



## Board of Supervisors Cerro Gordo County Courthouse

220 North Washington Avenue  
Mason City, IA 50401-3254  
<https://cerrogordo.gov/supervisors/>

Chris Watts  
Casey M. Callanan  
Carl M. Ginapp

### CERRO GORDO COUNTY BOARD OF SUPERVISORS REGULAR SESSION

MONDAY, AUGUST 25, 2025  
10:00 A.M. – BOARDROOM

#### APPROVAL OF AGENDA

#### APPROVAL OF MINUTES

A. August 18, 2025, Regular Session

#### PUBLIC COMMENT – Agenda Items Only

#### NEW BUSINESS

1. County Auditor - Claims
2. County Auditor – Payroll
3. County Auditor – Drainage
4. County Sheriff – Consideration to approve the position of part-time Custodian for the Sheriff's Office.
5. Public Health Department – Consider amended nuisance ordinance
6. Administration – Consider lease extension with SEH
7. **Public Hearing 10:05 am** – Resolution to approve or deny change of zone from M-1 Light Industrial to M-2 Heavy Industrial for AgVantage FS
8. Motion to change Board of Supervisors regular meeting day from Monday, September 1, 2025, to 10:00 am on Tuesday, September 2, 2025.
9. County Engineer –

#### CORRESPONDENCE

#### ANNOUNCEMENTS

#### ADJOURNMENT

Next Resolution 2025-56

Posted: 08/15/25 at 10:00 a.m.

All times listed on the agenda, except the starting time, are tentative.

Cerro Gordo County strives to ensure that its programs and activities do not discriminate on the basis of race, color, national origin, sex, age, or disability. Persons requiring assistance, auxiliary aids or services, or accommodation because of a disability may contact the county's ADA coordinator at (641) 421-3075. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.



## 3

Date Filed: 8-21-2025

Drainage District: 31

Lateral: \_\_\_\_\_

Assessable District: \_\_\_\_\_

Diameter of Tile: \_\_\_\_\_

Tile Material: \_\_\_\_\_

Section, Township, Range: 22-94-22 (GRIMES

Qtr - Qtr: \_\_\_\_\_

Requested by: MIKE PRIEBE

☒ Owner    ☐ Tenant    ☐ Other

Address: 4082 120TH ST, THORNTON, IA 50479

Phone No.: 641-590-1476

Landowner Name: \_\_\_\_\_  
(if different from requestor)

**Chairman's Signature:** \_\_\_\_\_

Problem: Standing water in the ditch.

Contractor Assigned: \_\_\_\_\_

Engineer Appointed:

Date Engineer Appointed: \_\_\_\_\_

Attorney Appointed:

Date Attorney Appointed: \_\_\_\_\_

Coordinates:  
Latitude

Longitude \_\_\_\_\_

Vendor Paid: \_\_\_\_\_

Total Amount Paid: \_\_\_\_\_

Date Paid: \_\_\_\_\_

Date Completed: \_\_\_\_\_

**CERRO GORDO COUNTY  
DRAINAGE WORK ORDER**

Work Performed: \_\_\_\_\_  
\_\_\_\_\_  
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Bolton & Menk Field Review:  
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**CERRO GORDO COUNTY, IOWA  
POSITION DESCRIPTION**

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**Position Title:** Custodian [Part-Time]

**Department:** Sheriff

**Immediate Supervisor:** Sheriff

**Shift:** Part-time: up to 28 hours per week

**Location:** Cerro Gordo County Law Enforcement Center

**FLSA:** Non-exempt/Union Position

**Salary Range:** \$22.88 - \$26.52 per hour  
based on experience

**Approved by:** Sheriff

**Date:** August 25, 2025

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**Summary:**

The purpose of this position is to maintain the building and grounds of the Cerro Gordo County Law Enforcement Complex in a clean, safe, and orderly condition and to perform additional tasks as assigned by the Sheriff.

**Essential Duties and Responsibilities:**

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

Cleans offices, hallways, lobbies, break rooms, restrooms, corridors, and stairways and other public and work areas. Replenishes supplies for restrooms.

Vacuums carpet, sweeps, scrubs, and wax and polish floors; moves furniture and large objects to vacuum as needed.

Dusts furniture, light fixtures and equipment. Replaces light bulbs. Cleans and polishes metalwork, woodwork, and marble fixtures. Assembles furniture as requested.

Washes walls, windows, door panels and sills as needed. Painting as may be required by condition of premises and fixtures.

Empties and cleans wastebaskets and recycling bins; transports trash to disposal area. Empties and cleans outside ashtrays.

