

PROCEEDINGS OF THE BOARD OF SUPERVISORS
October 9, 2017

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

Vice-Chairman Watts convened the meeting at 10:00 a.m. Latham moved with Watts seconding, to approve the minutes from the special October 3, 2017 regular session and today's agenda. Motion passed.

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

Latham moved with Watts seconding, to approve the payroll warrant register for the week ending September 30, 2017. Motion passed.

Latham moved with Watts seconding, to approve the Sheriff's monthly report of fees and Recorder's quarterly report of fees. Motion passed.

Latham moved with Watts seconding, to adopt Resolution 2017-99, 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 Basic 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 two hundred thousand 00/100 (\$1,200,000.00) dollars is ordered to be transferred from the, Rural Services Fund to the Secondary Roads Fund, effective October 9, 2017. (Transfer #1376). The sum of Eight hundred sixty-five thousand five hundred thirty-six 00/100 (\$865,536.00) dollars is ordered to be transferred from the, General Fund to the Public Health Fund, effective October 9, 2017. (Transfer #1377). The Auditor is directed to correct his books accordingly and to notify the Treasurer of this operating transfer. The above and foregoing resolution was approved by the Board of Supervisors of Cerro Gordo County, Iowa on the 9th day of October, 2017. Motion passed.

Latham moved with Watts seconding, to abate AY2018 2nd half taxes on MH WINDHIN36607D in the amount of \$73.00. Motion passed.

Latham moved with Watts seconding, to adopt Resolution 2017-100, RESOLUTION SETTING FORTH THE PROPOSAL TO GRANT EASEMENT ON REAL ESTATE OWNED BY CERRO GORDO COUNTY, IOWA, AND ORDERING PUBLIC HEARING UPON THE PROPOSED EASEMENT 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: ALL OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11), TOWNSHIP NINETY-SIX (96) NORTH, RANGE TWENTY-TWO (22) WEST OF THE 5TH P M WHICH LIES EAST OF COUNTY ROAD "B"; EXCEPT THE PROPERTY LOCATED IN THE AUDITOR'S PLAT OF SUNSET DRIVE ADDITION TO CERRO GORDO COUNTY, WHICH PLAT WAS DATED JULY 20, 1960, AND FILED FOR RECORD JULY 21, 1960, IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER IN BOOK 6 AT PAGE 418 (WHICH INCLUDES SUNSET DRIVE AS WELL AS THE NUMBERED LOTS IN SAID ADDITION); AND EXCEPT THE LOT DESCRIBED AS "BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11), TOWNSHIP NINETY-SIX (96) NORTH, RANGE TWENTY-TWO (22) WEST OF THE 5TH P M, WHICH POINT IS 261.6 FEET WEST OF THE NORTHEAST CORNER OF THE SAID SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) AND ON THE CENTER LINE OF COUNTY TRUNK ROAD 'B', THENCE EAST 363.3 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) AND THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION ELEVEN (11), THENCE SOUTH 22°30' E 264

