

PROCEEDINGS OF THE BOARD OF SUPERVISORS  
December 23, 2019

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

Chairman Watts convened the meeting at 10:00 a.m.

Latham moved with Callanan seconding, to approve today's agenda, the minutes from the December 17, 2019 regular session, and the December 17, 2019 special session. Motion passed unanimously.

Public comment session was held.

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

Callanan moved with Latham seconding, to approve Resolution 2019-85 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
<u>Pay Change</u>	<u>Effective Date</u>
IT	Kelly Field
\$45,000 annually	01/06/2020

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.

Callanan moved with Latham seconding, to approve costs for the Combined 2019 City/School Election. Motion passed unanimously.

Latham moved with Callanan seconding, accept Kingbird Avenue project & to authorize Chair to sign Final Voucher for the project. Motion passed unanimously.

Callanan moved with Latham seconding, to authorize Chair to sign Final Acceptance Certificate for Kingbird Avenue project. Motion passed unanimously.

Latham moved with Callanan seconding, to approve Resolution 2019-88 WHEREAS, Cerro Gordo County, Iowa, and certain property owners of land located in the County, entered into a petition and waiver agreement, dated July 24, 2018, covering the construction of certain public improvements, generally described as Portland cement concrete paving and associated work; and WHEREAS, the property owner who signed the petition and waiver agreement, hereinabove referred to, represented therein that they are all of the private property owners who would be benefited by the construction of the public improvements; and WHEREAS, on September 11, 2018, the County, pursuant to the petition and waiver agreement, which agreement was filed in the office of the County Auditor, entered into a contract with Wick's Construction, Inc. of Decorah, Iowa, for the construction of the public improvements therein; and WHEREAS, the contractor has now fully completed the construction of the public improvements, in accordance with the plans, specifications and contract documents for the project, as shown in the certificate of the Engineer filed with the Auditor on December 23, 2019; and WHEREAS, the Engineer has also prepared and filed on December 23, 2019, with the County Auditor, a final plat and schedule of assessments showing the final assessments proposed to be levied and made for the cost of the construction work against benefited properties described in the petition and waiver agreement, and the assessments shown on the schedule seem to be proper assessments to be made for and on account of the cost of the construction of the public improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY OF CERRO GORDO COUNTY, STATE OF IOWA: Section 1. That the public improvements as referred to in the above mentioned petition and waiver agreement, as constructed by Wick's Construction, Inc. of Decorah, Iowa, under contract between the County and the contractor, dated September 11, 2018, be and the same are hereby accepted as having been fully completed in substantial compliance with the plans, specifications and contract documents; and the certificate of the engineer, showing the completion of the work is hereby

approved and adopted; and the total construction cost is hereby determined to be \$260,667.24, and the total overall project cost is hereby determined to be \$279,613.37.

Section 2. That the final plat and schedule of assessments, showing the final assessments to be made and levied against benefited properties for the cost of the construction of the public improvements, which plat and schedule are now on file in the Auditor's office, appears to be in proper form and the final plat and schedule of assessments are hereby approved and adopted.

Section 3. That there be and there is hereby assessed and levied as a special tax, against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of the improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the improvements; provided further, that the amounts shown in the final schedule of assessments, as deficiencies, are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa; and the assessments against such lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon the property by the improvements, and not in excess thereof, and not in excess of 25% of the value of the same, subject and in accordance with all of the provisions and conditions of the petition and waiver agreement hereinabove referred to.

Section 4. That this Board hereby determines that, since a petition and waiver agreement covering the public improvements therein described has been signed by all of the property owners benefited by the construction of the work, the usual legal requirements specified in Division IV of Chapter 384, Code of Iowa, covering the publication and mailing of the notice of filing the final schedule of assessments and any and all other legal procedural steps may be waived and omitted as to this project.

Section 5. That the Auditor be and is hereby directed to notify all of the property owners who signed the petition and waiver agreement, hereinabove referred to, that the final assessments will be certified over to the County Treasurer of Cerro Gordo County, Iowa on December 23, 2019, and that, after such certification, the property owners have a 30-day period to pay their assessments in full or in part and without interest in accordance with the provisions and conditions of Section 384.67, Code of Iowa.

Section 6. That said assessments of \$500.00 or more shall be payable in ten equal annual installments and shall bear interest at the rate of nine (9) percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than \$500.00, with interest on the whole assessment from date of acceptance of the work by the Board, shall become due and payable on July 1, 2020; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the County Auditor, in full or in part and without interest within thirty days after the date of the certification of the plat and schedule of assessments to the County Treasurer.

Section 7. That the Auditor be and is hereby directed to certify the final plat and schedule of assessments to the County Treasurer of Cerro Gordo County, Iowa, as soon as practicable after the adoption of this resolution.

Section 8. That the Auditor be and is hereby directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the county official charged with the responsibility for the issuance of building permits. The deficiencies are conditionally assessed to the respective properties under Section 384.63, Code of Iowa, for the amortization period specified by ordinance. Motion passed unanimously.

Latham moved with Callanan seconding, to appoint Patti Petersen as Geneseo Township Clerk. Motion passed unanimously.

Latham moved with Callanan seconding, to move December 31, 2019 Board of Supervisors meeting to Thursday, January 2, 2020 to coincide with Annual Organizational Meeting. Motion passed unanimously.

Callanan moved with Latham seconding, to approve Resolution 2019-89 WHEREAS, the region covered by

the 28E agreement and the CSS was established to provide the mental health and disability services mandated under Iowa Code sections 331.388 through 331.398 for member counties, and WHEREAS, CSS may also provide other allowable social services approved by the governing board, WHEREAS, the County Social Services Intergovernmental Agreement Section III Organization (j) (d) (viii) states, "Employ or contract with persons or entities (including contracting with member counties for member county employees to provide services to CSS) to staff the needs of County Social Services; however, the terms of all employment or contracts for staff shall be approved by the County Social Services Board." WHEREAS, the employees performing services for CSS have been employees of the corresponding county they work in; and WHEREAS, CSS has approved becoming a single employer of record for all employees previously employed by individual counties effective January 1, 2020.

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

Section 1: The County will transfer all furniture, equipment and office supplies currently located at designated CSS offices for the use of CSS staff effective January 1, 2020. The County will transfer title to the 2007 Ford Focus that was previously purchased with mental health funds to CSS as of January 1, 2020.

Section 2: The County currently employs seven people that provide services under the County Social Services Intergovernmental 28E agreement. Cerro Gordo County currently serves as the employee of record for the seven employees. The CSS governing board has approved and offered each employee a position similar to the current position they hold effective January 1, 2020. The CSS governing board has approved by motion that as the new employer of record, CSS, will honor the balance of all accrued vacation and sick leave that current Cerro Gordo county employees have as of December 31, 2019, when the employee becomes an employee of CSS on January 1, 2020.

Section 3: All seven employees have resigned effective the end of the day on December 31, 2019.

Section 4: This resolution shall be in effect upon its passage and approval as provided by law. Motion passed unanimously.

Latham moved with Callanan seconding, to adjourn at 10:09am. Motion passed unanimously.

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

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Chairman Chris D. Watts  
Board of Supervisors

ATTEST:

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Adam V. Wedmore, Auditor  
Cerro Gordo County