

**WOODBURY COUNTY, IOWA, CONSERVATION BOARD
MINUTES OF THE THURSDAY, JUNE 16, 2022, SPECIAL BOARD MEETING
VIA ZOOM VIDEO CONFERENCE**

The following is a true copy of the minutes of the special meeting of the Woodbury County, Iowa, Conservation Board held on Thursday, June 16, 2022, at the Dorothy Pecaut Nature Center via Zoom video conference beginning at 4:00 p.m.

BOARD MEMBERS PRESENT

Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth, and Tom Limoges

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Dan Heissel and Brian Stehr

OTHERS PRESENT

None

CALL TO ORDER

Chairperson Stockfleth called the meeting to order at 4:00 p.m.

PUBLIC PARTICIPATION

None

ITEM R1. Izaak Walton League Property – Closed Session Per Iowa Code

MOTION by Tom, second by Aaron

To enter into closed session to discuss a property acquisition.

ROLL CALL VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth, Tom Limoges
Nay: None
Absent: None

The board discussed an opportunity to acquire the Izaak Walton League property located on Brown's Lake.

MOTION by Tom, second by Chris.

To come out of closed session.

ROLL CALL VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth, Tom Limoges
Nay: None
Absent: None

MOTION by Aaron, second by Tom.

To purchase the Izaak Walton League property at Brown's Lake for \$75,000 as offered. Additionally, the board will try to get the Izaak Walton League to carry the contract or assist with the funding.²²⁻¹⁹

Further discussion:

Chris asked if information was going to be gathered on costs prior to purchase. Neil stated that the assumption is that the board thinks the land is worth the purchase price regardless, and that additional information on the building would be gathered and acted on separately if the property is purchased.

Tom asked if there would be any additional burden on the conservation board to manage this property in addition to what is already being done in the park right now. Brian stated that it is very close to existing county property, the equipment is available to manage it, and it wouldn't be too much more work to maintain it.

Dan stated that he looked at the most recent long-range planning notes, and the purchase of the Izaak Walton League property was listed under Brown's Lake as one of the priorities.

ROLL CALL VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth, Tom Limoges
Nay: None
Absent: None

Dan was asked to make the appropriate contact with the Izaak Walton League to let them know of the board's interest and to work on the conditions as discussed. Once there is closure with the Izaak Walton League, he would like someone to evaluate the property and provide an idea of what it would take to refurbish the property so the board can make an informed decision on how to proceed. Dan suggested having the current contractor at Brown's Lake examine and assess the building. Neil said to make sure they focus on the sunken corner where the bathrooms are in their assessment.

ITEM R2. Brown's Lake Beach Survey, Adjoining Landowner Concerns – Action

Dan stated that back in 1995, the area of beach adjoining Bigelow Park's main beach was fenced off and a fencing agreement was put in place. It was recently surveyed, and the pins in the northeast corner are dead on, but the southwest corner is about three feet off. The owner of the property signed the agreement which continues in perpetuity. Mark Arens, one of the two current owners, now claims that the beach is his property. He said he would leave the fence but wants to continue to have access to the beach. He gave Dan a copy of his abstract stating that it shows that he owns up to the lake. Dan told him that he actually owns only to the high-water mark, which is where the survey pins are, but he does not agree with that. Dan has contacted the county attorney. Typically, the county attorney doesn't do this type of work but has agreed to review it. Dan will provide a summary, along with the abstract and survey. They will look at it and decide if they can make a county attorney's opinion on whether the state owns that beach. If the county attorney decides it is outside of their expertise, they will probably advise Dan to take it to attorney Dan Moore. The landowner has stated that he already has an attorney, so this will need to be reviewed at some point. Dan wanted to inform the board that the county attorney is reviewing it and, if it is determined that they can't handle it, Dan would like permission to proceed with Dan Moore.

²²⁻¹⁹ To purchase the Izaak Walton League property at Brown's Lake for \$75,000 as offered. Additionally, the board will try to get the Izaak Walton League to carry the contract or assist with the funding.

Tom asked if this is an anomaly in how this particular abstract is written. Dan stated that on state-owned lakes, the state owns up to the high-water mark where the pins are.

(Aaron left the meeting.)

By consensus, the board agreed to have Dan pursue this issue with the county attorney and provide an update at the next board meeting.

ITEM R3. Adjournment

The meeting was adjourned at 4:51 p.m.

The above minutes were recorded by Dan Heissel.

Recording Secretary, Dan Heissel

Board Secretary, Cindy Bennett

Board Chair, Neil Stockfleth