

**BOARD OF SUPERVISORS MEETING
FORTY-THIRD MEETING, 2017 SESSION (43)
NOVEMBER 21, 2017**

The Buena Vista County Board of Supervisors met in special session, on Tuesday, November 21, 2017 at 8:30 A.M. in the Boardroom, with Chairman Huseman presiding, and the following members present: Altena, Arends, Merten, and with Deputy Auditor Leigh Madsen as clerk for the meeting. Absent, Ringgenberg.

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

Motion by Altena, second by Arends, to approve and to authorize the Chair to sign the **Snow Maintenance Agreements** with Linn Grove. Carried

Motion by Arends, second by Merten, to approve and to authorize the Chair to sign the **Snow Maintenance Agreements** with Lakeside. Carried

Motion by Merten, second by Arends, to approve and to authorize the Chair to sign **Resolution 2017-11-21-A**, adopting the Stop Sign Resolution. Carried.

BUENA VISTA COUNTY, IOWA

**RESOLUTION FOR THE ESTABLISHMENT OF A STOP SIGN
AT THE INTERSECTION OF WHITE CAP ROAD AND WHITE CAP DRIVE.**

RESOLUTION NO. 2017-11-21-A

WHEREAS, under the provisions of Section 321.255 and 321.236 (1C)(6) of the 2013 Code of Iowa, the Board of Supervisors and County Engineer are empowered to designate the location and erection of stop signs,

AND WHEREAS, the County Board and County Engineer may designate certain roads as through roads with the erection of stop signs at specified locations furnishing access thereto or designation of any intersection as a stop intersection and erect like signs at one or more locations of access to such intersections.

AND WHEREAS, the degree of curvature of the road at this intersection has been recently increased,

AND WHEREAS, there are currently no stop signs controlling traffic at this intersection,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Buena Vista County on this 21st day of November, 2017, recognize as official the location of a stop sign at the intersection described below:

1. Located at the intersection of White Cap Road and White Cap Drive, causing traffic traveling north on White Cap Road to come to a complete stop at the intersection.

Recommended: Bret, Wilkinson, Buena Vista County Engineer
Attest: Leigh Madsen, County Deputy Auditor

/s/ Tom Huseman, Chairperson, /s/ Paul Merten, Member /s/ Dale Arends, Member, /s/ Don Altena, Member

Secondary Road Report: The crews are continuing to haul sand and gravel to the Maple Valley site. They have started to put the wings on the motor graders. Engineer Wilkinson will be taking the North Raccoon River Water Shed Project Manager, Marius Agua to Pocahontas County today. Next Tuesday they will be going to Webster County. The next meeting for the North Raccoon River Water Shed Project will be on December 13.

Env Health/Zoning Director Kim Johnson reviewed information she received regarding a Minor Resubdivision for Lake Creek Country Club in Section 30, Washington Township. There are two additional lots being added to Lake Creek. Motion by Arends, second by Merten, to approve and authorize the Chair to sign **Resolution #2017-11-21-B** for the Resubdivision for Lake Creek Country club in Section 30, Washington Township.

RESOLUTION 2017-11-21-B

WHEREAS Lake Creek Country Club has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION TRACT ONE

A TRACT OF LAND LOCATED IN PART OF LOT THIRTY-NINE (39) IN THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST FRACTIONAL QUARTER (SW FRAC. $\frac{1}{4}$) OF SECTION 30, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of lot twenty-seven (27) in the Auditor's Subdivision of the Southwest Fractional Quarter (SW Frac. $\frac{1}{4}$) of said Section 30; Thence South 44° 38' 00" West, along the South line of said lot twenty-seven (27), 1.95 feet to the centerline of a private roadway being also the Point of Beginning. Thence continuing South 44°38'00" West, along the South line of said lot twenty-seven (27) and its southwestern extension, 181.05 feet; Thence South 45° 29' 30" East, 130.00 feet; Thence North 44°38'00" East, 87.63 feet to the centerline of aforesaid private roadway; Thence North 09°38'39" East , along said centerline, 27.42 feet; Thence continuing along said centerline on the arc of a 170.00 foot radius curve, concave westerly, 138.13 feet, said curve having a chord which bears North 13° 38'01" West, for 134.36 feet to the Point of Beginning.

Tract contains 0.45 acres and is subject to a 30' easement for golf course play and course maintenance, including mowing along its western border and to a 30' easement for private roadway and utilities along its eastern border and to all other easements of record.

