

Cerro Gordo County

To The Honorable Board of Supervisors
Recapitulation

Fees, Mileage & Miscellaneous Fees Collected in Civil Cases for Month of May 2026:

<u>Mileage</u>	<u>Fees</u>	<u>Miscellaneous*</u>
\$190.90	\$3,073.30	\$4,890.34

Total Civil & Miscellaneous Fees earned for May 2026-----\$8,154.54

Miscellaneous*

		Credit Account No.
Purchasing Permit	\$50.00	001 4415 051 1060 1
Weapon Permit	\$240.00	001 4410 051 1060 1
Ins./Pub Record/Golf Cart	\$20.00	001 5040 051 1060 1
D. L. Printouts	\$0.00	001 5030 051 1060 1
Fingerprints & Dyn.	\$80.00	001 4420 051 1060 1
Offender Reg	\$50.00	001 4450 051 1060 1
Fees & Mileage	\$3,264.20	001 4400 051 1060 1
Room & Board	<u>\$4,450.34</u>	001 4440 053 1050 1
	\$8,154.54	

May 29, 2026 – Issued Check #1581 in the amount of \$8,154.54 to Cerro Gordo County Treasurer.

David Hepperly, Sheriff
Cerro Gordo County



Adam Wedmore, Auditor
Cerro Gordo County



Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor

Application Information

Sales and Use Permit Number : 301303535

Location Name : PURE PLEASURE

Location Phone Number : 507-373-6969

Location Address : 10480 265TH ST CLEAR LAKE IA 50428-8541

Location Mailing Address : 400 W FRONT ST ALBERT LEA MN 56007-2770

Renewal : No

Start Date : 01-Jul-2026

End Date : 30-Jun-2027

License Fee : 50.00

Types of Sales : Over the Counter

Type of Establishment : Alternative nicotine/vapor store

Types of Products Sold : Tobacco

Do you intend to make retail sales to ultimate consumers? : Yes

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step: : No

Prepared by: Jacquelyn K. Arthur, Laird Law Firm, P.L.C., 11 Fourth Street N.E., P.O. Box 1567, Mason City, Iowa 50402-1567, Telephone 641-423-5154, Email jarthur@lairdlawfirm.com

Return to: County Auditor, Cerro Gordo County, Iowa, 220 N. Washington Avenue, Mason City, Iowa 50401

RESOLUTION NO. 2026-39

**RESOLUTION ACCEPTING WARRANTY DEED
FROM
JAMES M. NETZEL
REGARDING**

ALL THAT PART OF THE NORTH HALF (N1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWELVE (12) IN TOWNSHIP NINETY-SIX (96) NORTH, RANGE NINETEEN (19) WEST OF THE 5TH P.M. LYING SOUTHERLY OF A LINE WHICH IS AT ALL POINTS 125 FEET DISTANCE SOUTHERLY FROM THE CENTERLINE OF PRIMARY ROAD NO. U.S. 18 AND NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY, EXCEPT PARCEL "A" LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWELVE (12) IN TOWNSHIP NINETY-SIX (96) NORTH, RANGE NINETEEN (19) WEST OF THE 5TH P.M., AS DESCRIBED AND DEPICTED ON THE PLAT OF SURVEY DATED OCTOBER 26, 2016 AND FILED OCTOBER 28, 2016 AS DOCUMENT NO. 2016-6545 IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER (the "Real Estate")

WHEREAS, James M. Netzel has offered to donate the Real Estate to Cerro Gordo County, Iowa,
and

WHEREAS, the Real Estate is located within the territorial limits of Cerro Gordo County, Iowa,
and

WHEREAS, the Real Estate is suitable for county conservation purposes, and

WHEREAS, a Warranty Deed has been presented to the Board of Supervisors of Cerro Gordo County, Iowa, from James M. Netzel;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County,
Iowa:

SECTION 1: That the Warranty Deed presented by James M. Netzel to Cerro Gordo County, Iowa, should be and is hereby approved and accepted for the following legally described property:

