

PROCEEDINGS OF THE BOARD OF SUPERVISORS  
February 2, 2021

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

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

Watts moved with Latham seconding, to approve today's agenda and the meeting minutes for January 26, 2021 regular session, the January 26, 2021 special session, the January 28, 2021 special session, and the January 29, 2021 special session. Motion passed unanimously.

Public comment session was held.

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

Watts moved with Latham seconding, to approve Resolution 2021-19, 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>
Treasurer	Lauren Heuberger
\$21.50/hourly	01/27/2021

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.

Latham moved with Watts seconding, to authorize Rodney McKinney to conduct field review on Drainage District 62. Motion passed unanimously.

Latham moved with Watts seconding, to authorize the Chair to sign the Engagement Letter with Northland Securities regarding refunding the 2012A notes. Motion passed unanimously.

Latham moved with Watts seconding, to approve the Iowa DOT Contract Construction Progress Vouchers for HMA Resurfacing projects FM-C017(86)-55-17 and STBG-SWAP-C017(87)-FG-17 and authorize the Chair to sign. Motion passed unanimously.

Chairman Callanan opened the public hearing to consider the proposal to sell real estate owned by Cerro Gordo County to the City of Clear Lake for \$250,000 (Parcel 06-18-180-029-00) at 10:05 a.m.

Latham moved with Watts seconding, to close the public hearing. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-20 WHEREAS, Cerro Gordo County, Iowa, is the owner of the following described real estate, to-wit:

LOTS SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11) AND TWELVE (12) IN BLOCK ONE (1) IN C.F. CRANE'S FIRST ADDITION TO CLEAR LAKE, IOWA;  
AND  
THAT PORTION OF THE VACATED ALLEY LYING WEST OF LOTS SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11) AND TWELVE (12) IN BLOCK ONE (1) IN C.F. CRANE'S FIRST ADDITION TO CLEAR LAKE, IOWA;  
AND  
THE NORTH ONE HUNDRED SEVENTY-TWO (172) FEET OF THE SOUTH HALF (S1/2) OF LOTS THREE (3), FOUR (4) AND FIVE (5) IN THE SUBDIVISION OF THE EAST HALF (E1/2) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION EIGHTEEN (18), TOWNSHIP NINETY-SIX (96) NORTH, RANGE TWENTY-ONE (21) WEST OF THE 5<sup>TH</sup> P.M., CITY OF CLEAR LAKE, CERRO GORDO COUNTY, IOWA  
Locally described as 109 S. 15<sup>th</sup> Street, Clear Lake, Iowa 50428; Parcel No. 06-18-180-029-00 (the "Real Estate");

and WHEREAS, the Board of Supervisors of Cerro Gordo County, Iowa, adopted Resolution 2021-17,

setting forth its proposal to sell the Real Estate and ordering public hearing upon the proposal based on the terms of the Offer to Buy Real Estate and Acceptance executed by City of Clear Lake, Iowa on January 4, 2021, (the "Offer"); and  
WHEREAS, public hearing was held upon the proposal at 10:05 A.M. on the 2nd day of February, 2021, following publication of notice of hearing as required by law.

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

1. The sale of the following described real estate to City of Clear Lake, Iowa for \$250,000.00 is hereby approved:

LOTS SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11) AND TWELVE (12) IN BLOCK ONE (1) IN C.F. CRANE'S FIRST ADDITION TO CLEAR LAKE, IOWA;  
AND  
THAT PORTION OF THE VACATED ALLEY LYING WEST OF LOTS SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11) AND TWELVE (12) IN BLOCK ONE (1) IN C.F. CRANE'S FIRST ADDITION TO CLEAR LAKE, IOWA;  
AND  
THE NORTH ONE HUNDRED SEVENTY-TWO (172) FEET OF THE SOUTH HALF (S1/2) OF LOTS THREE (3), FOUR (4) AND FIVE (5) IN THE SUBDIVISION OF THE EAST HALF (E1/2) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION EIGHTEEN (18), TOWNSHIP NINETY-SIX (96) NORTH, RANGE TWENTY-ONE (21) WEST OF THE 5<sup>TH</sup> P.M., CITY OF CLEAR LAKE, CERRO GORDO COUNTY, IOWA  
Locally described as 109 S. 15<sup>th</sup> Street, Clear Lake, Iowa 50428; Parcel No. 06-18-180-029-00

2. The Chairman of the Board of Supervisors and the Deputy Cerro Gordo County Auditor shall be and they are hereby authorized and directed to take all action necessary to complete the transaction described in the Offer to Buy Real Estate and Acceptance, including, but not limited to, executing the Offer and executing and delivering a Quit Claim Deed upon receipt of the purchase price.

3. The County shall record the Resolution Setting Forth the Proposal to Convey Interest in Real Estate; the Proof of Publication of Notice of Hearing; the Resolution Approving the Conveyance of Interest in Real Estate. The recorded Resolutions and Proof of Publication shall be retained by County following recording with its official records. The Quit Claim Deed shall be delivered to Buyer upon payment of the purchase price and recorded at Buyer's expense. Motion passed unanimously.

Latham moved with Watts seconding, to approve Resolution 2021-21 WHEREAS, the County at times, needs to engage outside legal counsel for specific specialized legal matters, and WHEREAS, engagement of outside counsel for civil matters is reviewed by the Director of Administrative Services. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa:

Section 1: The County shall authorize the Director of Administrative Services to engage outside legal counsel for the purpose of representing the County in civil legal matters. When appropriate the Director shall consult with the County Attorney prior to any engagement. In all instances the Chair of the Board of Supervisors shall be notified. This authorization only applies to engagements that involve billing for actual services. Any engagement where a set monthly fee is paid, or a contingency fee is involved shall be presented to the Board for approval.  
Section 2: This resolution shall be in effect upon its passage and approval as provided by law. Motion passed unanimously.

Latham moved with Watts seconding to approve the report from the Zoning Director and the Environmental Health Service Manager concerning Manure Management Plans filed by Christiansen Family Farms (Site #59310 and #65040) and forward to the DNR. Motion passed unanimously.

Chairman Callanan opened the public hearing regarding the change of zone for Ginther at 10:15 a.m.

Latham moved with Watts seconding, to close the public hearing. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-22 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 Marty L. Ginther, 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 the A-1 Agricultural District to the A-2 Agricultural Residence District on the following described real estate, to-wit:

That part of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of Section 1, Township 95 North, Range 19, West of the 5<sup>th</sup> P.M. Cerro Gordo County, Iowa, described as follows: Beginning at the Southeast Corner of said Southeast Quarter of the Southeast Quarter, point being a found mag nail in ACC pavement; thence along the South line of said Southeast Quarter of the Southeast Quarter North 89°09'55" West, 459.35 feet to a set mag nail in ACC pavement; thence North 00°41'10" West 407.15 feet to a set No. 4 rebar with maroon plastic cap #21096; thence South 89°09'55" East 459.35 feet to the East line of said Southeast Quarter of the Southeast Quarter, point being a set mag nail; thence along said East line South 00°41'10" East 407.15 feet to the Point of Beginning. Containing 4.29 acres including 1.06 acres of right-of-way. Subject to restrictions, easements, covenants, ordinance, and limited access provisions of record and not of record. Note: The South line of said Southeast Quarter of the Southeast Quarter is assumed to bear North 89°09'55" West for this description. Motion passed unanimously.

Latham moved with Watts seconding, to adjourn at 10:32 a.m. 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 Casey Callanan  
Board of Supervisors

ATTEST:

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Adam V. Wedmore, Auditor  
Cerro Gordo County