DESCRIPTION TRACT TWO

A TRACT OF LAND LOCATED IN PART OF LOTS THIRTY-SEVEN (37) AND THIRTY-NINE (39) IN THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST FRACTIONAL QUARTER (SW FRAC. $\frac{1}{4}$) OF SECTION 30, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Tract contains 0.39 acres and is subject to a 30' easement for golf course play and course maintenance, including mowing along its eastern border and to a 30' easement for private roadway and utilities along its western border and to all other easements of record.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: the Homeowners Reciprocal Covenants Agreement, and the protective covenants.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

LEGAL DESCRIPTIONS FOR:

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is hereby accepted subject to the following if any: the Homeowners Reciprocal Covenants Agreement, and the protective covenants.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

DESCRIPTION TRACT ONE

A TRACT OF LAND LOCATED IN PART OF LOT THIRTY-NINE (39) IN THE AUDITIOR'S SUBDIVISION OF THE SOUTHWEST FRACTIONAL QUARTER (SW FRAC. ¼) OF SECTION 30, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Tract contains 0.39 acres and is subject to a 30' easement for golf course play and course maintenance, including mowing along its eastern border and to a 30' easement for private roadway and utilities along its western border and to all other easements of record.

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

PASSED, APPROVED AND ADOPTED this 21st day of November, 2017.

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

Sheriff Kory Elston and Assistant County Attorney Paul Allen presented an update on the **Courthouse Security Plan**. Elston and Allen reviewed the Judge's ruling and the current law in regards to weapons in Court controlled areas. The question proposed was how would this be enforced? Arends asked if we could have postings at the stairways and elevator stating "No weapons allowed" on the

second floor. Anyone with a concealed weapon may be asked to leave the floor and can return only if the weapon is left outside the building. If there are high risk trials, the Sheriff is allowed to secure the courthouse. Allen stated he would like the policy clear for not only the public but for the County employees. The Courthouse Security Committee will be presenting the policy to the Board.

Gary Lalone and Jon Kruse discussed **Disposal of the Dredge**. Merten asked, what does the County own? Kruse stated that the County owns the Dredge, and the Lake Improvement Commission owns the tug boat, pipe and booster pump. It is the consensus of the Board and the LIC to sell the dredge, tug boat, pipe and booster. There needs to be a value given to these items and determine if it would be better to sell as a package deal or individual items.

Motion by Merten, second by Arends, to approve the **minutes** of 11/14, as printed, today's **claims approval list**, and the following **reports**: November 7 Board of Health meeting packet, FY'17 Audit Report for BV County Solid Waste Commission, FY'17 Audit Report for Plains Area Mental Health. Carried.

Supervisor Reports: Altena submitted the Solid Waste reports. Huseman attended the Iowa Lakes Corridor Development Corporation meeting and Northwest Iowa Regional Housing Trust Fund. Merten will attend the Plains Area Mental Health meeting next week.

Altena left the meeting at 10:15.

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

The Board reviewed the letter from David Peck regarding a job application. The Board drafted a response letter to be sent.

The Board placed a conference call to the Pocahontas County Board Supervisors.

At 10:20 a.m., a teleconference was held with Buena Vista County Board of Supervisors as Trustees for Jt. DD 18-42. Members present in Buena Vista County: Supervisors, Tom Huseman, Dale Arends, and Paul Merten; and Auditor's clerk, Kristina Konradi. Members present in Pocahontas County: Supervisors, Jeffrey Ives, Louis Stauter, Clarence Siepker, JoAnn Peters and Ed Dewey; and Auditor, Kelly Jepsen. Buena Vista County Supervisors, Don Altena, Rhonda Ringgenberg were absent.

It was moved by Huseman, seconded by Stauter, to appoint Paul Merten as Chairman and Kelly Jepsen as Secretary for Jt. DD 18-42. Ayes all, motion carried.

It was moved by Ives, seconded by Arends, to accept the changes made by Bolton & Menk to the crop damages on Jt. DD 18-72 from \$37,735.35 to \$34,373.75. Ayes all, motion carried.

The Trustees held a phone conference with Jon Rosengren and Don Etlar, Engineers with Bolton & Menk, to discuss the mitigated wetlands on Jt. DD 18-42. Etlar explained that they eliminated all converted wetlands in the district, so all the farmland can continue to be farmed. This saved the district roughly \$150,000.00.

It was moved by Stauter, seconded by Arends, to approve Jt. DD 18-42 claim from Bolton & Menk for professional services in the amount of \$10,152.00. Ayes all, motion carried.

It was moved by Stauter, seconded by Arends, to adjourn. Ayes all, motion carried

Kelly Jepsen
Pocahontas County Auditor

Motion by Merten, and second by Huseman, to set the **County Budget Amendment** for December 26th at 9:00. Carried.

Donell Doering, with **Elderbridge Agency on Aging** met with and presented the Annual report. Doering highlighted the services provided by Elderbridge. Doering thanked the Board for their support and requested \$11,491 for FY19, the same as FY18. The Board thanked Doering for the services provided to the county.

There being no further business, motion by Arends, second by Huseman, to adjourn the meeting at 12:45 a.m. until Tuesday, November 28, at 8:30 a.m. for a regular session.