ALL THAT PART OF THE NORTH HALF (N1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWELVE (12) IN TOWNSHIP NINETY-SIX (96) NORTH, RANGE NINETEEN (19) WEST OF THE 5TH P.M. LYING SOUTHERLY OF A LINE WHICH IS AT ALL POINTS 125 FEET DISTANCE SOUTHERLY FROM THE CENTERLINE OF PRIMARY ROAD NO. U.S. 18 AND NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY, EXCEPT PARCEL "A" LOCATED IN THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION TWELVE (12) IN TOWNSHIP NINETY-SIX (96) NORTH, RANGE NINETEEN (19) WEST OF THE 5TH P.M., AS DESCRIBED AND DEPICTED ON THE PLAT OF SURVEY DATED OCTOBER 26, 2016 AND FILED OCTOBER 28, 2016 AS DOCUMENT NO. 2016-6545 IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER

PASSED AND APPROVED this 8th day of June, 2026.

Casey M. Callanan, Chairperson
Board of Supervisors
Cerro Gordo County, Iowa

ATTEST:

Bob Peshak, Deputy County Auditor
Cerro Gordo County, Iowa

[https://heinyllaw.sharepoint.com/sites/Arthur/Real Estate/resolution/accept.cgc.netzel.5-14-26.docx](https://heinyllaw.sharepoint.com/sites/Arthur/Real%20Estate/resolution/accept.cgc.netzel.5-14-26.docx)

Prepared by: Jacquelyn K. Arthur, Laird Law Firm, PLC, 11 Fourth Street N.E., P.O. Box 1567,
Mason City, Iowa 50402-1567, Telephone 641-423-5154, Fax 641-423-5310,
Email jarthur@lairdlawfirm.com

Send Tax Statements to: Cerro Gordo County, Iowa, 220 N. Washington Avenue, Mason City, Iowa 50401

Return Document to: Cerro Gordo County Auditor, 220 N. Washington Avenue, Mason City, Iowa 50401

WARRANTY DEED

For the consideration of One (\$1.00) Dollar(s) and other valuable consideration,

James M. Netzel, unmarried,

does hereby Convey to

Cerro Gordo County, Iowa,

the following described real estate in Cerro Gordo County, Iowa:

ALL THAT PART OF THE NORTH HALF (N1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWELVE (12) IN TOWNSHIP NINETY-SIX (96) NORTH, RANGE NINETEEN (19) WEST OF THE 5TH P.M. LYING SOUTHERLY OF A LINE WHICH IS AT ALL POINTS 125 FEET DISTANCE SOUTHERLY FROM THE CENTERLINE OF PRIMARY ROAD NO. U.S. 18 AND NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY,

EXCEPT

PARCEL "A" LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWELVE (12) IN TOWNSHIP NINETY-SIX (96) NORTH, RANGE NINETEEN (19) WEST OF THE 5TH P.M., AS DESCRIBED AND DEPICTED ON THE PLAT OF SURVEY DATED OCTOBER 26, 2016 AND FILED OCTOBER 28, 2016 AS DOCUMENT NO. 2016-6545 IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER

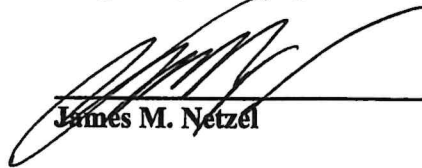
(Locally described as Parcel No. 08-12-400-016-00)

This Deed is exempt from imposition of real estate transfer tax pursuant to Iowa

Code Section 428 A.2 (21) as it is a Deed for no consideration and is relieved from the requirement to be accompanied by a Declaration of Value Statement and Ground Water Hazard Statement.

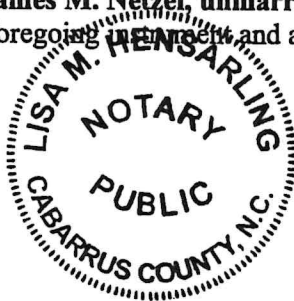
Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is Free and Clear of all Liens and Encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

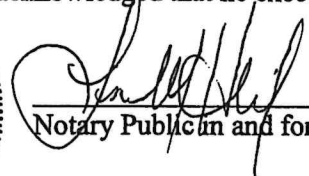
Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.


