

**BOARD OF SUPERVISORS MEETING
FORTY-SECOND MEETING, 2017 SESSION (42)
OCTOBER 31, 2017**

The Buena Vista County Board of Supervisors met in regular session, on Tuesday, October 31, 2017 at 8:30 A.M. in the Boardroom, with Chairman Huseman presiding, and the following members present: Altena, Arends, Ringgenberg, and with Deputy Auditor Leigh Madsen as clerk for the meeting. Absent: Merten.

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

Motion by Ringgenberg, second by Arends, to approve and authorize the Chair to sign the **utility permit** for Interstate Power & Light, along the east ROW of M54, Section 20 Poland Township, boring under M54 to bring new gas service to a structure on the west side of the road. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Electric Cooperative, Estherville, IA, along the west ROW of 220th Ave, between sections 33 and 34 Fairfield Township, boring a single URD primary cable under 220th Ave to replace a failing cable. Carried.

Motion by Altena, second by Arends, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, along the east side of M31 in Section 14 of Nokomis Township, boring a 4" pipe under 560th Street to provide service to Ag-Partners. Carried.

Motion by Arends, second by Altena, to approve and authorize the Chair to sign the **utility permit** for Long Lines, Sergeant Bluff, IA, along 630th Street & 60th Ave for ¼ mile east of 70th Ave, between Sections 13 & 18 of Maple Valley and Hayes Townships, for Fiber Optic Cable. Carried.

Motion by Arends, second by Altena, to approve and authorize the Chair to sign the **utility permit** for Windstream Iowa Communications, LLC, Little Rock, AR, to replace copper cable that has failed from 16th Ave to 480th Street in Section 33 Barnes Township. Carried.

Secondary Road Report: The crews are hauling salt & sand to fill the sheds. They are working on equipment to get ready for snow, and cutting brush. The new employee Tim Hansen will be starting tomorrow. There were some center lines painted that are not up to standard. Wilkinson will be contacting the company. The Dakota Access Pipeline has agreed on a final billing from the county of approximately \$111,000.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of 10/17, as printed, and the following **reports**: Recorder's Quarterly Report of Fees Collected (Apr-June), August DECAT minutes & October agenda. Carried.

Motion by Arends, second by Altena, to approve today's **claims approval list**. Carried.

Motion by Ringgenberg, second by Arends, to allow \$2,650 for an employee to withhold for **FLEX**. Carried.

Supervisor Reports: Ringgenberg attended DECAT last week. Altena attended Early Childhood. Arends had a phone conference with the North Raccoon Watershed Coalition. They have

named Marius Agua as the project coordinator. Huseman attend the Courthouse Security meeting and the Handbook meeting.

Motion by Arends, second by Altena, to approve and authorize the Chair to sign the **2017 CDBG Career Link Employment Transportation Grant Contract**. Carried.

Motion by Ringgenberg, second by Altena, to appoint Emergency Management Coordinator Aimee Barritt to the **Courthouse Security Committee**. Carried.

Hear the Public: Env Health/Zoning Director Kim Johnson requested to be allowed to serve fruit and water in the public meeting room for this afternoon's Insurance Committee Meeting. The consensus of the Board was to allow this.

I.T. Director Tyler Van Houten reviewed with the Board the changes that were made to the **HIPAA Policies**. The 15 security policies and 21 privacy policies will need to be renewed every 2 years. Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the following HIPAA Policies: **Security Policies:** Assigned Security Responsibility, User Access Management, Authentication & Password Management, Facility Access Controls, Workstation Access Controls, Device & Media Controls, Audit Controls, Incident Response & Reporting, Transmission Security, Protection from Malicious Software, Contingency Plan, Business Associate, Monitoring Effectiveness and Assurance, Security Awareness & Training, Sanctions, Policy Creation and Documentation. **Privacy Policies:** Accounting Of Disclosures, Individual's Right To Request Amendment Of Protected Health Information, Business Associate Agreements, Charging For Copies And Summaries Of Protected Health Information, Communication Of Protected Health Information, Fundraising And Protected Health Information, Patient Right To Request Confidential Communications, HIPAA Privacy Program, Identity Verification, Use And Disclosure Of PHI For Judicial & Administrative Proceedings, Use/Disclosure Of Protected Health Information For Marketing Purposes, Minimum Necessary, Minors' Privacy Rights, Patient Right To Request Restrictions, Patient Right To Access, Inspect And Copy Protected Health Information, Use And Disclosure Of Psychotherapy Notes, Uses And Disclosures For Which An Authorization Is Required, Uses And Disclosures For Which An Authorization Or Opportunity To Agree Or Object Is Not Required, Uses And Disclosures Of PHI: General Rules, Use And Disclosure Of Protected Health Information For Workers' Compensation Purposes (Providers), and Breach Notification Policy. Carried.

