

PROCEEDINGS OF THE BOARD OF SUPERVISORS
June 19, 2023

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

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

Meacham Ginapp moved with Watts seconding, to approve today's agenda and the minutes for the June 12, 2023 special session, June 12, 2023 regular session, and June 14, 2023 special session. Motion passed unanimously.

Public comment session was held.

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

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-62, 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
Sheriff	Felicia Lucero	\$23.00/hourly	06/13/2023

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 Meacham Ginapp seconding, to authorize Rodney McKinney to conduct field review on the following drainage districts:

Drainage District	Reported By	Problem
DD 65 Sec 13 Grimes Township	Joel Kohler	Sink holes.

Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to appoint Bolton & Menk as Drainage Engineer and Michael Gabor as Attorney for Drainage District 1 repair. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to approve 12-month Cigarette/Tobacco/Nicotine/Vapor Licenses for Pine Creek Golf Club, Pure Pleasure, and Diamond Oak Events. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-63, Whereas, the State of Iowa has estimated funds for property tax credits and exemptions for Assessment Year 2022, taxes payable 2023-2024, And, whereas Iowa Code Section 25B.7 requires local governments to extend to the taxpayers only those portions of the property tax credits/exemptions that are estimated by the Iowa Department of Revenue and Finance to be funded by the state appropriation, And, whereas the Iowa Department of Revenue and Finance has estimated the percentages of funding for the affected property tax credits/exemptions as follows: Homestead Credit (including Disabled Veteran's Homestead Credit) 100%, Low-income, Elderly, Disabled Credit 100%, Military Exemption 100%. And, whereas the Iowa Department of Revenue and Finance has estimated the prorated percentages of funding for the affected property tax credits as follows: Aglard Credit 20.4037288% and Family Farm Credit 14.4522343%. Now, therefore, be it resolved pursuant to Iowa Code Section 25B.7 that the property tax credits/exemptions in Cerro Gordo County for fiscal year July 1, 2022 through June 30, 2023 shall be funded as follows:

Homestead Credit	100%
Disabled Veteran's Homestead Credit	100%
Low-Income, Elderly, Disabled Credit	100%
Military Exemption	100%
Aglard Credit	21.71514547%
Family Farm Credit	15.46026369%

Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to authorize the Chair to sign the Fifth Amendment to the Child Support Staffing Contract between the Iowa Department of Health and Human Services, Child Support Services, and the Cerro Gordo County Political Subdivision. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to appoint Dr. Jadon Wiese as County Medical Examiner. Motion passed unanimously.

Chairman Callanan opened the public hearing on Change of Zone for Aaron Donaldson at 10:05 a.m.

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

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-64, 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 Aaron R. Donaldson, 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-1 Agricultural District to A-2 Agricultural Residence District on the following described real estate, to-wit: Parcel C containing 1.35 acres located on the East Ninety (90) feet of Lot Seven (7) in Government Lot Two (2) in Section 22, Township 96 North, Range 22 West of the 5th P.M., Cerro Gordo County, Iowa as described in the Plat of Survey dated December 22, 2022 and recorded on December 27, 2022 as Document No. 2022-7545 in the Cerro Gordo County Recorder's Office. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to adopt Resolution 2023-65, WHEREAS, recent changes to recycling markets have caused disruptions to local efforts, leading to the need to consider the overall state of recycling in our region; and WHEREAS, the Landfill of North Iowa is the 28E intergovernmental solid waste agency for our region, and Cerro Gordo County is a member in good standing of this partnership; and WHEREAS, the Landfill of North Iowa is taking leadership on the recycling issue with a committee established to examine options and develop cost-effective, efficient, and forward-thinking solutions for our region; and WHEREAS, Cerro Gordo County wishes to indicate its support for this initiative. NOW, THEREFORE, BE IT RESOLVED BY THE CERRO GORDO COUNTY BOARD OF SUPERVISORS OF MASON CITY, IOWA:

Section 1. The Cerro Gordo County Board of Supervisors indicates its support for the establishment of the Landfill of North Iowa's recycling committee and the Landfill of North Iowa Board of Directors' efforts to develop sensible policy for recycling in our region.
Section 2. The Cerro Gordo County Board of Supervisors supports any and all efforts to obtain outside grant funding for related initiatives.
Motion passed unanimously.

Chairman Callanan opened the public hearing on Change of Zone for RT Grain & Cattle, LLC at 10:10 a.m.