Cuts and trims grass and shovels snow. Maintains outside premises in clean and safe condition. Maintains signs and designated marked parking areas and curb areas.

Directs jail trustees and community service workers in performing maintenance work projects on premises.

Monitors and maintains proper fluid, temperature and drain levels for correct operations of

geothermal system, air conditioner units and water softener.

Operate computer to communicate with staff and other county employees.

Use computer to analyze and trouble shoot the operations of internal systems such as HVAC and geothermal systems.

Performs routine maintenance on equipment, tools and machinery utilized in performance of essential functions. Schedules major repairs as needed with approval of immediate supervisor.

Maintains safety and use logs for equipment and machinery as required by policies, procedures and warranties. Performs scheduled tests to ensure maximum operational condition of equipment.

Maintains inventory of cleaning and maintenance supplies, replenishing as required.

Assists and coordinates the work of contracted maintenance service providers, such as plumbers, electricians, etc.

Understands and practices jail standard operating procedures.

Adheres and implements county safety policies including, but not limited to, hazard communication, materials handling, bloodborne pathogens, lockout/tagout, machine guarding, and confined space entry.

Operate vehicles while able to hook and unhook trailers, and able to operate vehicle with a trailer attached.

Load and unload equipment from trailers at various locations.

**Additional Duties and Responsibilities:**

While the following tasks are necessary for the work of the unit, they are not an essential part of the purpose of this position and may also be performed by other unit members.

Answers telephone. Takes and relays messages.

Transports small equipment or tools when necessary.

Sets up tables and chairs in building.

Changes signs in lobby.

Performs other related duties as required.

May, in unusual circumstances, work outside of normal business hours and/or overtime as needed.

Maintain confidentiality of staff communications and inmate matters.

**Supervisory Responsibilities:**

None

**Qualification Requirements:**

To perform this job successfully, an individual must be able to satisfactorily perform each essential duty. The requirements listed as follows are representative of the knowledge, skill, and ability required.

Ability to contribute to a positive work environment.

Ability to render independent and appropriate judgment and decisions.

Ability to represent Cerro Gordo County in a professional manner.

Ability to interact and deal effectively with inmates, staff, associates, professionals, and the general public.

The requirements and duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

### **Education and Experience:**

High school diploma or GED; supplemented by up to 6 months previous housekeeping or maintenance experience and/or training; or any equivalent combination of education, training and experience that provides the requisite knowledge, skills and abilities for this position.

### **Language Skills:**

Requires the ability to utilize a variety of reference data and information such as policies and procedures, equipment manuals, blueprints, activity and equipment use logs, work order forms, safety sheet records and time records.

May require the ability to maintain reports with proper format, punctuation, spelling and grammar, using all parts of speech. Requires the ability to communicate with and before others using correct English.

### **Mathematical Skills:**

Requires the ability to perform addition, subtraction, multiplication, and division; ability to calculate decimals and percentages; may require ability to utilize principles of fractions and/or interpret graphs.

Requires the ability to compile, assemble, copy, record and/or transcribe data and/or information according to a prescribed schema or plan. Includes judging whether readily observable functional, structural or compositional characteristics are similar to or divergent from prescribed standards, procedures or routines.

### **Reasoning Ability:**

Requires the ability to exchange information for the purpose of obtaining information or clarifying details. Performs such within well-established policies, procedures and standards.

Requires ability to carry out instructions furnished in written, oral, or diagrammatic form, involves semi-routine standardized work with some latitude for independent judgment concerning choices of action.

Requires the ability to exercise the judgment, decisiveness and creativity in situations involving a

variety of generally pre-defined duties often characterized by frequent change.

**Certificates, Licenses, Registrations:**

None

**Physical Demands:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

Tasks involve the regular and, at times, sustained performance of moderately physically demanding work, typically involving some combination of climbing and balancing, stooping, kneeling, crouching, and crawling, and that may involve the lifting, carrying, pushing, and/or pulling of moderately heavy objects and materials (50-100 lbs).

Requires the ability to start, stop, operate and monitor the functioning of equipment, machinery, tools, and/or materials used in performing essential functions such as floor buffer, small electric and power operated hand tools, lawn mower, leaf blower, weed-whacker, power-washer, snow blower, wet-dry vacuum, carpet vacuum, and equipment carts and manually operated cleaning, painting and landscaping equipment.

**Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

Tasks may include work outside that may cause exposure to adverse environmental conditions. Work is performed indoors and outdoors with limited exposure to adverse seasonal weather conditions.

**Comments:**

Must have a valid Iowa Driver's License and be insurable for driving under county insurance company policies.