Env Health/Zoning Director Kim Johnson brought back Resolution #2017-10-10-A Minor S/D for Robert & Christina Donahoo, in Section 3 of Brooke Township. In attendance were 3 media and 2 interested parties. Motion by Ringgenberg, second by Arends, to approve and authorize the Chair to sign **Resolution #2017-10-10-A** Minor S/D for Robert & Christina Donahoo, in Section 3 of Brooke Township. Carried.

RESOLUTION 2017-10-10-A

WHEREAS Robert R Donahoo and Christina N Donahoo have presented a preliminary and final plat (of survey) on the following described property:

PARCEL "D"

PART OF PARCEL "B" AS RECORDED IN SCAN 160382 ON 2-26-2016, OFFICE OF THE BUENA VISTA COUNTY RECORDER BEING PART OF THE NORTH HALF OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, ALL IN SECTION 3, TOWNSHIP 93 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE ON A RECORD BEARING NORTH 89°56'11" EAST 255.88 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3 TO A POINT ON THE CENTERLINE OF COUNTY ROAD #13, THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 56'11" EAST 897.21 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3 TO A POINT ON AN EXISTING FENCELINE; THENCE SOUTHEASTERLY 61.69 FEET ALONG A 376.41 FEET CURVE CONCAVE SOUTHWESTERLY WITH A LONG CHORD OF SOUTH 52°46'19" EAST 61.62 FEET AND ALONG SAID EXISTING FENCE; THENCE CONTINUING ALONG SAID FENCE AS FOLLOWS: SOUTH 20°11'33" EAST 235.36 FEET; THENCE SOUTH 83°15'53" EAST 155.46 FEET; THENCE SOUTH 69°50'12" EAST 560.66 FEET; THENCE NORTH 21°05'05" EAST 11.09 FEET; THENCE SOUTH 78°21'10" EAST 73.35 FEET; THENCE NORTH 88°40'14" EAST 181.71 FEET; THENCE SOUTH 66°30'02" EAST 34.89 FEET; THENCE SOUTH 20°38'19" EAST 252.12 FEET; THENCE NORTH 68°40'19" EAST 25.74 FEET; THENCE SOUTH 72°14'39" EAST 673.64 FEET; THENCE SOUTH 41°00'44" WEST 10.85 FEET; THENCE SOUTH 43°39'29" EAST 326.25 FEET ALONG SAID FENCE AND A SOUTHEASTERLY EXTENSION THEREOF TO A POINT ON THE CENTERLINE OF SOUTH RIVER ROAD; THENCE SOUTHEASTERLY 88.72 FEET ALONG A 381.72 FEET RADIUS CURVE CONCAVE NORTHEASTERLY WITH A LONG CHORD OF SOUTH 73°16'31" EAST 88.52 FEET ALONG SAID ROAD CENTERLINE; THENCE SOUTH 66°03'10" EAST 739.74 FEET ALONG SAID ROAD CENTERLINE TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3; THENCE SOUTH 00°11'07" EAST 125.70 FEET ALONG SAID EAST LINE TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3; THENCE SOUTH 89°19'07" WEST 1847.01 FEET ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 21°12'43" WEST 57.62 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF SOUTH RIVER ROAD AND AN EXISTING FENCELINE; THENCE ALONG SAID FENCELINE AS FOLLOWS: NORTH 66°45'28" EAST 115.12 FEET; THENCE NORTH 65°57'11" EAST 95.13 FEET; THENCE NORTH 78°34'31" EAST 181.03 FEET; THENCE NORTH 61°16'08" EAST 98.65 FEET; THENCE NORTH 78°39'39" EAST 86.71 FEET; THENCE NORTH 22°06'44" EAST 306.07 FEET; THENCE NORTH 76°28'53" WEST 528.58 FEET; THENCE SOUTH 08°01'27" WEST 204.80 FEET; THENCE SOUTH 68°37'58" WEST 201.14 FEET; THENCE SOUTH 78°21'43" WEST 244.11 FEET; THENCE SOUTH 41°21'31" WEST 158.67 FEET; THENCE SOUTHWESTERLY 118.81 FEET ALONG A 679.78 FEET RADIUS CURVE CONCAVE NORTHWESTERLY WITH A LONG CHORD OF SOUTH 79°59'38" WEST 118.66 FEET; THENCE NORTH 08°06'19" EAST 149.19 FEET; THENCE NORTH 78°31'09" WEST 145.20 FEET; THENCE NORTH 25°40'17" EAST 70.62 FEET; THENCE NORTHEASTERLY 59.58 FEET ALONG A 72.72 FEET RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A LONG CHORD OF NORTH 60°42'35" EAST 57.93 FEET; THENCE NORTH 84°14'18" EAST 188.42 FEET; THENCE NORTH 41°14'15" EAST 227.40 FEET; THENCE NORTH 03°54'17" EAST 238.07 FEET; THENCE NORTH 87°02'30" WEST 365.49 FEET; THENCE SOUTH 85°14'50" WEST 511.64 FEET; THENCE SOUTH 69°40'06" WEST 579.93 FEET; THENCE SOUTH 05°26'28" EAST 334.69 FEET; THENCE SOUTH 14°02'00" EAST 302.45 FEET ALONG SAID FENCELINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SOUTH RIVER ROAD; THENCE NORTH 89°35'27" WEST 542.26 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE WEST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01°32'55" WEST 211.45 FEET ALONG THE WEST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 3 TO A POINT ON THE CENTERLINE OF COUNTY ROAD 13; THENCE NORTHEASTERLY 63.96 FEET ALONG A 1482.23 FEET RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A LONG CHORD OF NORTH 24°51'12" EAST 63.96 FEET ALONG THE CENTERLINE OF SAID COUNTY ROAD 13; THENCE CONTINUING ALONG SAID ROAD

