

PROCEEDINGS OF THE BOARD OF SUPERVISORS
March 10, 2015

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Phil Dougherty, Supervisor Casey Callanan, Supervisor Jay Urdahl and various members of the public.

Dougherty convened the meeting at 10:00 a.m. Callanan made a motion, with Urdahl seconding, to **approve the March 3, 2015 regular minutes and today's agenda.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **approve the claims.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **approve the Clerk and Sheriff's monthly report of fees.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **approve the Cerro Gordo County Compensation Board recommendations for fiscal year 2015-16.** Motion passed unanimously.

Dougherty directed that the first consideration of proposed Ordinance 28B-Non-Public Water Supply Wells to be place on the agenda for the March 24, 2015 Board of Supervisor's meeting.

Urdahl made a motion, with Callanan seconding, to **close the public hearing on the Fiscal Year 2015-16 Cerro Gordo County Budget.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **adopt Resolution 2015-27,** Whereas, on this 10th day of March, 2015, the Board of Supervisors of Cerro Gordo County, Iowa, held a public hearing at 10:15 a.m. to consider the fiscal year 2015/2016 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 2015/2016 budget. The above and foregoing resolution was adopted by the Board of Supervisors of Cerro Gordo County, Iowa on the 10th day of March, 2015. Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **approve the purchase of 148 acres in the SE ¼ of Section 23, Grimes Township known as the Floy property.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **appoint Tim Cahalan as Owen Township Clerk.** Motion passed unanimously.

Callanan made a motion, with Urdahl seconding, to **close the public hearing to consider the proposal to convey interest in real estate owned by Cerro Gordo County to Mason City Investors, LLC.** Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to **adopt Resolution 2015-28,** Resolution Approving Conveyance Of Interests In Real Estate. Whereas, Cerro Gordo County, Iowa, is the owner of the following described real estate, to-wit:

Lots One (1) And Three (3) And Outlot A, All In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa.; and, Whereas, the Board of Supervisors of Cerro Gordo County, Iowa, adopted Resolution 2015-21, setting forth its proposal:

A. to sell the Lot Three (3) in Fairgrounds First Subdivision to Mason City, Cerro Gordo County, Iowa;
B. to terminate an easement for waterline purposes in favor of the County across Lot 3; and

C. to grant a License and Maintenance Agreement (Easement Agreement) across the following tract of land: The East 60 Feet Of Outlot A And The East 60 Feet Of The South 424.13 Feet Of Lot One (1), All In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa, and ordering public hearing upon the proposal based on the terms of the following documents, executed by the County's Board of Supervisors on the dates stated:

1. Real Estate Sale Contract, February 10, 2014;
2. First Amendment to Real Estate Sale Contract, August 12, 2014;

3. Second Amendment to Real Estate Sale Contract, October 7, 2014;

4. License and Maintenance Agreement (Easement Agreement), December 8, 2014; and

5. Third Amendment to Real Estate Sale Contract, December 22, 2014; and, Whereas, the conveyance of the interests in the County owned real estate was recommended by the North Iowa Fair Association; and, Whereas, the buyer's interests in the Real Estate Sale Contract and amendments thereto were assigned by Drew Snyder Real Estate, LLC to Mason City Investors, LLC on February 20, 2015, and, Whereas, public hearing was held upon the proposal at 10:30 A.M. on the 10th day of March, 2015, 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 Mason City Investors, LLC for \$550,000.00 plus incidental expenses is hereby approved:

Lot Three (3) in Fairgrounds First Subdivision to Mason City, Cerro Gordo County, Iowa.

2. The easement for waterline purposes in favor of the County across Lot Three (3) in Fairgrounds First Subdivision to Mason City, Cerro Gordo County, Iowa, is hereby terminated.

3. A License and Maintenance Agreement (Easement Agreement) in favor of Mason City Investors, LLC as set forth in the License and Maintenance Agreement dated December 8, 2014, is hereby granted across the following tract of land:

The East 60 Feet Of Outlot A And The East 60 Feet Of The South 424.13 Feet Of Lot One (1), All In Fairgrounds First Subdivision To Mason City, Cerro Gordo County, Iowa;

4. 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 Real Estate Contract and amendments thereto, including, but not limited to, executing and delivering a Quit Claim Deed, Termination of Easement Agreement and License and Maintenance Agreement upon receipt of the purchase price plus incidental expenses.

5. This Resolution No. 2015-28 supersedes and replaces in its entirety Resolution No. 2015-20.

6. 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 Interests in Real Estate. The cost of recording shall be reimbursed by Buyer at the time of closing. The recorded Resolutions and Proof of Publication shall be retained by County following recording with its official records. The Quit Claim Deed, Termination of Easement Agreement and License and Maintenance Agreement shall be delivered to Buyer upon payment of the purchase price and recorded at Buyer's expense. Proposed and Adopted this 10th day of March, 2015. Motion passed unanimously.

Urdahl made a motion, with Callanan seconding, to adjourn at 10:30 a.m.

The audio tape of the meeting and various tabulations, reports, correspondence, and other documents that were presented are placed on file with the County Auditor's office.

Chairman Phillip Dougherty
Board of Supervisors

ATTEST:

Kenneth W. Kline
County Auditor