- Ability to obtain automobile insurance if personal vehicle is ever used for county business for which mileage reimbursement would be received. To be reimbursed for mileage, must provide proof of auto insurance with the following minimum limits:
  - \$100,000 bodily injury for each person
  - \$300,000 bodily injury for each occurrence
  - \$100,000 property damage
  - OR
  - \$300,000 single limit for all liability

Applicant will be subject to Criminal Background Check and reference checks.

Applicant will be subject to post offer, pre-employment drug and physical testing and functional capacity examination.

*Cerro Gordo County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the employer. Cerro Gordo County is subject to and had adopted a policy in compliance with the 2008 Smokefree Air Act.*

*The job description is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities that are required of the employee. Duties, responsibilities, and activities may change, or new ones may be assigned at any time with or without notice.*



**ORDINANCE 11B: HEALTH NUISANCE ORDINANCE  
CERRO GORDO COUNTY, IOWA**

**1. PURPOSE**

The purpose of this ordinance is to protect the health, safety, and general welfare of the residents of Cerro Gordo County, Iowa by regulating health nuisances within unincorporated and incorporated places in the County outside the city limits of any city possessing and enforcing their own Nuisance Ordinance. These provisions are intended to aid in the control and elimination of activity which interferes with an owner's reasonable use and enjoyment of the owner's property or interferes with public rights such as free passage along streams and highways and enjoyment of public parks and places of recreation and to be secure from fire, safety hazards and other health hazards throughout the County.

**2. SCOPE**

This ordinance shall be applicable in all incorporated and unincorporated municipalities (city or township) within the boundaries of Cerro Gordo County under the jurisdiction of the Cerro Gordo County Board of Supervisors.

Where a local community has a housing ordinance or public nuisance ordinance, this ordinance shall apply in addition to that local ordinance and may serve to supplement the local community's enforcement of its ordinance(s).

**3. DEFINITIONS**

As used in this ordinance, the following definitions shall apply:

**ABANDONED BUILDING:** Any building or portion thereof which has stood with an incomplete exterior shell for six (6) months or longer which meets one (1) or more of the following criteria:

- A. Is unsecured;
- B. Is unoccupied; and/or
- C. Is in violation of the International Property Maintenance Code, International Building Code, and/or International Fire Code adopted by the Board of Supervisors.

**ABATE/ABATEMENT:** The removal or discontinuance of a nuisance or the making of improvements needed to effect a rehabilitation of property to bring it into compliance with existing health regulations and to maintain safe and habitable conditions over the remaining useful life of the property, including, but not limited to: repair, removal, cleaning, exterminating, cutting, mowing, grading, sewer or septic system repairs, draining, securing, repairing a building or structure, boarding unoccupied buildings, barricading or fencing, removing dangerous portions of buildings or structures and demolition of dangerous structures or abandoned buildings.

**ADMINISTRATIVE AUTHORITY:** The Cerro Gordo County Board of Health or its designee(s).

**BUILDING:** Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, or property.

**COUNTY:** Cerro Gordo County

**EMERGENCY:** Unforeseen circumstances requiring prompt action to prevent, avoid or minimize any significant possibility of loss of life, serious injury, transmission of infectious disease, or significant damage to real estate.

**GARBAGE:** All solid, semisolid, and liquid putrescible animal and vegetable waste including all such waste from, or derived from, public and private businesses and residences. Any matter that is not wanted or needed.

**HAZARDOUS WASTE:** Those wastes defined in the Code of Iowa, as amended, and the Iowa Administrative Code, as amended.

**JUNK:** Anything considered to be useless, worthless, or of low quality, including, but not limited to:

- Motor vehicle(s) lacking current registration, rendering them incapable of legal use on public roadways;
- Motor vehicle(s) which are dismantled or inoperable;
- Any wood, metal, plastic or composite pieces remaining outside of a legal structure for more than forty-eight (48) hours, except those that are stored in a manner to protect their utility, prevent deterioration, and are used at the site within the time span of a construction project;
- Dismantled or inoperable machinery or parts thereof;
- Operable or inoperable appliances or parts thereof, including but not limited to discarded, abandoned, unattended, or used refrigerators, iceboxes and similar containers equipped with airtight doors or lids, snap locks or other locking devices which may not be released from the inside;
- All scrap copper, glass, lead or any other nonferrous metal;
- Iron, steel or other scrap ferrous material;
- Tinware, plastic or discarded household goods;
- Rope;                      • Rags;                      • Rubber debris;
- Crockery;                • Batteries;                • Construction & building materials;
- Paper;                    • Tires;                    • Electronics;
- Any other kind of scrap or waste and/or abandoned items.

