

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Vice Chairman Chris Watts, Supervisor Tim Latham and various members of the public. Absent: Chairman Casey Callanan.

Vice Chairman Watts convened the meeting at 10:00 a.m. Latham moved with Watts seconding, to **approve the minutes from the December 5, 2017 regular session and today's agenda.** Motion passed.

A joint conference call was held with Floyd County for the appointment of an engineer for active drainage projects for Drainage District 6/56. Present: Chairman Kamm, Supervisor Kuhn, Supervisor Tjaden and Auditor Carr, Supervisor Latham and Vice Chairman Watts.

Latham moved with Kamm seconding, to **affirm that effective immediately, the current active appointments of an engineer for providing engineering services to Cerro Gordo County and Floyd County Drainage Districts 6/56 are terminated.** Motion passed.

Latham moved with Tjaden seconding, to **affirm that Bolton & Menk, Inc. is appointed to provide engineering services to Cerro Gordo County and Floyd County Drainage District No. 6/56. It is required to use as much as reasonably possible the completed and partially completed work of the terminated engineer.** Motion passed.

Latham moved with Kamm seconding, to **affirm that the current active appointments of engineer Kent Rode, now of Bolton & Menk, as the engineer to serve drainage districts under this board's jurisdiction as an appraiser of damages, as an appraiser of rights-of-way and as a member of benefit classification commissions is retained and confirmed.** Motion passed.

Latham moved with Kuhn seconding, to **affirm that Iowa Code Section 468.173 states that the records generated by the engineer belong to the drainage district. The terminated engineer under this day's prior motion is directed to turn over to the county auditor all records of the districts including the electronic digital records of all reports, maps, plats, profiles, plans, field data, field notes, schedules – all of which whether completed or partially completed – and other associated documents and records of communications, including email communications, which pertain to its work for the districts for which its appointment to provide engineering services has been terminated. The terminated engineer is further directed to submit for payment valid claims for work accrued in each district through the date of termination. Timely-filed reasonable claims of the terminated engineer for the cost of providing the information required herein will also be honored. The auditor is directed to withhold issuance of payment for approved claims not yet paid and to hold all filed claims of the terminated engineer for all of the applicable drainage districts until all of the records requested herein for all the drainage districts have been provided to the satisfaction of the auditor.** Motion passed.

Latham moved with Tjaden seconding, to **affirm that the Auditor is directed to record these motions in the minutes of each of the drainage districts to which these motions apply. The auditor is further directed to immediately notify the terminated engineer in writing by certified mail of the board's action to terminate the appointments of the engineer and to request and require delivery of the records of the records of the drainage district in the terminated engineer's possession.** Motion passed.

The conference call with Floyd County concluded.

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

Latham moved with Watts seconding, to **approve the Clerk's monthly report of fees.** Motion passed.

Latham moved with Watts seconding, to **adopt Resolution 2017-120, Whereas the Mason City Runoff Election was held on Tuesday, December 5, 2017; and, Whereas the official canvass of the results of the December 5, 2017 Mason City Runoff Election by the Cerro Gordo County Board of Supervisors was scheduled for 10:10 a.m. on December 12, 2017; and, Whereas the Board has publicly and duly met and opened and canvassed the tally lists from the December 5, 2017 Mason City Runoff 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. Resolution adopted this 12th day of December, 2017.** Motion passed.

Latham moved with Watts seconding, to **affirm that effective immediately, the current active appointments of an engineer for providing engineering services to Cerro Gordo County Drainage District No. 33 are terminated.** Motion passed.

Latham moved with Watts seconding, to **affirm that Bolton & Menk, Inc. is appointed to provide engineering services to Cerro Gordo County Drainage District No. 33. It is required to use as much as reasonably possible the completed and partially completed work of the terminated engineer.** Motion passed.

Latham moved with Watts seconding, to **affirm that the current active appointments of engineer Kent Rode, now of Bolton & Menk, as the engineer to serve drainage districts under this board's jurisdiction as an appraiser of damages, as an appraiser of rights-of-way and as a member of benefit classification commissions is retained and confirmed.** Motion passed.

Latham moved with Watts seconding, to **affirm that Iowa Code Section 468.173 states that the records generated by the engineer belong to the drainage district. The terminated engineer under this day's prior motion is directed to turn over to the county auditor all records of the districts including the electronic digital records of all reports, maps, plats, profiles, plans, field data, field notes, schedules – all of which whether completed or partially completed – and other associated documents and records of communications, including email communications, which pertain to its work for the districts for which its appointment to provide engineering services has been terminated. The terminated engineer is further directed to submit for payment valid claims for work accrued in each district through the date of termination. Timely-filed reasonable claims of the terminated engineer for the cost of providing the information required herein will also be honored. The auditor is directed to withhold issuance of payment for approved claims not yet paid and to hold all filed claims of the terminated engineer for all of the applicable drainage districts until all of the records requested herein for all the drainage districts have been provided to the satisfaction of the auditor.** Motion passed.

Latham moved with Watts seconding, to **affirm that the Auditor is directed to record these motions in the minutes of each of the drainage districts to which these motions apply. The auditor is further directed to immediately notify the terminated engineer in writing by certified mail of the board's action to terminate the appointments of the engineer and to request and require delivery of the records of the records of the drainage district in the terminated engineer's possession.** Motion passed.

Latham moved with Watts seconding, to **abate the following taxes on VIN 3444244116, & abate tax sale 2015269 to Cerro Gordo County. 2018MH \$108.00 plus interest, 2017DM \$108.00 plus interest and costs, 2016DM \$108.00 plus interest and costs, 2015DM \$108.00 plus interest and costs 2014DM \$54.00 plus interest and costs, VIN GA36M01528, & abate tax sale 2015279 to Cerro**

Gordo County 2018MH \$150.00 plus interest, 2017DM \$150.00 plus

interest and costs, 2016DM \$150.00 plus interest and costs, 2015DM \$150.00 plus interest and costs, 2014DM \$150.00 plus interest and costs, to abate the following taxes on VIN 146523CKDFLAI, 2018MH \$138.00 plus interest, 2017DM \$70.00 plus interest and costs, abate tax sale 2017069 on mobile home VIN 36BC814EB3N34 and accept principle only on AY2016, AY2017 & AY2018 taxes, abating interest and costs. Motion passed.

Latham moved with Watts seconding, to **approve Purchase Agreement for right-of-way easement for 300th Court Bridge Replacement Project and authorize the Vice Chairman to sign the agreement.** Motion passed.

Outside funding requests were presented to the Board of Supervisors. No action was taken at this time.

Latham moved with Watts seconding, to **change Tuesday, December 26, 2017 meeting date to Wednesday, December 27, at 10:00 a.m.** Motion passed.

Latham moved with Watts seconding, to **approve a \$2,500.00 commitment towards the Market Study for the Andrews Site.** Motion passed.

Latham moved with Watts seconding, to adjourn at 12:23 a.m.

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

Vice Chairman Chris Watts
Board of Supervisors

Kenneth W. Kline, County Auditor
Cerro Gordo County