

PROCEEDINGS OF THE BOARD OF SUPERVISORS  
February 24, 2015

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Phil Dougherty, Supervisor Casey Callanan, Supervisor Jay Urdahl and various members of the public.

Dougherty convened the meeting at 10:00 a.m. Urdahl made a motion, with Callanan seconding, to **approve the February 17, 2015 regular minutes and today's agenda.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **approve and authorize the chairman to sign agreement with the DOT for Spring Creek Bridge Replacement.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **approve the claims.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **approve the County Assessor's recommendations for the Family Farm Credit.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **adopt Resolution 2015-21,** Whereas, the Board of Supervisors of Cerro Gordo County, Iowa, agree to apply for financial assistance with the United States Department of Agriculture, Rural Development to finance the Meservey Wastewater Facility Project; and, Now Therefore, Be It Further Resolved that the Board of Supervisors of Cerro Gordo County, Iowa, authorizes the Chairman and County Auditor to sign all documents relating to the USDA Rural Development loan and/or grant. Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **adopt Resolution 2015-22,** Resolution Setting Forth The Proposal To Convey Interest In Real Estate Owned By Cerro Gordo County, Iowa, And Ordering Public Hearing Upon The Proposed Conveyance Pursuant To 331.361 Of The Iowa Code. Whereas, Cerro Gordo County, Iowa, ("County") is the owner of the following described real estate, to-wit:

Lot Three (3), In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa. (the "Lot 3"); and, Whereas, County proposes upon the recommendation of the North Iowa Fair Association:

- A. to sell the Lot 3;
- B. to terminate an easement for waterline purposes in favor of the County across Lot 3; and
- C. to grant a License and Maintenance Agreement (Easement Agreement) across the following tract of land: The East 60 Feet Of Outlot A And The East 60 Feet Of The South 424.13 Feet Of Lot One (1), All In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa. Whereas, the proposal is based on the terms of the following documents, executed by the County's Board of Supervisors on the dates stated:
  1. Real Estate Sale Contract, February 10, 2014;
  2. First Amendment to Real Estate Sale Contract, August 12, 2014;
  3. Second Amendment to Real Estate Sale Contract, October 7, 2014;
  4. License and Maintenance Agreement (Easement Agreement), December 8, 2014; and
  5. Third Amendment to Real Estate Sale Contract, December 22, 2014.

Whereas, 331.361 (2) of the Iowa code requires Cerro Gordo County to set forth its proposal to convey an interest in real estate in a resolution and publish notice of the time and place of public hearing on the proposal in accordance with 331.305 of the Iowa Code. Now, Therefore, Be It Resolved by the Board of Supervisors of Cerro Gordo County, Iowa:

Section 1: County is the owner of the real estate described in this Resolution.

Section 2: The County has entered into a contract to convey interests in real estate subject to approval following public hearing as required by law.

Section 3: A public hearing upon the proposal:

- A. to sell Lot 3;
- B. to terminate an easement for waterline purposes in favor of the County across Lot 3; and
- C. to grant a License and Maintenance Agreement (Easement Agreement) across the following tract of land: The East 60 Feet Of Outlot A And The East 60 Feet Of The South 424.13 Feet Of Lot One (1), All In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa; shall be held beginning at 10:30 a.m. on the 10th

day of March, 2015, in the boardroom of the Cerro Gordo County Courthouse, 220 North Washington, Mason City, Iowa. Notice of the time and place of hearing shall be published in the Mason City Globe Gazette not less than four nor more than twenty days before the date of the hearing in accordance with 331.305 of the Iowa Code.

Section 4: The public notice shall be published in substantially the following form:

Public Notice

Public notice is hereby given that the Board of Supervisors of Cerro Gordo County, Iowa, will meet and hold a public hearing beginning at 10:30 a.m. on the 10th day of March, 2015, in the boardroom, Cerro Gordo County Courthouse, 220 North Washington, Mason City, Iowa, to consider a Resolution proposing to:

1. Sell real estate owned by Cerro Gordo County, Iowa, and described as follows, to-wit:  
Lot Three (3), In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa; and
2. Terminate the easement for waterline purposes across the following described parcel:  
Lot Three (3), In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa; and

3. Grant a License and Maintenance Agreement (Easement Agreement) across the following tract of land: The East 60 Feet Of Outlot A And The East 60 Feet Of The South 424.13 Feet Of Lot One (1), All In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa. At the recommendation of the North Iowa Fair Association (NIFA), Cerro Gordo County, Iowa, proposes to sell the Real Estate to Mason City Investors, LLC for \$550,000.00 plus incidental expenses payable at closing following approval of the sale by the Board of Supervisors following public hearing as required by law. Said proposal is based on the terms of the Real Estate Sale Contract; First, Second, and Third Amendments to Real Estate Sale Contract, and the License and Maintenance Agreement, all of which are available for inspection at the office of the Secretary of the Board of Supervisors. Cerro Gordo County makes no warranties regarding the title, condition, or allowable use of the Real Estate. All parties in interest and citizens of Cerro Gordo County, Iowa, shall have an opportunity to present objections to the proposal to sell the Real Estate at the public hearing. Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **authorize the chairman to sign U.S. Department of Agriculture Form CCC-858 Base Reallocation and Yield Update Decision for Agriculture Risk (ARC) and Price Loss Coverage (PLC) Programs on farm #6897, #6705 and #941 retroactive to February 17, 2015.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **approve reports from the Zoning Director and Environmental Health Service Manager concerning the Manure Management Plan filed by EJ Pork-Scott's Site and Christensen Family Farms-Site F-42 and forward them to the DNR.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **authorize the chairman to sign product quote with McGladrey for server virtualization, disaster recovery, and domain upgrade project.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to adjourn at 10:22 a.m.

The audio tape of the meeting and various tabulations, reports, correspondence, and other documents that were presented are placed on file with the County Auditor's office.

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Chairman Phillip Dougherty  
Board of Supervisors

ATTEST:

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Kenneth W. Kline  
County Auditor