**NOXIOUS SUBSTANCES:** Substances (solid, fluid, or gaseous) which are offensive, detrimental to health, hurtful or dangerous, including, but not limited to, any dead animal or portion thereof, and human or animal excrement.

**OPEN BURNING:** Any burning of combustible materials where the products of combustion are emitted into the open air without passing through a permanently constructed chimney or stack.

**OWNER:** The record owner of any real property, and any person having a property interest in the property, including legal or equitable interests.

**PERSON:** Any individual, firm, corporation or other legal entity and authorized agents and/or officer thereof.

**PROPERTY:** Both real and personal property.

**REFUSE:** All putrescible and non-putrescible solid wastes, with the exception of bodily wastes, including, but not be limited to, garbage, rubbish, yard waste, ashes, street sweepings, dead animals, and residential waste.

**RESPONSIBLE PARTY:** Any person having ownership, possession, or control of real or personal property, including, but not limited to, any one or more of the following:

- An agent;
- An assignee or collector of rents;
- A contract seller or contract purchaser;
- The holder of a deed to the property;
- A mortgagee or vendee in possession;
- A receiver, executor, administrator or trustee;
- Lessee and lessor; and/or
- Any other person, firm, partnership, incorporation, or entity exercising control over the property.

**SOLID WASTE:** Any waste that is putrescible, non-putrescible, combustible or noncombustible, including, but not limited to, trash, garbage, material resulting from the handling, processing, storage, preparation, serving and consumption of food, vegetable or animal matter, offal, rubbish, ashes, incinerator residue, street cleanings, construction debris, and solid industrial waste.

**VERMIN:** Various small animals or insects species that are destructive, objectionable, annoying or injurious to health and are often difficult to control, including but not limited to cockroaches, bed bugs, lice, fleas, mosquitoes, flies, mice and rats, skunks, snakes, bats, raccoons, starlings, and/or pigeons.

**YARD WASTE:** The accumulation of grass, leaves, tree trimmings under three (3) inches in diameter, brush and garden residue, which accumulation is located in a confined area.

#### 4. NUISANCES DEFINED

The term "nuisance" means whatever is injurious to health, indecent, or unreasonably offensive to the senses or an obstacle to the free use of property, so as essentially to unreasonably interfere with the comfortable enjoyment of life or property. The following are declared to be nuisances:

- a. The erecting, continuing, or using any building or other place for the exercise of any trade, employment, or manufacture, which by occasioning noxious exhalations, unreasonably offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort, or property of individuals or the public.
- b. The causing or suffering of any offal, filth, or noisome substance to accumulate or to remain in any place to the prejudice of others.
- c. The obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.
- d. The polluting or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.

- e. The obstructing or encumbering by fences, buildings, or otherwise the public roads, private ways, streets, alleys, commons, landing places, or burying grounds.
- f. Houses of ill fame, kept for the purpose of prostitution and lewdness, gambling houses, places resorted to by persons participating in criminal gang activity, or places resorted to by persons using controlled substances, in violation of law, or houses where drunkenness, quarreling, fighting, or breaches of the peace are carried on or permitted to the disturbance of others.
- g. Billboards, signboards, and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard, or alley or of a railroad or street railway track as to render dangerous the use thereof.
- h. Any object or structure erected within one thousand (1000) feet of the limits of any municipal or regularly established airport of landing place, which may endanger or obstruct aerial navigation, including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located.
- i. The depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones, and paper by any person, including a dealer in such articles, unless in a building of fireproof construction.
- j. The emission of dense smoke, noxious fumes, or fly ash.
- k. Dense growth of all weeds, vines, brush, or other vegetation so as to constitute a health, safety, or fire hazard.
- l. Conditions which are conducive to the harborage or breeding of or infestations of vermin.
- m. Unoccupied or unoccupied portions of buildings that are unsecured or abandoned buildings or structures.
- n. Any hazardous thing or condition on the property which may contribute to the injury of any person present on the property, including, but not limited to, open holes, open foundations, excavations, open wells, dangerous trees or tree limbs, abandoned refrigerators and/or trapping devices.
- o. Any building or other structure which has been burned, partially burned, or otherwise partially destroyed, which is unsightly or hazardous to the safety of any person or structurally unsound to the extent that the administrative authority or its designee(s) reasonably determines there is a likelihood of personal or property injury to any person or property entering the premises.
- p. Carcasses of animals not disposed of within twenty-four (24) hours after death.
- q. Inoperable or dismantled junk vehicles.
- r. Anything or condition on property creating a fire hazard.

