

PROCEEDINGS OF THE BOARD OF SUPERVISORS  
August 17, 2021

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 today's agenda and the meeting minutes for the August 10, 2021 regular session. Motion passed unanimously.

Public comment session was held.

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

Latham moved with Watts seconding, to approve Resolution 2021-85, WHEREAS, the following payroll change requests were submitted to the Board of Supervisors for review; and, WHEREAS, the Board of Supervisors of Cerro Gordo County, has reviewed and considered the change requests as follows:

Department	Name
Pay Change	Effective Date
County Conservation	Brennan Haag
\$11.25/hourly	08/17/2021

THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Cerro Gordo County does hereby approve the requests as shown above and directs the Auditor to make the necessary adjustments to the payroll. Motion passed unanimously.

Latham moved with Watts seconding, to authorize Rodney McKinney to conduct field review and confer with TJ Herrick of the Iowa DNR on the following drainage district:

Drainage District	Reported By	Problem
DD31 Sec 34 Union Township N1/2-NE-NE	TJ Herrick	Sink hole

Motion passed unanimously.

Watts moved with Latham seconding, to authorize Rodney McKinney to conduct field review on the following drainage district:

Drainage District	Reported By	Problem
DD56 Sec 12 Portland Twp SW-SW	Dave Luett	Sink hole

Motion passed unanimously.

Latham moved with Watts seconding, to approve the Clerk's Monthly Report of Fees. Motion passed unanimously.

Latham moved with Watts seconding, to approve 12 month class C liquor license for Avion Azul. Motion passed unanimously.

Chairman Callanan opened the public hearing for the change of zone for Schaefer at 10:05 a.m.

Latham moved with Watts seconding, to close the public hearing at 10:06 a.m. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-86, 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 Dale L. Schaefer & Lana G. Schaefer 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 the A-2 Agricultural Residence District on the following described real estate, to-wit: Parcel A containing 2.57 acres located in part of the Northeast Quarter of Section 28, Township 95 North, Range 20 West of the 5th P.M., Cerro Gordo County, Iowa as described in the Plat of Survey dated July 14, 2021 and recorded on July 15, 2021 as Document No. 2021-5326. Motion passed unanimously.

Watts moved with Latham seconding, to abate AY2020 taxes on mobile home VIN POT185911N in the amount of \$58; abate AY2020 taxes on parcel 15-03-406-009-00 in the amount of \$508; to abate AY2020 taxes in the amount of \$55 plus interest and costs, AY2021 taxes in the amount of \$110 plus interest and costs, and the first half of AY2022 taxes in the amount of \$55 on mobile home VIN 12600314; and to abate AY2020 taxes on parcel 13-32-309-008-00 in the amount of \$86. Motion passed unanimously.

Chairman Callanan opened the public hearing for the change of zone on petition to vacate a portion of Lee Street at 10:15 a.m.

Latham moved with Watts seconding, to close the public hearing at 10:16 a.m. Motion passed unanimously.

Latham moved with Watts seconding, to approve Resolution 2021-87, WHEREAS, the Board of Supervisors of the County of Cerro Gordo did receive a request to vacate and convey the real estate described in Section 1 herein, and WHEREAS, the Board of Supervisors did, upon published notice, hold a public hearing on the 17th day of August 2021, on a proposal to vacate and convey to the abutting property owners the real estate described in Section 1 herein, and WHEREAS, the Board of Supervisors do approve the vacation and conveyance of said real estate; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa;

