

PROCEEDINGS OF THE BOARD OF SUPERVISORS
November 13, 2018

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Casey Callanan, Vice Chairman Chris Watts, Supervisor Tim Latham and various members of the public.

Chairman Callanan convened the meeting at 10:00 a.m.

Latham moved with Watts seconding, to **approve the minutes from the November 6, 2018 regular session and today's agenda.** Motion passed unanimously.

Latham moved with Watts seconding, to **authorize the Chairman to sign Temporary Encroachment Agreement with LeNore Forbes.** Motion passed unanimously.

Watts moved with Latham seconding, to **approve claims.** Motion passed unanimously.

Latham moved with Watts seconding, to **extend an offer of employment to Mr. Brandon Billings as County Engineer.** Motion passed unanimously.

The opening of bids for the lease on county property located in the W ½ of the SW ¼ of Section 12, Lake Township and the NE ¼ and SE ¼ of Section 11, Lake and on county pasture located in the SE¼ of Section 11, Lake Township were completed.

Latham moved with Watts seconding, to **consider all bids and take action at a later meeting.** Motion passed unanimously.

Chairman Callanan opened the public portion of the hearing on proposals for the sale of real estate property at Lot One (1) In Indigo First Subdivision, Cerro Gordo County, Iowa.

Watts moved with Latham seconding, to **close the public portion of the hearing on proposals for the sale of real estate property at Lot One (1) In Indigo First Subdivision, Cerro Gordo County, Iowa.** Motion passed unanimously.

Latham moved with Watts seconding, to **adopt Resolution 2018-91, RESOLUTION APPROVING THE SALE OF: LOT ONE (1) IN INDIGO FIRST SUBDIVISION, CERRO GORDO COUNTY, IOWA.** To JMS Property Management aka Jon Snow for \$8,500.00. WHEREAS, Cerro Gordo County, Iowa, is the owner of the following described real estate, to-wit: LOT ONE (1) IN INDIGO FIRST SUBDIVISION, CERRO GORDO COUNTY, IOWA. (the "Real Estate"); Locally known as: 9050A 300th Street, Clear Lake, Iowa 50428 and WHEREAS, the Board of Supervisors of Cerro Gordo County, Iowa, adopted Resolution 2018-89, Inviting Proposals for the Sale of Real Property and Setting the Date for Public Hearing; and, WHEREAS, public hearing was held upon the proposal at 10:10 A.M. on the 13th day of November, 2018, following publication of notice of hearing as required by law; and, WHEREAS, the Board of Supervisors intends to accept a valid Proposal to Purchase the Real Estate subject to approval of the sale by the Board of Supervisors following public hearing as required by law. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa: 1. The offer of JMS Property Management aka Jon Snow, ("Buyer") to purchase the Real Estate for \$8,500.00 is hereby accepted by the Board of Supervisors of Cerro Gordo County, Iowa subject to the execution of the Offer to Buy Real Estate and Acceptance. 2. The Chairperson of the Board of Supervisors and the Cerro Gordo County Auditor shall be and they are hereby authorized and directed to execute a Quit Claim Deed to convey said Real Estate to Buyer upon receipt of the purchase price plus any related expenses, and to execute any and all other documents to facilitate the conveyance of said Real Estate. 3. The Quit Claim Deed shall be delivered to Buyer at closing in the office of the Board of Supervisors immediately after the expiration of thirty (30) days from date of this resolution unless an appeal of this action has been made to the Iowa District Court. 4. The County shall record the Resolution Setting Forth the Proposal to Sell Real Estate; the Proof of Publication of Notice of Hearing; the Resolution Approving the Sale; and the Quit Claim Deed immediately following closing. The cost of recording shall be paid in advance by Buyer. The

recorded Resolutions and Proof of Publication shall be retained by County following recording with its official records. The recorded Quit Claim Deed shall be delivered to Buyer.

Chairman Callanan opened the public portion of the hearing on change of zone for Behr.

Latham moved with Watts seconding, to **close the public portion of the hearing on change of zone for Behr.** Motion passed unanimously.

Latham moved with Watts seconding, to **adopt Resolution 2018-92, AMENDMENT NO. 382 TO ORDINANCE NO. 15, ARTICLE 5.2.** WHEREAS, the Cerro Gordo County Planning & Zoning Commission, after study, has recommended that the change of zoning classification of a certain area hereinafter described, upon the application of Cory Behr, Referee, be made, and; WHEREAS, the final public hearing has been held with notice as required by law. NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that Ordinance No. 15, Article 5.2, of the Zoning Ordinance of Cerro Gordo County, Iowa, is hereby amended by changing the district boundaries thereof so as to change the classification of the following described property from A-1 Agricultural District to A-2 Agricultural Residence District on the following described real estate, to-wit: Parcel of land designated as Parcel 'A' in the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) and the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of Section 32-T94N-R19W of the 5th P.M. Cerro Gordo County, Iowa more particularly described as follows: Beginning (P.O.B.) at the West Quarter Corner (W¼ Cor.) of said Section Thirty-two (32), thence on an assumed bearing along the Westerly line of the Southwest Quarter (SW¼) of said Section Thirty-two (32) and the centerline of Thrush Avenue S01°00'55"W 477.46 feet; thence S89°27'01"E 446.58 feet; thence N04°38'37"E 275.47 feet; thence N89°50'56"W 116.77 feet; thence N02°24'44"E 275.73 feet; thence N89°18'04"W 353.99 feet to the Westerly line of the Northwest Quarter (NW¼) of said Section Thirty-two (32) and said centerline; thence along said Westerly line and said centerline S00°59'43"W 73.02 feet to the Point of Beginning (P.O.B). Said Parcel 'A' contains 5.09 acres including 0.76 acres in public road Right-of-Way (R.O.W.) and is subject to any easements written or otherwise. This Resolution shall be in full force and effect from and after its passage. Motion passed unanimously.

Latham moved with Watts seconding, to adjourn at 10:16 a.m.

Various tabulations, reports, correspondence and other documents that were presented at today's meeting are placed on file with the supplemental minutes.

Chairman Casey Callanan
Board of Supervisors

ATTEST:

Becky Kirchgatter, Deputy County Auditor
Cerro Gordo County