

PROCEEDINGS OF THE BOARD OF SUPERVISORS
April 10, 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.

Watts moved with Meacham Ginapp seconding, to approve today's agenda with the removal of items 13 and 14 and meeting minutes for April 3, 2023 special session and April 3, 2023 regular session. Motion passed unanimously.

Public comment session was held.

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

Watts moved with Meacham Ginapp seconding, to approve the Sheriff's Monthly Report of Fees and Recorder's Quarterly Report of Fees. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-34, WHEREAS, it is desired to transfer monies from the Rural Services Fund to the Secondary Roads Fund; and, WHEREAS, it is desired to transfer monies from the General Supplemental Fund to the Public Health Fund; and, WHEREAS, said operating transfers are in accordance with Section 331.432, Code of Iowa; and, NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa, as follows:
The sum of One million three hundred thousand and 00/100 (\$1,300,000.00) dollars is ordered to be transferred from the Rural Services Fund to the Secondary Roads Fund, effective April 10, 2023. (Transfer #1425)
The sum of Nine hundred thousand and 00/100 (\$900,000.00) dollars is ordered to be transferred from the General Supplemental Fund to the Public Health Fund, effective April 10, 2023. (Transfer #1426)
The Auditor is directed to correct his books accordingly and to notify the Treasurer of this operating transfer. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to approve the 8-month Class C Retail Alcohol License for Buffalo Run Golf Club. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to approve dock permits 56P and 59P. Motion passed unanimously.

County Engineer Billings provided an update.

Chairman Callanan opened the public hearing on FY23-24 County Budget at 10:05 a.m.

Watts moved with Meacham Ginapp seconding, to close the public hearing at 10:14 a.m. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-35, WHEREAS, on this 10th day of April, 2023, the Board of Supervisors of Cerro Gordo County, Iowa, held a public hearing at 10:05 a.m. to consider the fiscal year 2023/2024 budget; and, WHEREAS, there was present a quorum as required by law; and, WHEREAS, after hearing all taxpayers to be heard, the Board of Supervisors took up the budget for final consideration and determined that said budget be approved. THEREFORE BE IT RESOLVED, that the Board of Supervisors of Cerro Gordo County does hereby approve the fiscal year 2023/2024 budget. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to tentatively accept the Annexation Report for DD 120 and set the public hearing to consider the report for May 22, 2023 at 10:15 a.m. and tentatively accept the Reclassification Report for DD 120 and schedule the public hearing to consider the report for May 22, 2023 at 10:25 a.m. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-36, WHEREAS, the voters of Cerro Gordo County and cities within the county have voted to enact a 1 cent Local Option Sales Tax in accordance with Iowa Code 423B, and WHEREAS, the revenue derived from the tax is used for secondary road purposes,

economic development, county betterment and property tax relief, and WHEREAS, the residents of Cerro Gordo County have grown to rely on these revenues as a means to reduce property taxes, and WHEREAS, the 2023 legislative session has seen the introduction of SF 550, which proposes to convert the Local Option Sales Tax efforts into a statewide sales tax and impose the local option sales tax in every jurisdiction, thereby triggering the constitutional amendment to require an allocation of 3/8th of a cent to the Iowa Water and Land Legacy (IWLL) trust fund, and WHEREAS, SF 550 proposed to backfill revenues lost due to the proposal, there are concerns of the Legislature ability to continue backfilling revenues, and WHEREAS, voters across Iowa who have voted to either implement a local option sales tax or not to do so, and WHEREAS, voters across Iowa who have voted to utilize the local option sales tax have approved revenue purpose statements (RPS), and WHEREAS, SF 550 also sunsets these provisions on January 1, 2025, after which no jurisdiction will have the authority to take either a LOST proposal or revenue purpose statement to a vote, essentially deleting the local government's ability to have local option sales taxes. THEREFORE, the Cerro Gordo County Board of Supervisors would like to express their support of the current Local Option Sales Tax. The current law best represents the interest of voters and furthers the reduction of property taxes, which is a common goal of the County and the Iowa Legislature. The Board of Supervisors unanimously supports the Iowa Water and Land Legacy (IWLL) trust fund; however, SF 550 as currently written, would not only strip the County of control over Local Option Sales Tax (LOST) revenues, but would effectively disregard the will of the Voters. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to approve the Iowa DOT Five Year Construction Plan and authorize the Chair to sign. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to approve the Iowa DOT Secondary Roads FY24 Budget and authorize the Chair to sign. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to accept bid for HMA Pavement – Replace Project FM-CO17(117) –55-17 and authorize Chair to sign documents. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to adopt Resolution 2023-37, WHEREAS, the Board of Supervisors, hereafter referred to as "the Board" believes the FM-CO17(117)—55-17, hereafter referred to as "the project" is in the best interest of Cerro Gordo County, Iowa, and the residents thereof. The project is defined as HMA Pavement-Replace; and WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Cerro Gordo County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and IT IS THEREFORE RESOLVED by Board to accept the bid from Heartland Asphalt, Inc. in the amount of \$1,483,772.58 and awards the associated contract(s) to the same; BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudicated shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and BE IT FURTHER RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Brandon Billings, the County Engineer for Cerro Gordo county, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to go into closed session pursuant to Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body

would have to pay for that property or reduce the price the governmental body would receive for that property at 10:26 a.m. Roll call vote: Meacham Ginapp- Aye; Watts- Aye; Callanan- Aye. Motion passed unanimously.

Watts moved with Meacham Ginapp seconding, to come out of closed session at 11:02 a.m. Motion passed unanimously.

Meacham Ginapp moved with Watts seconding, to adjourn at 11:02 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