James M. Netzel Date: 5-26-2026

STATE OF North Carolina COUNTY OF Mecklenburg, ss:

On this 26th day of May, 2026, before me the undersigned, a Notary Public in and for said State, personally appeared **James M. Netzel, unmarried**, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.




Notary Public in and for said State

My Commission Expires 04/04/2029

Resolution
2026-40

WHEREAS, Cedar Avenue is a road in Cerro Gordo County running from County Route B35 (235th Street) north to terminus near the edge of Clear Lake, also known as Farmer's Beach; and

WHEREAS, over the Fourth of July Holiday the unlawful activity has been increasing including underage drinking and parking along the roadside which creates a public safety issue; and

WHEREAS, the Engineer's Department and the Sheriff's Department are working collaboratively in an effort to reduce and eliminate the problem and in doing so the Sheriff's Department will increase enforcement and the Engineer recommends a temporary road closure for the duration of the Fourth of July Holiday.

THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that the County Engineer be authorized to Close Cedar Avenue from 235th Street north to the terminus near Clear Lake for the duration of July 4, 2026 extended weekend.

Resolution declared adopted this 8th day of June 2026

Casey M. Callanan, Chairperson
Board of Supervisors
Cerro Gordo County

ATTEST:

Bob Peshak, Deputy Auditor
Cerro Gordo County



DATE: May 28, 2026
TO: Cerro Gordo County Board of Supervisors
CC: Michelle Rush, Assistant Zoning Administrator, Cerro Gordo County
FROM: Lauren Hunt, Cerro Gordo County Department of Public Health
RE: Manure management plan for the SunRay Pork Site 6

This report is to make you aware of concerns regarding a Manure Management Plan Short Form Annual Update received by this office from **SunRay Pork Site 6** swine operation. This report is being submitted according to Resolution 2003-123 **A Resolution Adopting Policy for the Receipt, Review and Comment on Manure Management Plans Received by the Cerro Gordo County Board of Supervisors**. Within seven (7) days of receipt of the manure management plan the Environmental Service Manager shall review the Manure Management Plan and prepare a report to the Board of Supervisors detailing the issues to forward to the Iowa Department of Natural Resources.

This operation is located at **3390 150th Street, Thornton, in Section 4 of Grimes Township**. The facility houses 6,540 finishing hogs. This is an existing operation that is not expanding. The site consists of two buildings 332 feet by 71 feet. The 1,602,761 gallons of manure produced annually are stored in below building pits. The manure application area consists of nine (9) fields totaling 698.5 acres in Sections 3, 4, and 10 of Grimes Township and Section 7 of Pleasant Valley Township. **The acres used for manure applications are unchanged from the previous plan.** The operator identifies changes to crop rotation or optimum yields and the use of manure analysis. The concerns with the manure management plan are listed below:

- The city of Thornton is 1½ miles from the manure application area.
- Pleasant Valley Golf Course is about 1¾ miles and Ingebretson Park is about 2¼ miles from the manure application area.
- Ring-Neck Wildlife Area is about 1¾ mile from the manure application area.
- The Union Hills Waterfowl Production Area is ½ miles from the manure application area.
- Bailey Creek Waterfowl Production Area is about ½ mile from the manure application area.
- Beaverdam Wildlife Area is about one mile from the manure application area.
- Pleasant View Cemetery is about 1¾ miles from the manure application area.
- Drainage Ditch # 70 dissects the fields in Section 3 and one of the fields in Section 10 of Grimes Township.
- There is a flood plain of a small waterway running through the field in south part of another field in Section 10 of Grimes Township.

If you have any questions regarding this information, feel free to contact this office at (641) 421-9306 or Lhunt@cghealth.com.