- s. Open burning of combustible materials, excluding recreational fires, fires set for the purpose of training of public or industrial employees in fire-fighting methods, burning of landscape waste at a distance of at least one-quarter (1/4) mile from any inhabited building.
- t. Any building or portion thereof in which any of the following listed conditions exist either individually or in combination with each other to the extent of being injurious to health, indecent, or offensive to the senses, or an obstruction to the free use of property, so as essentially to interfere with the comfortable enjoyment of life or property:
  - Infestation of vermin;
  - General dilapidation or improper maintenance;
  - Lack of adequate garbage and rubbish storage and removal facilities;
  - Hazardous or unsanitary premises. Those premises on which an accumulation of weeds, vegetation, junk, hazardous waste, noxious substances, dead organic matter, debris, garbage, offal, filth, vermin harborages, stagnant water, combustible materials and similar materials or conditions constituting fire, health, or safety hazards;
  - Deteriorated or ineffective waterproofing of exterior walls, roof, foundation, or floors including broken windows or doors;
  - Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protection covering;
  - Broken, rotten, split, or buckled exterior wall or roof coverings;
  - Likelihood of any portion or member or appurtenance thereof to fail or become detached or dislodged or to partially or completely collapse and thereby injure persons or damage property;
  - Inoccupancy for a period in excess of six (6) months so as to constitute such building or portion thereof an attractive nuisance, a harborage for vagrants or vermin, and/or hazard to the public.
- u. Miscellaneous: any act done or committed by any person or any substance or thing kept, maintained, placed, or found in or on any public or private place which is annoying or damaging or injurious or dangerous to the public health, welfare, or safety and every action or thing done, permitted, maintained, allowed, or continued on any public or private property, by any person which is liable to or does endanger, annoy, damage, or injure any person or inhabitant of the County or property of said person or inhabitant.

## **5. NUISANCES PROHIBITED**

The creation or maintenance of a nuisance is prohibited, and a nuisance, public or private, should be abated in the manner provided in this ordinance or may be prosecuted as a simple misdemeanor or a county infraction, or both.

## **6. REFUSAL OF ADMITTANCE**

In the event the administrative authority or its designee(s), in proceeding to enter any premises for the purpose of making an inspection to carry out the provisions of this ordinance, shall be refused entry, a complaint may be made through the magistrate court to request a search warrant. If for any reason, the magistrate is not available, a request for a warrant would be made to the District Court in the County and said Court may thereupon issue a warrant directed to a peace officer of the County, commanding them between the hours of sunrise and sunset, accompanied by the administrative authority or designee(s), to enter upon the premises

and make such inspection, and to obtain such samples as may be required to carry out the provisions of this ordinance.

## **7. NOTICE TO ABATE NUISANCE OR CONDITION**

Whenever the administrative authority or their designee(s) has probable cause to believe that a nuisance or other condition listed in this ordinance exists, they may cause to be served upon the responsible party or property owner as shown by the records of the County Auditor, a written notice to abate the nuisance within a reasonable time after notice.

### **A. CONTENTS OF NOTICE:** A notice to abate shall contain the following:

1. A description of the alleged nuisance or other condition to include a listing of the applicable portions of this ordinance.
2. The physical location of the alleged nuisance or condition.
3. A statement of the act or acts necessary to abate the nuisance or prohibited condition.
4. The required time within which the owner must complete the abatement.
5. A statement that if the property owner wishes to dispute the determination that a nuisance or any other condition as prohibited by this ordinance exists, such responsible party, property owner, or their representative shall make a written request to the administrative authority on or before the time prescribed in the notice which shall not be more than ten (10) days from the date of notice.
6. A statement that if no request for hearing is made within the prescribed time that the nuisance or other prohibited condition shall conclusively be presumed to exist.
7. A notice that the property owner or responsible party may be subject to civil and/or criminal charges and associated fines.
8. A statement that, if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the administrative authority or its designee(s) may seek a court judgment and an order allowing the County to abate the nuisance and assess damages, the costs of abatement, and civil penalties against the person and/or property.

### **B. METHOD OF SERVICE**

The notice to abate shall be served either by a.) registered or certified mail using the last known address of record, b.) an officer authorized to serve a warrant, c.) if the owner of the property is unknown or absent and has no known representative upon whom notice can be served, the administrative authority shall post a written notice in a conspicuous place upon the premises where the nuisance exists or d.) administrative authority can post notice at the owner's primary residence.

### **C. REQUEST FOR HEARING AND APPEAL**

Upon service of notice, the property owner or responsible party may appeal to the administrative authority, in writing, within ten (10) days, or it will conclusively be determined that a nuisance or prohibited condition exists and it must be abated as ordered.