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

Watts moved with Meacham Ginapp seconding, to adopt Resolution 2023- 66, 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 RT Grain and Cattle, LLC, 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-1 Agricultural District, R-1 Single Family Residential District, and M-1 Light Industrial District to A-1 Agricultural District on the following described real estate, to-wit:
Parcel A containing 11.09 acres located in the NE1/4 of the SW1/4, Section 21, Township 97 North, Range 19

West of the 5th P.M., Cerro Gordo County, Iowa as described in the Plat of Survey dated September 21, 2022 and recorded on October 11, 2022 as Document No. 2022-5951 in the Cerro Gordo County Recorder's Office. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-67, RESOLUTION SETTING FORTH THE PROPOSAL TO CONVEY REAL ESTATE OWNED BY CERRO GORDO COUNTY, IOWA, AND ORDERING PUBLIC HEARING UPON THE PROPOSED CONVEYANCE PURSUANT TO 331.361 OF THE IOWA CODE WHEREAS, Cerro Gordo County, Iowa ("County") is the owner of the following described real estate, to-wit: PARCEL D IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 96 NORTH, RANGE 21 WEST OF THE 5TH P.M., CERRO GOROD COUNTY, IOWA AS DESCRIBED AND DEPICTED ON THE PLAT OF SURVEY DATED NOVEMBER 16, 2005 AND FILED NOVEMBER 17, 2005 AS DOCUMENT NO. 2005-10500 IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER (Locally described as 1510 N. 32nd Street, Clear Lake, Iowa 50428; Parcel No. 06-08-200-018-00) (the "Real Estate").

WHEREAS, County proposes to sell the above Real Estate owned by it; and, WHEREAS the County has received an offer to buy the Real Estate a copy of which is on file in the office of the Board of Supervisors. WHEREAS, 331.361(2) of the Iowa Code requires Cerro Gordo County to set forth its proposal to convey Real Estate in a resolution and publish notice of the time and place of public hearing on the proposal in accordance with 331.305 of the Iowa Code. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa:

Section 1: County is the owner of the above Real Estate.
Section 2: County has received an offer to purchase the Real Estate for \$660,000.00 from Thurston Lamberson and Joanne R. Lamberson, a married couple.

Section 3: A public hearing upon the proposal to convey the Real Estate shall be held beginning at 10:05 a.m. on the 3rd day of July, 2023, in the Boardroom of the Cerro Gordo County Courthouse, 220 North Washington, Mason City, Iowa. Notice of the time and place of hearing shall be published in the Mason City Globe Gazette not less than four nor more than twenty days before the date of the hearing in accordance with 331.305 of the Iowa Code.

Section 4: The public notice shall be published in substantially in the following form:

PUBLIC NOTICE

Public notice is hereby given that the Board of Supervisors of Cerro Gordo County, Iowa, will meet and hold a public hearing beginning at 10:05 a.m. on the 3rd day of July, 2023, in the boardroom, Cerro Gordo County Courthouse, 220 North Washington, Mason City, Iowa, to consider a Resolution proposing to convey Real Estate owned by Cerro Gordo County, Iowa, and described as follows, to-wit:

PARCEL D IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 96 NORTH, RANGE 21 WEST OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA AS DESCRIBED AND DEPICTED ON THE PLAT OF SURVEY DATED NOVEMBER 16, 2005 AND FILED NOVEMBER 17, 2005 AS DOCUMENT NO. 2005-10500 IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER (Locally described as 1510 N. 32nd Street, Clear Lake, Iowa 50428; Parcel No. 06-08-200-018-00).

Cerro Gordo County, Iowa, proposes to sell the Real Estate to Thurston Lamberson and Joanne R. Lamberson, a married couple, for \$660,000.00 payable to the terms of the offer following approval of the sale by the Board of Supervisors following public hearing as required by law.

All parties in interest and citizens of Cerro Gordo county, Iowa, shall have an opportunity to present objections to the proposal to convey the Real Estate at the public hearing.

Chairperson, Board of Supervisors
Motion passed unanimously.

County Engineer Billings provided an update.

Chairman Callanan opened the public hearing on Change of Zone for Robert Barnes at 10:15 a.m.

