

PROCEEDINGS OF THE BOARD OF SUPERVISORS  
December 14, 2015

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Phil Dougherty, Supervisor Jay Urdahl, Supervisor Casey Callanan and various members of the public.

Dougherty convened the meeting at 10:00 a.m. Callanan made a motion, with Urdahl seconding, to **approve the December 7, 2015 and regular session minutes and today's agenda.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **approve the purchase agreements with property owners and tenants for the B35 reconstruction project and authorize the chairman to sign agreement.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **approve the claims.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **approve the payroll warrant register for the period ending November 28, 2015 and special payroll warrant register for the period ending December 7, 2015.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **authorize Rodney McKinney to investigate problems reported by Vernon Schmale in drainage district 31-Main Open.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **adopt Resolution 2015-114, Resolution to Levy Assessment for Drainage District #35.** The Board of Supervisors of Cerro Gordo County acting for and on behalf of the above drainage district Finds: 1. There are insufficient funds in the above drainage district accounts to pay for necessary repairs and maintenance and to provide for a sinking fund to pay future maintenance and repair costs in accordance with §468.61. 2. The drainage district has incurred or shortly will incur costs for repair and maintenance. Now, Therefore, Be It Resolved as follows: 1. An assessment in the amount of \$12,000.00 shall be and it is hereby levied and assessed against each individual tract of land and highway within Drainage District #35 in accordance with the classification schedules on file in the drainage district records in the office of the County Auditor. In accordance with §468.57, if the owner of any land against which a levy exceeding \$100.00 is made shall within thirty (30) days from the effective date of this Resolution agree in writing that in consideration of having a right to pay his assessment in ten (10) equal installments, he will not make any objection to the legality of his assessment or the levy of taxes against his property, such owner shall have the right to pay the assessment in ten (10) equal installments. Interest shall accrue on the unpaid assessment at the rate of 6% per annum as provided by law. 2. The effective date of these assessments is the 14th day of December, 2015. Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **close the public hearing for change of zone request for Paine.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **adopt Resolution 2015-115, Amendment No. 351 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 Brandon P. Paine & Kristina J Paine 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-2 Agricultural Residence District to A-1 Agricultural District on the following described real estate, to-wit: Part of the Northeast Quarter (NE¼) of Section Thirty-three (33); Township Ninety-six North (T96N); Range Twenty-two West (R22W) of the Fifth Principal Meridian, Cerro Gordo County, Iowa, described as follows: Commencing at the Northeast Corner of said NE¼ Sec. 33-96-22; thence

S90°00'00"W along the north line of said NE¼, 55.00 feet to the Point of Beginning; thence S0°00'00"E, 79.48 feet; thence S86°33'40"W, 133.53 feet; thence S50°21'23"W, 51.21 feet; thence S2°41'08"W, 216.20 feet; thence S31°48'58"W, 48.43 feet; thence S62°02'11"W, 43.06 feet; thence N87°41'48"W, 135.86 feet; thence S73°09'30"W, 204.16 feet; thence N2°47'29"W, 302.07 feet to said north line; thence N90°00'00"E along said north line, 635.00 feet to the Point of Beginning containing 4.49 acres which include 0.48 acres of existing public right of way. Note: In the above description, the north line of said NE¼ is assumed to bear N90°00'00". This Resolution shall be in full force and effect from and after its passage. Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **approve legal services fees with Ahlers & Cooney, P.C. effective July 1, 2016.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to adjourn at 10:14 a.m. Motion passed unanimously.

The audio tape of the meeting and various tabulations, reports, correspondence, and other documents that were presented are placed on file with the County Auditor's office.

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Chairman Phillip Dougherty  
Board of Supervisors

ATTEST:

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Ken W. Kline  
County Auditor