DATE: May 29, 2026
TO: Cerro Gordo County Board of Supervisors
CC: Michelle Rush, Assistant Zoning Administrator, Cerro Gordo County
FROM: Lauren Hunt, Cerro Gordo County Department of Public Health
SUBJECT: Manure Management Plan for Craig Benjegerdes

This report is to make you aware of concerns regarding a Manure Management Plan Annual Update received by this office from **Craig Benjegerdes** swine operation. This report is being submitted according to Resolution 2003-123 **A Resolution Adopting Policy for the Receipt, Review and Comment on Manure Management Plans Received by the Cerro Gordo County Board of Supervisors**. Within seven (7) days of receipt of the manure management plan the Environmental Health Service Manager shall review the Manure Management Plan and prepare a report to the Board of Supervisors detailing the issues to forward to the Iowa Department of Natural Resources.

The confinement operation is located at **3526 Mallard Avenue in Worth County**. Total swine capacity of the facility is 2,900 in the wean-finish stage or an Animal Unit Capacity (AUC) of 1,160. The 1,266,830 gallons of manure produced annually are stored in a deep indoor pit and an earthen basin.

The plan consists of five (5) fields totaling 724 acres; however, only one (1) of the fields, consisting of 216 acres, is in Cerro Gordo County while the rest of the acres are in Worth County. The field in Cerro Gordo County is in Section 1 of Lincoln Township. The acres used for manure application are unchanged from the previous plan. The concerns are listed below:

- A waterway and its flood plain run through the field in Section 1 of Lincoln Township. The waterway is a tributary to Wharem Creek.

If you have any questions regarding this information, feel free to contact this office at (641) 421-9306 or Lhunt@cghealth.com.



DATE: June 2, 2026

TO: Cerro Gordo County Board of Supervisors

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

FROM: Lauren Hunt, Cerro Gordo County Department of Public Health

SUBJECT: Manure management plan for Elite Farms

This report is to make you aware of concerns regarding a Manure Management Plan Annual Update received by this office from **Elite Farms** swine operation. This report is being submitted according to Resolution 2003-123 **A Resolution Adopting Policy for the Receipt, Review and Comment on Manure Management Plans Received by the Cerro Gordo County Board of Supervisors**. Within seven (7) days of receipt of the manure management plan the Environmental Service Manager shall review the Manure Management Plan and prepare a report to the Board of Supervisors detailing the issues to forward to the Iowa Department of Natural Resources.

Elite Farms site is located at **5823 Olive Avenue in Section 9 of Geneseo Township**. The facility houses 2,490 finishing hogs, 996 AU (animal units). The site consists of one building 200 feet by 101 feet with below building manure storage.

The facility will house animals in the wean/finish stage and will produce 876,420 gallons of manure annually. Manure from this operation is applied on two fields totaling 219.1 acres. One field of 180.6 acres in Section 9 and one field of 38.5 acres in Section 3 both in Geneseo Township. The operator indicates changes to crop rotation or optimum yields. **The acres in which manure will be applied is unchanged from last year's plan.** The concerns with the manure management plan are listed below:

- The manure application area lies within and abuts Rockwell city limits.
- Linn Grove County Park and Linn Grove Golf Club are adjacent to the manure application area.
- The Rockwell Aquatic Center and various West Fork School facilities are less than a ¼ mile from the manure application area.
- A tributary of East Branch Beaverdam Creek (and its flood plain) abuts the manure application area.

If you have any questions regarding this information, feel free to contact this office at (641) 421-9306 or Lhunt@cghealth.com.



DATE: June 2, 2026
TO: Cerro Gordo County Board of Supervisors
CC: Michelle Rush, Assistant Zoning Administrator, Cerro Gordo County
FROM: Lauren Hunt, Cerro Gordo County Department of Public Health
SUBJECT: Manure Management Plan for Gary Payton Farm

This report is to make you aware of concerns regarding a Manure Management Plan Short Form Annual Update received by this office from the **Gary Payton Farm** swine operation. This report is being submitted according to Resolution 2003-123 **A Resolution Adopting Policy for the Receipt, Review and Comment on Manure Management Plans Received by the Cerro Gordo County Board of Supervisors**. Within seven (7) days of receipt of the manure management plan the Environmental Service Manager shall review the Manure Management Plan and prepare a report to the Board of Supervisors detailing the issues to forward to the Iowa Department of Natural Resources.