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

Watts moved with Meacham Ginapp seconding, to adopt Resolution 2023-68, 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 Robert D. Barnes, 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-1 Agricultural District to A-2 Agricultural Residence District on the following described real estate, to-wit: The South 376.23 feet of the East 281.17 feet of the NW ¼ of Section 4, Township 94 North, Range 20 West of the 5th P.M., Cerro Gordo County, Iowa and Parcel A containing 1.06 acres located in the SE1/4 of the NW1/4, Section 4, Township 94 North, Range 20 West of the 5th P.M., Cerro Gordo County, Iowa as described in the Plat of Survey dated March 1, 2023 and recorded on March 12, 2023 as Document No. 2023-990 in the Cerro Gordo County Recorder's Office. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to adopt Resolution 2023-69, WHEREAS, the Board of Supervisors let project FM-TSF-C017(120)—2B-04 on B-20 east of Highway 65, on June 12, 2023, and WHEREAS, this project requires grade and pave for curve realignment, and WHEREAS, the bids were tabulated and low bid was 5% under the engineer's estimate. BE IT RESOLVED, by the Cerro Gordo County Board of Supervisors, as follows:
Section 1: That bid for FM-TSF-C017(120)-2B-04 be awarded to the low bidder, HEARTLAND ASPHALT, INC., MASON CITY, IA for the total cost of \$253,422.47
Section 2: That the chair be authorized to sign the contract documents on behalf of the board.
Section 3: That this resolution shall take effect immediately.
Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-70, WHEREAS, the Board of Supervisors let project L-J34D(234)—73-17 on 170th St. Between Highway 65 and Pheasant Av. & Pheasant Av. Between 170th and City of Rockwell, on June 12, 2023, and WHEREAS, this project requires grade and pave for road reconstruction, and WHEREAS, the bids were tabulated and low bid was 4% under the engineer's estimate. BE IT RESOLVED, by the Cerro Gordo County Board of Supervisors, as follows:
Section 1: That bid for L-J34D(234)—73-17 be awarded to the low bidder, HEARTLAND ASPHALT, INC., MASON CITY, IA for the total cost of \$1,386,243.08.
Section 2: That the chair be authorized to sign the contract documents on behalf of the board.
Section 3: That this resolution shall take effect immediately.
Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to adopt Resolution 2023-71, WHEREAS, Cedar Avenue is a road in Cerro Gordo County running from County Route B35 (235th Street) north to terminus near the edge of Clear Lake, also known as Farmer's Beach; and WHEREAS, over the Fourth of July Holiday the unlawful activity has been increasing including underage drinking and parking along the roadside which creates a public safety issue; and WHEREAS, the Engineer's Department and the Sheriff's Department are working collaboratively in an effort to reduce and eliminate the problem and in doing so the Sheriff's Department will increase enforcement and the Engineer recommends a temporary road closure for the duration of the Fourth of July Holiday. THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that the County Engineer be authorized to close Cedar Avenue from 235th Street north to the terminus near Clear Lake for the duration of July 4, 2023 extended weekend. Motion passed unanimously.

Chairman Callanan opened the public hearing on Change of Zone for Five Star Cooperative at 10:20 a.m.

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

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-72, 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 Five Star Cooperative, 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-1 Agricultural District to M-1 Light Industrial District on the following described real estate, to-wit: Lots Two (2), Three (3), and Six (6); Part of Lots One (1), Four (4), and Five (5), Block Twelve (12); Vacated Alley in Block Twelve (12); and that part of Vacated Cliggett Street in the Town of Burchinal, Cerro Gordo County, Iowa, described as follows; commencing at the Northwest Corner of said Lot Two (2), Block Twelve (12); Thence East 27 feet to the Point of Beginning; thence South 0°08'22" West, 189.00 feet; thence south 90°00'00" East, 458.43 feet along the south line of the Vacated Cliggett Street; thence North 00°08'22" East, 33 feet; thence South 90°00'00", 271.21 feet along the North line of vacated Cliggett Street; thence North 00°08'22" East, 156 feet; thence South 90°00'00" West, 187.22 feet to the Point of Beginning; AND That part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), lying West of the Railroad Right Of Way, in Section Twelve (12), Township Ninety-Five (95) North, Range Twenty-One (21) West of the 5th P.M., Cerro Gordo County, Iowa, except Tract 2 as described and depicted on Survey Plat dated November 19, 1992 and recorded on December 14, 1992 as Document No. 9210341 in the Cerro Gordo County Recorder's Office. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to adjourn at 10:27 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.

Chairman Casey M. Callanan
Board of Supervisors

ATTEST:

Adam V. Wedmore, Auditor
Cerro Gordo County