

PROCEEDINGS OF THE BOARD OF SUPERVISORS
April 19, 2016

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

Callanan convened the meeting at 10:00 a.m. Dougherty made a motion, with Urdahl seconding, to **approve the April 12, 2016 regular session minutes and today's agenda.** Motion passed unanimously.

Urdahl made a motion, with Dougherty seconding, to **authorize the chairman to sign an agreement with Barkema Land Company to stock pile rock.** Motion passed unanimously.

Dougherty made a motion, with Urdahl seconding, to **adopt Resolution 2016-35**, Temporary Bridge Embargo. Whereas, The Board of Supervisors is empowered under authority of Sections Sub. (8), 321.255 and 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction. Whereas, The County Engineer has completed (or has caused to be completed) the Structure Inventory and Appraisal of certain county bridges, in accordance with the National Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two lane legal loads at allowable operating stress. Now, Therefore, Be It Resolved by the Cerro Gordo County Board of Supervisors that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights thereof on the bridges listed, as follows: P-17-B-35 (105150) Over Cold Water Creek on Thrush Ave. appx. 3,500 feet north of 130th St. in Sec 17-94-19. The sign shall indicate a 5 ton load limit on all vehicles. Motion passed unanimously.

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

Urdahl made a motion, with Dougherty seconding, to **authorize Rod McKinney to investigate a problem in Drainage District 35 as reported by Dave Heinold and Drainage District 49 as reported by Jeremy Voortmann.** Motion passed unanimously.

Dougherty made a motion, with Urdahl seconding, to **adopt Resolution 2016-36**, Resolution to Levy Assessments for Drainage Districts. The Board of Supervisors of Cerro Gordo County acting for and on behalf of the drainage districts below finds:

1. There are insufficient funds in the drainage district accounts to pay for necessary repairs and maintenance and to provide for a sinking fund to pay future maintenance and repair costs in accordance with \$468.61. 2. The drainage districts have incurred or shortly will incur costs for repair and maintenance. Now, Therefore, Be It Resolved as follows: 1. Assessments in the following amounts shall be and are assessed against each individual tract of land and highway within the following Drainage Districts and Laterals in accordance with the classification schedules on file in the drainage district records in the office of the County Auditor. In accordance with \$468.57, if the owner of any land against which a levy exceeding \$100.00 is made shall within thirty (30) days from the effective date of this Resolution agree in writing that in consideration of having a right to pay his assessment in ten (10) equal installments, he will not make any objection to the legality of his assessment or the levy of taxes against his property, such owner shall have the right to pay the assessment in ten (10) equal installments. Interest shall accrue on the unpaid assessment at the rate of 6% per annum as provided by law. Drainage District 49 Lateral 1- \$24,500.00 and Drainage District 44 - \$4,700.00. Motion passed unanimously.

Urdahl made a motion, with Dougherty seconding, to **approve a Class C liquor license for Buffalo Run Golf Club.** Motion passed unanimously.

Dougherty made a motion, with Urdahl seconding, to **approve dock permit 29P.** Motion passed unanimously.

Urdahl made a motion, with Dougherty seconding, to **approve an application for funds from Bertha Stebens Charitable Foundation and authorize Chair to sign.** Motion passed unanimously.

Dougherty made a motion, with Urdahl seconding, to **suspend AY2014 taxes pursuant to Section 427.9 for Teresa Weber, 807 Elm Drive, Mason City, IA, on parcel 07-03-353-021-00.** Motion passed unanimously.

Urdahl made a motion, with Dougherty seconding, to **close the public hearing on change of zone request for Fessler.** Motion passed unanimously.

Urdahl made a motion, with Dougherty seconding, to **adopt Resolution 2016-37**, Amendment No. 352 to Ordinance No. 15, Article 5.2. 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 Linda Jean Fessler 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: County Auditor's Parcel Letter 'A' located in the Fractional North One-half of the Fractional Northwest Quarter (FrN½ FrNW¼) of Section Six (6), Township Ninety-four (94) North, Range Twenty-one (21) West of the 5th P.M., Cerro Gordo County, Iowa more particularly described as follows: Beginning at the Southwest Corner of said Fractional North One-half of said Fractional Northwest Quarter; thence North 00°02'34" East, 297.00 feet along the west line of said Fractional North One-half of said Fractional Northwest Quarter; thence South 89°39'06" East, 880.00 feet; thence South 00°02'34" West, 297.00 feet to a point on the south line of said Fractional North One-half of said Fractional Northwest Quarter; thence North 89°39'06" West, 880.00 feet along said south line to the point of beginning containing 6.00 acres total including 0.56 acres existing right-of-way. Subject to easements. Note: For the purposes of this survey, the west line of said Fractional North One-half of said Fractional Northwest Quarter was determined to bear North 00°02'34" East using GPS. This Resolution shall be in full force and effect from and after its passage. Motion passed unanimously.

Urdahl made a motion, with Dougherty seconding, to **close the public hearing on change of zone request for Jurgens.** Motion passed unanimously.

Dougherty made a motion, with Urdahl seconding, to **adopt Resolution 2016-38**, Amendment No. 353 to Ordinance No. 15, Article 5.2. 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 Kevin Jurgens Farms Inc. 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: That part of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Twenty-six (26), Township Ninety-four (94) North, Range Twenty-two (22) West of the Fifth Principal Meridian, Cerro Gordo County, Iowa more particularly described as follows: Commencing at the South Quarter Corner of said Section Twenty-six (26); thence North 89°54'55" East (assumed bearing) along the south line of the Southeast Quarter (SE¼) of said Section Twenty-six (26) a distance of 335.03 feet to the point of beginning; thence continuing North 89°54'55" East along said south line 230.62 feet; thence North 00°22'41" West 631.91 feet; thence North 88°47'35" West 242.96 feet; thence South 01°28'44" East 637.57 feet to the point of beginning. Said Parcel A contains 3.45 acres more or less, including 0.22 acres of county road easement across the south 41 feet thereof, and subject to other recorded and unrecorded easements, restrictions and servitudes, if any. This Resolution shall be in full force and effect from and after its passage. Motion passed unanimously.

Dougherty made a motion, with Urdahl seconding, to **approve reports from the Zoning Director and the Environmental Health Service Manager concerning Manure Management Plans filed by BDM Farms LLC and forward them to the DNR.** Motion passed unanimously.

Dougherty made a motion, with Urdahl seconding, to **authorize the chairman to sign agreement with RSM.** Motion passed unanimously.

Urdahl made a motion, with Dougherty seconding, to **authorize the chairman to sign first amendment to the Cooperative Reimbursement agreement between the Cerro Gordo County Political Subdivision and the Department of Human Services and the Bureau of Collections.** Motion passed unanimously.

Dougherty made a motion, with Urdahl seconding, to **adjourn at 10:22 a.m.** Motion passed.

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 Casey Callanan
Board of Supervisors

ATTEST:

Ken W. Kline
County Auditor