The confinement unit is located at **8320 140th Street in Section 8 of Pleasant Valley Township**. The facility house 2,400 hogs in the wean-finish phase of production. The hogs produce 788,400 gallons of manure which is stored in "deep pits". This is an existing operation that is not expanding. Six fields totaling 612.45 acres will be used for manure application; none of the fields contain HEL (highly erodible land). The fields are in Sections 8, 17, and 18 in Pleasant Valley Township, Section 11 of Grimes Township, and Section 31 of Mount Vernon Township. The operator indicates there have been a change in crop rotation or Optimum Yields. **No acers have been added to the previous plan.** My concerns are listed below:

- Thornton is about ¼ mile from the manure application area.
- Swaledale is about 1½ miles from the manure application area.
- The following public use areas are near the manure application area: Ingebretson Park ¼ mile; Pleasant Valley Golf Club ¼ mile; Bailey Creek Waterfowl Production Area 1½ miles; Union Hills Waterfowl Production Area two miles; Beaverdam Creek Waterfowl Production Area ½ miles; Stille Wildlife Area 1½ miles; and Ring-Neck Wildlife Area 1½ miles.
- Drainage Ditch 70 and its flood plain borders the field in Section 11 of Grimes.
- A tributary to Bailey Creek intersects the fields in Section 18 of Pleasant Valley.
- A tributary of West Branch Beaverdam Creek cuts through the southwest corner of the field in Section 31 of Mount Vernon Township.
- Traveler along the heavily traveled I-35 may be put-off by the odor. The application area abuts the interstate.

If you have any questions, feel free to contact me at (641) 421-9306 or Lhunt@cghealth.com.



DATE: June 2, 2026

TO: Cerro Gordo County Board of Supervisors

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

FROM: Lauren Hunt, Cerro Gordo County Department of Public Health

SUBJECT: Manure management plan for D & E Pork Inc. (Richland Site)

This report is to make you aware of concerns regarding a Manure Management Plan Annual Update received by this office from **D & E Pork Inc. (Richland Site)** swine operation. This report is being submitted according to Resolution 2003-123 **A Resolution Adopting Policy for the Receipt, Review and Comment on Manure Management Plans Received by the Cerro Gordo County Board of Supervisors**. Within seven (7) days of receipt of the manure management plan the Environmental Service Manager shall review the Manure Management Plan and prepare a report to the Board of Supervisors detailing the issues to forward to the Iowa Department of Natural Resources.

D & E Pork Inc. Richland site is located at **2265 Grouse Ave, Thornton, in Section 18 of Richland Township in Franklin County** about 2½ miles south of the Cerro Gordo-Franklin County line. This is an existing operation that is not expanding. The facility houses 6,200 finishing hogs equivalent to 2,480 AU (animal units) and will produce 1,584,100 gallons of manure which is stored in below-building pits.

Manure from this operation will be applied on sixteen fields totaling 1,680.6 acres. Most of the fields are in Franklin County; however, one field accounting for 112.2 acres is in Cerro Gordo County. The Cerro Gordo field is in Sections 25 of Grimes Township. **The update specifies that no fields have been added to the plan.** This report is based on the 2023 report and the assumption that there are not additional changes. The concerns with the proposed manure management plan related to Cerro Gordo County are listed below:

- The city of Thornton is about ½ mile from the manure application field in Section 25.
- Ring-Neck Wildlife Area is around two-thirds mile from the manure application field in Section 25.
- Richland Lutheran Cemetery is one mile from the manure application field in Section 25.
- Pleasant View Cemetery is about 1½ miles from the manure application field in Section 25.
- Ingebretson Park is a little less than a mile from the manure application field in Section 25.
- Pleasant Valley Golf Club is a little more than a mile from the manure application field in Section 25.

If you have any questions regarding this information, feel free to contact this office at (641) 421-9306 or Lhunt@cghealth.com.