

PROCEEDINGS OF THE BOARD OF SUPERVISORS
November 14, 2017

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Casey Callanan. Supervisor 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 the minutes from the November 7, 2017 regular session, November 7, 2017, and November 9, 2017 special sessions and today's agenda.** Motion passed unanimously.

Latham moved with Watts seconding, to **update Resolution 2017-108, adopted at the Canvass of the November 7, 2017 City Election held on November 9, 2017 to Resolution 2017-109.** Motion passed unanimously. Motion passed unanimously.

Watts moved with Latham seconding, to **approve Chairman to sign the updated Environmental Covenant.** Motion passed unanimously.

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

Latham moved with Watts seconding, to **approve a payroll change request for John Robbins to \$44,500.00/annually, effective November 14, 2017.** Motion passed unanimously.

Watts moved with Latham seconding, to **adopt Resolution 2017-110,** 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
HR/Safety Director	Tom Meyers
\$90,000.00/annually	November 15, 2017

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.

Watts moved with Latham seconding, to **authorize Rod McKinney to investigate a problem in Drainage District 31 as reported by Paul Schlicking.** Motion passed unanimously.

Latham moved with Watts seconding, to **authorize the Chairman to sign Waiver of Conflict letter with Mckee, Voorhees & Sease, PLC.** Motion passed unanimously.

Watts moved with Latham seconding, to **authorize the Chairman to sign Census 2020 Luca.** Motion passed unanimously.

Latham moved with Watts seconding, to **set the first consideration of proposed Ordinance No. 60 for November 28, 2017, waive the 2nd and 3rd consideration and waive the requirement to publish summary.** Motion passed unanimously.

Watts moved with Latham seconding, to **adopt Resolution 2017-111,** Whereas the City Election was held on Tuesday, November 7, 2017; and, Whereas the official canvass of the results of the November 7, 2017 City Election by the Cerro Gordo County Board of Supervisors was scheduled for 10:15 a.m. on November 14, 2017; and, Whereas the Board has publicly and duly met and opened and canvassed the tally lists from the November 7, 2017 City Election; and, Whereas the Board has corrected any and all obvious clerical errors as recorded in the minutes of the canvass, And whereas, Pursuant to Iowa Code Section 50.22, the commissioner of elections reported that there were zero provisional ballot rejected and not counted. Now, therefore, the Board of Supervisors hereby certifies and declares the final results of the election in the official abstract of the election. Motion passed unanimously.

Latham moved with Watts seconding, to **order a recount for the mayor race in the town of Plymouth.** Motion passed unanimously.

Latham moved with Watts seconding, to **approve an access request for Brent Luscombe.** Motion passed unanimously.

Watts moved with Latham seconding, to **adopt Resolution 2017-112, APPROVING PETITION AND WAIVER FOR CERRO GORDO COUNTY ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM PROGRAM, AS AMENDED, PROJECT NO. 2017021.** WHEREAS, a PETITION AND WAIVER has been duly executed by the Property Owner(s) of property benefited by the Project specified in the caption of this RESOLUTION, agreeing thereby to be assessed for the full Project costs as specified therein, the same being attached hereto; and, WHEREAS, the following action is deemed appropriate. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CERRO GORDO COUNTY, IOWA: Section 1. That the aforesaid PETITION AND WAIVER attached hereto be and the same is hereby approved and accepted for and on behalf of this County. Motion passed unanimously.

Latham moved with Watts seconding, to **adopt Resolution 2017-113, RESOLUTION OF NECESSITY NO. 2017-113 FOR IMPROVEMENTS PURSUANT TO THE CERRO GORDO COUNTY ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM PROGRAM, AS AMENDED, AUTHORIZING COMPLETION OF THE PROJECT AND APPROVING THE PLAT, PLANS, SPECIFICATIONS, ESTIMATE OF COSTS, SCHEDULE OF ASSESSMENTS AND BID PROPOSAL AND AGREEMENT FOR, PROJECT NO. 2017021.** WHEREAS, this Board deems it advisable and necessary that Improvements specified in the PETITION AND WAIVER, BUILDING PERMIT and BID PROPOSAL AND AGREEMENT for the Project specified in the caption of this RESOLUTION OF NECESSITY be completed in accordance with the Cerro Gordo County On-Site Wastewater Treatment and Disposal System Program, as amended; and, WHEREAS, it is proposed that said Improvements be completed pursuant to the special assessment authority granted to counties in Chapter 331, Code of Iowa; and, WHEREAS, the Board has approved and accepted the PETITION AND WAIVER for this Project by previous RESOLUTION and the same has been filed with the County Auditor, and the Board has reviewed the proposed BID PROPOSAL AND AGREEMENT for this Project, and the BUILDING PERMIT for this Project has been approved by the County (and, if necessary, appropriate city or sanitary district authorities); and, WHEREAS, pursuant to the terms of the PETITION AND WAIVER, the benefited property owners have waived any and all legal requirements normally associated with improvement projects and the normal special assessment procedure to be followed for a project of this type, and have requested therein that the County proceed with acceptance of the BID PROPOSAL AND AGREEMENT and authorize commencement of work at the earliest possible date; NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CERRO GORDO COUNTY, IOWA: Section 1. That this Board hereby determines that it is necessary and advisable to accomplish the Improvements associated with the Project specified in the caption hereof. Section 2. That the proposed assessment district to be benefited and subject to assessment is determined to be all of the property of Property Owner(s) specified in the PETITION AND WAIVER and BUILDING PERMIT associated with the Project specified in the caption hereof. Section 3. That the preliminary plat and preliminary schedule of assessments and estimate of costs contained in PETITION AND WAIVER and BUILDING PERMIT associated with the Project specified in the caption hereof are hereby adopted and approved as the preliminary plat and preliminary schedule of assessments and estimate of cost for this Project. Section 4. That the entire cost of this Project will be assessed to the properties within the boundaries of the assessment district in accordance with the PETITION AND WAIVER associated with the Project specified in the caption hereof. Section 5. That the action of this Board in this RESOLUTION OF NECESSITY shall constitute the action the Board would normally take in adopting a preliminary RESOLUTION authorizing and ordering improvement projects, approving the preliminary plat and schedule of assessments and estimate of costs, introducing and adopting a resolution of necessity, approval of detailed plans, specifications, contract documents, and estimate of cost, and any and all other