The administrative authority, after notice to the property owner or responsible party, shall hold a hearing on the appeal. At the conclusion of the hearing the administrative authority shall render a written decision as to whether a nuisance or prohibited condition exists. If the administrative authority finds that a nuisance or prohibited condition exists, they must order it abated with a time reasonable under the circumstances. An appeal of this decision may be had by appeal to the District Court of Cerro Gordo County within twenty (20) days of the hearing date.

### **D. EMERGENCY ABATEMENT**

When the administrative authority or its designee(s) determines that a nuisance exists and that such nuisance constitutes an imminent and compelling danger to health, safety or welfare of persons or

property, the administrative authority or its designee(s) are authorized to abate or cause to be abated the nuisance without prior notice to the owner. The costs of such action may be assessed against the property in the same manner as property tax.

#### **E. ABATEMENT BY ADMINISTRATIVE AUTHORITY**

If the person or responsible party notified to abate the nuisance or condition neglects or fails to abate as directed in the amount of time specified, the administrative authority or its designee(s) may perform the required action to abate, keeping an accurate accounting of the expenses incurred. The expense accounting shall be fully itemized, verified, and filed with the County Treasurer who shall place a lien upon said property and/or personal judgement against the person responsible and shall be assessed against the property in the same manner as a property tax. The costs of abatement, to include the cost of title searches, inspection, and testing, the cost of notification, court costs, and administrative costs may be assessed against the property, person, and/or responsible party.

#### **F. PENALTIES**


Any violation of the provisions of this ordinance shall be punishable by a civil penalty against the owner of the property or any other individual in lawful possession in an amount not to exceed that allowed by Iowa Code Section 331.307, now or hereafter amended. Each day of violation shall constitute a separate offense. If the administrative authority or it's designee(s) chose to move forward with a civil penalty, both evidence and the charging decision will be transferred to a peace officer (such as a Deputy Sheriff in unincorporated areas, or local law enforcement in a municipality) to further investigate and determine probable cause, and issue and serve the citation.

Adopted By:

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Chris Watts, Chairman  
Cerro Gordo County Board of Supervisors

Approved By:



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David Moore, Chair  
CG Public Health, Board of Health



### Lease Extension

THIS AGREEMENT for services is entered into by and between Cerro Gordo County and (hereinafter "Owner") of 220 North Washington, Mason City, Iowa 50401, and Short Elliott Hendrickson, Inc, 10 North Washington Ave, Suite 110, Mason City, Iowa 50401 (hereinafter "Lessee") as of August 1, 2025.

WHEREAS, Owner and Lessee on August 13, 2024, entered into a contract and agreement whereby Owner will lease two (2) parking spaces, and a storage shed to Lessee for valuable consideration.

WHEREAS, the original lease term ended on July 31, 2025.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner and Lessee agree to extend the terms of the original attached lease entered into on August 13, 2024, and terminating on July 31, 2025. The parties do hereby contract, covenant and agree as follows in connection therewith:

1. The lease shall be extended through July 31, 2026, under the same terms as the original lease. The lease extension shall terminate on July 31, 2026, unless extended in writing by both parties.

**WITNESS THE SIGNATURES** of the parties hereto on this 20 day of August, 2025.

  
 \_\_\_\_\_  
 Lessee  
 Toby Muse, P.E.  
 Short Elliott Hendrickson, Inc.

\_\_\_\_\_  
 Chair  
 Cerro Gordo County Board of Supervisors  
 Cerro Gordo County "Owner"





## PLANNING AND ZONING

### Cerro Gordo County Courthouse

220 N Washington Ave, Mason City, IA 50401

Tom Meyer, Zoning Administrator

Michelle Rush, Assistant Zoning Administrator

(641) 421-3075

plz@cerrogordo.gov

July 25, 2025

## Planning & Zoning Commission Staff Report

Meeting – August 7, 2025

4:00 PM

**Applicant:** AgVantage FS

**Existing Zoning:** M-1 Light Industrial

**Location:** Site is immediately east of the existing facility at 206 Ash Street, Thornton, Iowa, 50479 on the north side of 125<sup>th</sup> Street

**Request:** Rezone approximately 3.00 acres from M-1 Light Industrial District to M-2 Heavy Industrial District

### **STAFF REVIEW:**

AgVantage FS is requesting to rezone the 3.00-acres indicated on the aerial photo in your packets from the M-1 Light Industrial District to the M-2 Heavy Industrial District. The parcel is located in the SE¼ of the NWFR¼ of Section 19, Pleasant Valley Township. The parcel is located adjacent to the city limits of Thornton on 125<sup>th</sup> Street. The reason for the request is for a proposed expansion of their existing facilities that are located inside the city limits of Thornton at 206 Ash Street.

