gary Pickhinke, on the County's 80 acres located in the W ½ SW ¼ of Section 36-90-37, (Hayes Farm). Carried.

**Supervisor meeting reports:** Arends attended the Regional Workforce Investment Board meeting last week; Merten attended the Rolling Hills Mental Health Region meeting last week.

There being no further business, motion by Ringgenberg, second by Merten, to adjourn the meeting at 10:05 a.m. until Tuesday, October 10, at 8:30 a.m. for a special session.