preliminary Board action on a special assessment project.

Section 6. That inasmuch as the BID PROPOSAL AND AGREEMENT for the Project specified in the caption hereof is less than Twenty-five Thousand Dollars and has been approved by the Property Owner(s), it is deemed unnecessary to advertise for public bids or to hold a public hearing on the plans, specifications, form of contract and estimate of costs, and said BID PROPOSAL AND AGREEMENT is approved and the Chairperson and Auditor shall execute the same on behalf of the County.

Section 7. That the Cerro Gordo County Department of Health (the "Department") shall supervise completion of the Project specified in the caption hereof, to assure that the same is done in accordance with the BUILDING PERMIT and BID PROPOSAL AND AGREEMENT. If said Project involves connection to the sewer system of any city or sanitary district, the Department shall facilitate the involvement of authorized representatives of such city or sanitary district in completing the Project in accordance with the requirements of such city or sanitary district. Motion passed unanimously.

Watts moved with Latham seconding, to **adopt Resolution 2017-114, A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS OF CERRO GORDO COUNTY, IOWA, AUTHORIZING THE CHAIRMAN AND OTHER COUNTY OFFICERS TO SIGN AND EXECUTE, IN REPRESENTATION, AN APPLICATION FOR THE IOWA "LIFTS" PROGRAM, ADMINISTERED BY THE IOWA DEPARTMENT OF TRANSPORTATION, ON BEHALF OF AN EXPANSION FOR SANDERS PRODUCTS, INC. DOING BUSINESS AT EMERY, IOWA.** WHEREAS, Sanders Products, Inc. serves the biofuels industry throughout Southern Minnesota and North Iowa; and, WHEREAS, Sanders Product, Inc. wishes to expand a transload facility in the unincorporated platted village of Emery in Cerro Gordo County; and, WHEREAS, the project proposed by Sanders Products, Inc. is part of a larger transload center project along the Iowa Traction Railway; and, WHEREAS, Sander Products, Inc. wishes to make application for grant funds through the Iowa Department of Transportation's Linking Iowa's Freight Transportation System (LIFTS) program; and, WHEREAS, the Board of Supervisors of Cerro Gordo County has been asked by Sanders Products, Inc. to take part in said application. NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Cerro Gordo County as follows: 1. That the County Board of Supervisors wishes to express its strong support for the biofuels industry in this County, and the suppliers to that industry; 2. The Sanders Products, Inc. does cooperate with Iowa Tractions Railway at Emery inside this County in the operation of a small sulfuric acid transload facility, which product is used to adjust the PH of ethanol produced in this County and elsewhere in North Iowa and Southern Minnesota; 3. That the purpose of this project shall be to improve the rail to truck terminal at Emery, located within this County; 4. That the County does hereby authorize the Chairman of its Board of Supervisors to sign and submit an application on behalf of the Iowa Traction Railway and Sanders Products, Inc seeking program funding under the "LIFTS" Grant Program, said program being administered by the Railroad Division, Iowa Department of Transportation, which application would be for private improvements to the freight transload site at Emery, subject to approval by the Board of Adjustment; 5.

That the approval of this Resolution is made with the understanding that the requested amount for this project is \$168,000, to be matched at a 20% rate or \$42,000, yielding a total budget of \$210,000. County funds will not be used towards any local matching funds or any part of the project, but rather all funds shall be provided by the aforesaid Iowa Traction Railway and Sanders Products, Inc. Motion passed unanimously.

Latham moved with Watts seconding, to **table the Iowa Communities Assurance Pool member proxy form.** Motion passed unanimously.

Watts moved with Latham seconding, to **authorize the Chairman to sign Extension to Maintenance and Support Agreement #003481-000 with Morphotrak, LLC.** Motion passed unanimously.

Latham moved with Watts seconding, to **solicit quotes to fix the generator.** Motion passed unanimously.

Latham moved with Watts seconding, to adjourn at 10:42 a.m.

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

Chairman Casey Callanan
Board of Supervisors

Kenneth W. Kline, County Auditor
Cerro Gordo County