CENTERLINE AS FOLLOWS: NORTH 28°51'26" EAST 564.33 FEET; THENCE NORTHEASTERLY 524.82 FEET ALONG A 607.74 FEET RADIUS CURVE CONCAVE NORTHWESTERLY WITH A LONG CHORD OF NORTH 03°26'45" EAST 508.67 FEET; THENCE NORTH 18°33'08" WEST 350.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 56.89 ACRES INCLUSIVE OF 3.64 ACRES OF PUBLIC ROAD RIGHT-OF-WAY AS SHOWN ON THE PLAT OF SURVEY DRAWN SEPTEMBER 04TH, 2017, AND HEREBY MADE A PART THEREOF.

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:

PARCEL "D"

PART OF PARCEL "B" AS RECORDED IN SCAN 160382 ON 2-26-2016, OFFICE OF THE BUENA VISTA COUNTY RECORDER BEING PART OF THE NORTH HALF OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, ALL IN SECTION 3, TOWNSHIP 93 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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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:

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PART OF PARCEL "B" AS RECORDED IN SCAN 160382 ON 2-26-2016, OFFICE OF THE BUENA VISTA COUNTY RECORDER BEING PART OF THE NORTH HALF OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, ALL IN SECTION 3, TOWNSHIP 93 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

PASSED, APPROVED AND ADOPTED this 31st day of October, 2017.

/s/ Tom Huseman, Chairperson.....Attest: Leigh Madsen, County Deputy Auditor

Treasurer Sherie Elbert reviewed the Investment Policy with the Board. There were no changes to the current policy. Motion by Arends, second by Altena, to approve and authorize the Chair to sign the **Buena Vista County Investment Policy**. Carried.

There being no further business, motion by Ringgenberg, second by Arends, to adjourn the meeting at 9:55 a.m. until Tuesday, November 7, at 8:30 a.m. for a special session.