AgVantage FS plans to request a Special Use Permit from the Board of Adjustment to place two 30,000-gallon Nh3 fertilizer tanks as well as approximately 20 nurse tanks on the property and construct a proposed seed treatment warehouse that would be used to store chemicals for seed treatment & other various equipment. The proposed seed warehouse will be 132'x80' in size and is proposed to be constructed in the grass area on the south portion of the parcel. The 30,000-gallon Nh3 tanks will be located behind the warehouse and the nurse tanks will be located in the NE corner of the parcel. The existing nurse tanks on the property are empty and the large white tank will be removed. Anhydrous ammonia pumping and storage facilities are only allowed by an approved Special Use Permit in the A-1, A-2, or M-2 zoning districts.

The closest dwelling is within Thornton city limits, which is 300' to the west at 204 Ash Street. Ingebretson County Park is located across 125<sup>th</sup> Street to the south. The Prairie Land Trail runs behind the parcel on the north and Pleasant Valley Golf Club lies northwest of the parcel. North Iowa Cooperative is directly across 125<sup>th</sup> Street on the south. The Coop received a zone change

from the A-1 Agricultural District to the M-2 Heavy Industrial District on September 22, 2020 for a commercial scale grain facility.

There is an existing driveway from 125<sup>th</sup> Street to access the property. The County Engineer does not have concerns with the proposed facility as long as traffic does not cause a backup in the travel lanes of 125<sup>th</sup> Street and the proposed building and tanks maintain the required setbacks. If traffic is forced to wait on the traveled portion of the roadway or the shoulders because of the new facility, the owners may be responsible for the costs of a turn lane to maintain traffic.

According to CG Public Health, the property does not have water on it. The applicant's existing site to the west inside city limits has a well and is tied to city sewer. The location of the well is not identified in the plans. A private well must be at least 150' from preparation or storage area for spray materials, commercial fertilizers or chemicals that may result in groundwater contamination. It is recommended that a water test be conducted annually. The applicants do not plan on adding water to this site; therefore, this project should not impact sewer/septic needs.

The project information was submitted to the City of Thornton for comment. After public hearing on June 2, 2025, the Thornton City Council approved the Nh3 tanks.

**RECOMMENDATION:**

The site appears to be an appropriate industrial development site especially with North Iowa Cooperative located across 125<sup>th</sup> Street. No water is planned for this site. The site is located on a paved road appropriate for the type of traffic serving the facility. All federal, state and local regulations related to Anhydrous ammonia (Nh3) tanks and storage of chemicals must be followed. Any additional conditions/requirements/regulations will be addressed in the Special Use Permit.

**AgVantage FS**  
**East of existing facility at 206 Ash Street, Thornton, IA 50479 on north side of 125<sup>th</sup> St**

***Figure 1***  
***Looking north at proposed site and existing driveway from 125<sup>th</sup> St***



***Figure 2***  
***Looking from rear of property (north) to the south at proposed site***



**Figure 3**

Looking south from driveway at Ingebretson Park-Campground across 125<sup>th</sup> Street



**Figure 4**

Looking south from driveway at North Iowa Coop



**Figure 5**  
***Looking east from rear of property in county along Prairie Land Trail***



**Figure 6**  
***Looking west from rear of property in city along Prairie Land Trail***



**Figure 7**  
***Looking at existing AgVantage FS facility inside city limits west of proposed site***



**Figure 8**  
***Existing tank on property to be removed***





**APPLICATION FOR CHANGE OF ZONE  
CERRO GORDO COUNTY, IOWA**

Name and Mailing Address of Applicant(s):

AgVantage FS

1600 8<sup>th</sup> St SW, Waverly, IA 50677

Applicant(s) are the: ☒ Owner(s) ☐ Contract Purchaser(s) of the property described.

M1

Present zoning district of described property is

M2

Proposed zoning district for described property

Reasons for re-zoning:

This rezoning request is intended to bring the property into compliance with county requirements and

Allow for the application of a special use permit. the goal is to construct a modern, safer anhydrous

Ammonia (NH3) facility designed for retail distribution.