FEET, THENCE WEST 359.4 FEET, PARALLEL TO THE NORTH LINE OF THE SAID SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) TO THE CENTER LINE OF COUNTY TRUNK ROAD 'B', THENCE NORTHWESTERLY ALONG THE CENTER LINE OF COUNTY TRUNK ROAD 'B' TO THE POINT OF BEGINNING" (WHICH IS THE LOT CONVEYED BY THE WARRANTY DEED WHEREIN GEORGE F. GERK, WIDOWER, WAS GRANTOR AND HERBERT L. GARLOCK AND DOROTHY O. GARLOCK, HUSBAND AND WIFE, WERE GRANTEES, SAID DEED BEING DATED OCTOBER 31, 1957, AND FILED FOR RECORD DECEMBER 18, 1957, IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER IN BOOK 115 AT PAGE 705); AND EXCEPT THE LOT DESCRIBED AS "COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11), TOWNSHIP NINETY-SIX (96) NORTH, RANGE TWENTY-TWO (22) WEST OF THE 5TH P M, THENCE WEST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION ELEVEN (11) 261.6 FEET TO THE CENTER LINE OF COUNTY TRUNK ROAD 'B'; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID COUNTY TRUNK ROAD 'B' 265.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG THE CENTER LINE OF SAID COUNTY TRUNK ROAD 'B' 132.0 FEET; THENCE EAST 359.4 FEET, PARALLEL TO SAID NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11), THENCE NORTH 17°27' W 132.0 FEET, THENCE WEST PARALLEL TO THE SAID NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11) 359.4 FEET TO THE POINT OF BEGINNING" (WHICH IS THE LOT CONVEYED BY THE WARRANTY DEED WHEREIN GEORGE F. GERK, A WIDOWER, WAS GRANTOR AND D. L. ROWSON AND KATHRYN H. ROWSON, HUSBAND AND WIFE, AS JOINT TENANTS, WERE GRANTEES, SAID DEED BEING DATED OCTOBER 27, 1958, AND FILED FOR RECORD NOVEMBER 14, 1958, IN THE OFFICE OF THE CERRO GORDO COUNTY RECORDER IN BOOK 117 AT PAGE 3). (the "Winter Garden Park"); and, WHEREAS, One Vision, an Iowa Nonprofit Corporation ("One Vision"), is the owner of the following described real estate, to-wit: THE NORTH HALF (N 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) SECTION ELVEN (11), TOWNSHIP NINETY-SIX (96) NORTH RANGE TWENTY-TWO (22) WEST OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA. (the "One Vision Real Estate"); and, WHEREAS, the County proposes to grant easements to One Vision:

1. Allowing One Vision to drain the One Vision Real Estate onto Winter Garden Park; 2. Allowing One Vision to enter onto and make improvements to Winter Garden Park consistent with the intentions and desires of the Cerro Gordo County Conservation Board at no expense to the County. WHEREAS, the grant of easements is following the recommendation of the Cerro Gordo County Conservation Board dated September 19, 2017. WHEREAS, Section 331.361(2) of the Iowa code requires Cerro Gordo County to set forth its proposal to convey interests in 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: The County is the owner of Winter Garden Park, as described in this Resolution. Section 2: The County desires to grant easements to One Vision across Winter Garden Park as set forth herein, subject to approval following public hearing as required by law. Section 3: A public hearing upon the proposal to grant to One Vision easements: A. Allowing One Vision to drain the One Vision Real Estate onto Winter Garden Park. 3. Allowing One Vision to enter onto and make improvements to Winter Garden Park consistent with the intentions and desires of the Cerro Gordo County Conservation Board at no expense to the County shall be held beginning at 10:20 a.m. on the 24th day of October, 2017, in the Board of Supervisors Office 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 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 10:20 a.m. on the 24th day of October, 2017, in the Board of Supervisors Office, Cerro Gordo County Courthouse, 220 North Washington, Mason City, Iowa, to consider a Resolution Proposing: 1. Granting easements in favor of One Vision across Winter Garden Park for drainage of the One Vision Real Estate onto Winter Garden Park located at 1220 N 16th Street W, Clear Lake, IA 50428. 2. Granting easements to enter onto and make improvements to Winter Garden Park consistent with the intentions and desires of the Cerro Gordo County Conservation Board as agreed upon and at the expense of One Vision. All parties in interest and citizens of Cerro Gordo County, Iowa, shall have an opportunity to present objections to the proposal to the grant of the easements at the public hearing. Motion passed.

Latham moved with Watts seconding, to adjourn at 10:12 a.m.

Various tabulations, reports, correspondence and other documents that were presented at today's meeting are placed on file with the supplemental minutes.

Vice Chairman Chris Watts
Board of Supervisors

Kenneth W. Kline, County Auditor
Cerro Gordo County