Section 1: A part of Raney Drive that is contiguous with Lot Four (4) and Lot (5) Block Eight (8) and Lot Four (4) in the Subdivision of a portion of the Parade Ground in Patriarchs Militant I.O.O.F. Park as laid out and platted on Lot One (1) in Section Twenty-Two (22) in Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., Cerro Gordo County, Iowa more particularly described as follows: Beginning (P.O.B.) at the Northeast Corner (NE COR) of Lot Four (4) in the Subdivision of a portion of the Parade Ground in Patriarchs Militant I.O.O.F. Park as laid out and platted on Lot One (1) in Section Twenty-two (22) in Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., Cerro Gordo County; thence along the Southerly Right of Way (R.O.W.) of Raney Drive along a curve concave Northeasterly with a chord bearing and distance of N73°26'21"W (N73°52'55"W) 83.95 feet (83.19 feet), radius 310.00 feet (310.00 feet), central angle 18°13'53", and arc length of 84.21 feet (83.44 feet) to the Northwest Corner (NW COR) of said Lot Four (4); thence N16°18'10"W 28.66 feet to the Southwest Corner (SW COR) of Lot Four (4) Block Eight (8) in said Parade Grounds in Patriarchs Militant I.O.O.F. Park and the Northerly Right of Way (R.O.W.) line of said Raney Drive; thence along said Northerly Right of Way (R.O.W.) of Raney Drive and curve concave Northeasterly with a chord bearing and distance of S65°33'13"E (S66°25'31"E) 39.88 feet (39.92 feet), radius 290.00 feet (290.00 feet), central angle 7°53'06", and arc length of 39.91 feet (39.95 feet) to the Southeast Corner (SE COR) of Lot Four (4) and the Southwest Corner (SW COR) of Lot Five (5) in said Block Eight (8); thence continuing along said Northerly Right of Way (R.O.W.) of Raney Drive and curve concave Northeasterly with a chord bearing and distance of S74°19'04"E (S75°42'02"E) 53.79 feet (53.87 feet), radius 290.00 feet (290.00 feet), central angle 10°38'35", and arc length of 53.87 feet (53.94 feet) to the Southeast Corner (SE COR) of said Lot Five (5) and the Westerly Right of Way (R.O.W.) line of Crane Street; thence along said Westerly line S01°23'53"E 20.44 feet (20.00 feet) to the Point of Beginning (P.O.B.). Said part of Raney Drive contains 1,839 square feet all in public road right of way (R.O.W.), and is subject to any easements written or otherwise is hereby vacated and conveyed as follows:

A part of Raney Drive this is contiguous with Lot Four (4) and Lot Five (5) Block Eight (8) in Patriarchs Militant I.O.O.F. Park, Cerro Gordo County, Iowa more particularly described as follows: Beginning (P.O.B.) at the Southwest Corner (SW COR) of said Lot Five (5) Block Eight (8); Thence S19°16'53"W 10.50 along the Southwesterly extension of the Easterly line of said Lot Four (4) and Westerly line of said Lot Five (5) to the centerline of Raney Drive; thence along said centerline of Raney Drive on a curve concave Northeasterly with a chord bearing and distance of N66°42'12"W 31.14 feet, radius 300.00 feet, central angle 5°56'57", and arc length of 31.15 feet; thence N16°18'10"W 14.63 feet to the Southwest Corner (SW COR) of said Lot Four (4) Block Eight (8) which is on the Northerly Right of Way (R.O.W.)

line of said Raney Drive; thence along said Northerly Right of Way (R.O.W.) line on a curve concave Northeasterly with a chord bearing and distance of S65°33'13"E (S66°25'31"E) 39.88 feet (39.92 feet), central angle 7°53'06", radius 290.00 feet (290.00 feet) and arc length of 39.91 feet (39.95 feet) to the Point of Beginning (P.O.B.). Said part of Raney Drive contains 375 square feet all in public road Right of Way (R.O.W.) and is subject to any easements written or otherwise to Cristine L. Ayers and Rahn Brager, husband and wife, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common.

A part of Raney Drive this is contiguous with Lot Four (4) and Lot Five (5) Block Eight (8) in Patriarchs Militant I.O.O.F. Park, Cerro Gordo County, Iowa more particularly described as follows: Beginning (P.O.B.) at the Southwest Corner (SW COR) of said Lot Five (5) Block Eight (8); thence S19°16'53"W 10.50 along the Southwesterly extension of the Easterly line of said Lot Four (4) and Westerly line of said Lot Five (5) to the centerline of Raney Drive; thence along a curve concave Northeasterly with a chord bearing and distance of S79°54'55"E 56.30 feet, radius 189.43 feet, central angle 17°05'33", and arc length of 56.51 feet to the Westerly Right of Way (R.O.W.) of line of Crane Street; thence along said Westerly line N01°23'53"W 5.22 feet to the Southeast Corner (SE COR) of said Lot Five (5); thence along a curve concave Northeasterly with a chord bearing and distance of N74°19'04"W (N75°42'02"W) 53.79 feet (53.87 feet), radius 290.00 feet (290.00 feet), central angle 10°38'35", and arc length of 53.87 feet (53.94 feet) to the Point of Beginning (P.O.B.). Said part of Raney Drive contains 463 square feet all in Public Road Right of Way (R.O.W.) and is subject to any easements written or otherwise to Larry J. Phillips and Mary P. Phillips, husband and wife, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common.

