

PROCEEDINGS OF THE BOARD OF SUPERVISORS
August 19, 2024

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

Chairperson Meacham Ginapp convened the meeting at 10:00 a.m.

Callanan moved with Watts seconding, to approve today's agenda and the minutes for the August 12, 2024 regular session. Motion passed unanimously.

Public comment session was held.

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

Callanan moved with Watts seconding, to approve the payroll warrant register for period ending 08/10/2024. Motion passed unanimously.

Callanan moved with Watts seconding, to adopt Resolution 2024-61, 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
<u>Pay Change</u>	<u>Effective Date</u>
Board of Supervisors	Jacqueline Bailey
\$38.00/hourly	08/16/2024

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.

Callanan moved with Watts seconding, to authorize Iowa Drainage, Inc. to perform repair in DD35 for estimated cost of \$27,064. Motion passed unanimously.

Watts moved with Callanan seconding, to authorize the Chair to sign lease with SEH, Inc. Motion passed unanimously.

Callanan moved with Watts seconding, to authorize the Chair to sign Second Amendment to Purchase and Sale Agreement with Atwater Mason City, IA LLC. Motion passed unanimously.

Watts moved with Callanan seconding, to adopt Resolution 2024-62, RESOLUTION SETTING FORTH THE PROPOSAL TO CONVEY AN INTEREST (USE RESTRICTION) 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:

A PART OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 96 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, NOW INCLUDED IN AND FORMING A PART OF CERRO GORDO COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 12; THENCE SOUTH 0°35'52" WEST ALONG THE WEST LINE OF SAID NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, A DISTANCE OF 152.82 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 18 AND TO THE POINT OF BEGINNING; THENCE NORTH 45°28'30" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 127.97 FEET; THENCE EASTERLY CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE AND ALSO ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 68,899.00 FEET, WHOSE ARC LENGTH IS 259.95 FEET AND WHOSE CHORD BEARS SOUTH 89°58'47" EAST, 259.95 FEET; THENCE SOUTH 89°32'31" EAST CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, 22.27 FEET; THENCE SOUTH 0°35'52" WEST, 617.90 FEET; THENCE NORTH 89°24'08" WEST, 372.50 FEET TO SAID WEST LINE; THENCE NORTH 0°35'52" EAST ALONG SAID WEST LINE, 524.54 FEET TO THE POINT OF BEGINNING, (the "Real Estate").

WHEREAS, County previously approved the sale of the Real Estate; and WHEREAS, the Buyer has requested use restrictions be imposed on the land immediately adjacent to the real estate as part of the sale; and

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.

Section 2: County has received a request to impose use restrictions on the land immediately adjacent to the Real Estate.

Section 3: A public hearing upon the request to impose use restrictions shall be held beginning at 10:10 a.m. on the 3rd day of September, 2024, 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 10:10 a.m. on the 3rd day of September, 2024, in the boardroom, Cerro Gordo County Courthouse, 220 North Washington, Mason City, Iowa, to consider a Resolution proposing to impose use restrictions on land owned by Cerro Gordo County, Iowa, and described as follows, to-wit:

THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 12, TOWNSHIP 96 NORTH, RANGE 21 WEST OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA, EXCEPT FOR THAT PORTION THEREOF CONVEYED TO THE STATE OF IOWA FOR HIGHWAY PURPOSES, AND EXCEPT THAT PART OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 96 NORTH, RANGE 21 WEST OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA DESCRIBED AND FILED OCTOBER 6, 2023 AS DOCUMENT NO. 2023-5248 IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER; AND THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST (SE1/4) SECTION 11, TOWNSHIP 96 NORTH, RANGE 21 WEST OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA (the "Real Estate").

Cerro Gordo County, Iowa, proposes to impose use restrictions on the Real Estate to restrict the Real Estate from being used as (a) a rural lifestyle retailer, farm and ranch store, farm supply store, or farm equipment supplier following approval of the use restrictions by the Board of Supervisor following public hearing as required by law.

All parties in interest and citizens of Cerro Gordo County, Iowa, shall have an opportunity to present objections to the proposal to impose the use restrictions upon the Real Estate at the public hearing.

Chairperson, Board of Supervisors
Motion passed unanimously.

Callanan moved with Watts seconding, to accept bid from Henkel Construction in the amount of \$231,400 for Cerro Gordo County Assessor's Office Remodel Project. Motion passed unanimously.

Callanan moved with Watts seconding, to authorize the Chair to sign Certificate of Appointment of Kalliope Genzler as Assistant County Attorney.

County Engineer Billings provided an update.

Callanan moved with Watts seconding, to approve the Final Pay Voucher and authorize the Chair to sign for project L-A13B39(244)—73-17 (RCB Culvert Replacement). Motion passed unanimously.

Watts moved with Callanan seconding, to approve reports from the Environmental Health Service Manager concerning Manure Management Plan Update for Jeff Moellers (site #64755) and forward to the DNR. Motion passed unanimously.

Callanan moved with Watts seconding, to adjourn at 10:16 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.

Chairperson Lori Meacham Ginapp
Board of Supervisors

ATTEST:

Bob Peshak, Deputy Auditor
Cerro Gordo County