Name and Addresses of the owners of all properties lying within five hundred (500) feet of any part of the property proposed to be changed are as follows:



- ☐ An official survey by a Registered Land Surveyor is attached.
- ☐ This property is developed and a plat, developed by a Registered Land Surveyor, is attached which shows the location of all buildings on the site along with all dimensions and distances.
- ☐ This property is undeveloped and a rough draft or schematic drawing of the area is attached.
- ☒ Other information is also attached which may be pertinent to this request.
- ☒ Filing fee attached. (\$200.00 – check made payable to Cerro Gordo County)

*I (We) understand that this application cannot be withdrawn from consideration by either the Planning & Zoning Commission or Board of Supervisors once notice has been given as required.*

*I (We) understand that if this application is denied by the Board of Supervisors, then no new petition covering the same property and additional property can be filed or considered until one year has elapsed from the date of this filing.*

*I (We) grant to the Planning & Zoning staff, members of the Planning & Zoning Commission and Board of Supervisors permission to enter onto the described property for review purposes.*

6/24/2025  
Date

DocuSigned by:

Matt Kruse

7C6EDC36D4B3490...  
Owner's Signature

\_\_\_\_\_  
Owner's Signature



SCALE: 1" = 40'-0"

PRELIMINARY  
NOT FOR CONSTRUCTION

<b>AGVANTAGE FS</b> NH3 REPLUMB THORNTON, IA		SITE LAYOUT Thornton, NH3, 02.dwg	
Date: 5/6/2025 Drawn By: [blank] Check By: [blank]		Project No.: [blank] Client: [blank]	
Title Block: [blank] Scale: 1" = 40'-0" Date: 5/6/2025		Project Name: [blank] Project Location: [blank]	
Project Manager: [blank] Designer: [blank] Checker: [blank]		Project Description: [blank] Project Status: [blank]	
Project Address: [blank] Project Phone: [blank] Project Email: [blank]		Project Website: [blank] Project Social Media: [blank]	

**NewTech**  
 Engineering & Environmental  
 A Subsidiary of GROWIA, INC.  
 P.O. Box 2500 • Bloomington, IL 61702



# PUBLIC HEALTH

healthier together

DATE: July 7, 2025

TO: Michelle Rush, Assistant Zoning Administrator, Cerro Gordo County

FROM: Daniel Ries, Senior Environmental Health Specialist

SUBJECT: Proposed Rezone for AgVantage FS Thornton

This memo is to provide comments related to the request for a proposed rezone for **AgVantage FS** located at 206 Ash Street, Thornton; the adjoining parcel under the same owners where the actual project will take place is within the jurisdiction of the county in Section 19 of Pleasant Valley Township. The proposal is to change the zone from M-1 Light Industrial to M-2 Heavy Industrial to acquire a special use permit for Anhydrous ammonia (NH<sub>3</sub>) tanks and a proposed seed shed. The building will be 132'x80' and be used to store chemicals for seed treatment and other various equipment. The main concerns from the perspective of the Cerro Gordo County Department of Public Health Environmental Health Division are the proper disposal of wastewater and safe drinking water.

### Wastewater Disposal System

Based on earlier correspondence with the applicant; the property does not have water on it. The adjoining property in city limits has a well and is tied to city sewer. They do not plan on adding water to this project; therefore, this project should not impact sewer/septic needs.

### Water Supply

There is an existing well for the business on the city portion of the property. The location of the well is not identified in the plans. A private well must be at least 150 feet from preparation or storage area for spray materials, commercial fertilizers or chemicals that may result in groundwater contamination. **Plus, it is recommended that a water test be conducted annually.**

If the business meets the definition of a public water supply, it must be permitted with the Iowa DNR. *"A public water supply system is defined as a system that provides water for human consumption that has at least 15 service connections or serves at least 25 people at least 60 days during the year"*. Public water supply status will increase the separation distance requirements noted above, so determining this early will be an important step for the applicant. The local DNR office can provide the applicant a questionnaire for determining if the well should be classified as private or public.

### Additional Notes

All federal, state and local regulations related to Anhydrous ammonia (NH<sub>3</sub>) tanks and storage of chemicals must be followed.

Cc: Jodi Willemsen, Cerro Gordo County Department of Public Health

Pleasant Valley Golf Club

Prairie Land Trail

Dwelling

Ingebretson Park

North Iowa Coop Elevator

141915300400

141915300300

141917600500

141917600200

141917600700

141917600600

CH B65 125TH ST

ASH ST

THORNTON

141930400400

141932600200

2156

591.44

202.85

140

618

1001

228.28

697.01

176

111

1317

304



2150

141917600200

141910100200

141917600700

70

141915300400

141917600600

141917600500

141915300300

153

141915300100

ASH ST

CH B65 125TH ST

130

RNTON

31/1/86

141930400300

141932600200