A part of Raney Drive that is contiguous with Lot Four (4) and Lot (5) Block Eight (8) and Lot Four (4) in the Subdivision of a portion of the Parade Ground in Patriarchs Militant I.O.O.F. Park as laid out and platted on Lot One (1) in Section Twenty-two (22) in Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., Cerro Gordo County, Iowa more particularly described as follows: Beginning (P.O.B.) at the Northeast Corner (NE COR) of Lot Four (4) in the Subdivision of a portion of the Parade Ground in Patriarchs Militant I.O.O.F. Park as laid out and platted on Lot One (1) in Section Twenty-two (22) in Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., Cerro Gordo County; thence along the Southerly Right of Way (R.O.W.) of Raney Drive along a curve concave Northeasterly with a chord bearing and distance of N73°26'21"W (N73°52'55"W) 83.95 feet (83.19 feet), radius 310.00 feet (310.00 feet), central angle 18°13'53", and arc length of 84.21 feet (83.44 feet) to the Northwest Corner (NW COR) of said Lot Four (4); thence N16°18'10"W 14.03 feet to the centerline of Raney Drive; thence along said centerline of Raney Drive and on a curve concave Northeasterly with a chord bearing and distance of S66°42'12"E 31.14 feet, radius 300.00 feet, central angle 5°56'57", and arc length of 31.15 feet to the Southwesterly extension of the Westerly line of said Lot Five (5) and the Easterly line of said Lot Four (4) both being in said Block Eight (8); thence along a curve concave Northeasterly with a chord bearing and distance of S79°54'55"E 56.30 feet, radius 189.43 feet, central angle 17°05'33", and arc length of 56.51 feet to the Westerly Right of Way (R.O.W.) line of Crane Street; thence along said Westerly line S01°23'53"E 15.22 feet to the Point of Beginning (P.O.B.). Said part of Raney Drive contains 998 square feet all in public road Right of Way (R.O.W.) and is subject to any easements written or otherwise to Troy M. Smeltzer and Andrea J. Smeltzer, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common.

Section 2: That a certified copy of this resolution, as recorded, shall be provided to Cristine Ayers and Rahn Brager, Larry & Mary Phillips, and Troy & Andrea Smeltzer to serve as the deed of conveyance as allowed in Chapter 354.23, Code of Iowa.

Section 3: That all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

Section 4: If any section, provision, or part of this resolution shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the

validity of the resolution as a whole or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 5: This resolution shall be in full force and effect from and after its passage. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-88, WHEREAS, there exists within Cerro Gordo County, Iowa, conditions which substantially impair or arrest the sound growth, retard the provision of housing accommodations, constitute an economic or social liability, and are a menace to the public health, safety, or welfare of the residents of the Cerro Gordo County; and, WHEREAS, Cerro Gordo County, Iowa, meets the criteria established in Chapter 404, Code of Iowa, for establishing an urban revitalization district; and, WHEREAS, the Cerro Gordo County Board of Supervisors finds that the rehabilitation, conservation, redevelopment and economic development of Cerro Gordo County is necessary in the interest of the public health, safety, economic opportunity, or welfare of the residents of the Cerro Gordo County. NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors of the Cerro Gordo County, Iowa, that pursuant to Chapter 404 of the Code of Iowa, have identified the need to establish an Urban Revitalization District in order to allow the incentives and tools provided in this Chapter to be employed within a designated District in Cerro Gordo County. BE IT FURTHER RESOLVED, by the Cerro Gordo County Board of Supervisors that it will comply with all of the public notification requirements, notices and hearings according to Chapter 404.2(3) of the Code of Iowa but waives the requirement of notifying tenants due to the lack of a reasonably current and complete address list. Motion passed unanimously.

Latham moved with Watts seconding, to set the public hearing for proposed Cerro Gordo County North Ventura Urban Revitalization Plan for September 21, 2021 at 10:05 a.m. Motion passed unanimously.

Latham moved with Watts seconding, to authorize Chair to sign letter of willingness to enter into negotiations for new lease agreement with Iowa Public Radio for use of the counter tower and equipment building. Motion passed unanimously.

Watts moved with Latham seconding, to adjourn at 10:28 a.m. Motion passed unanimously.

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

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Chairman Casey Callanan  
Board of Supervisors

ATTEST:

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Adam V. Wedmore, Auditor  
Cerro Gordo County