

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

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

Latham moved with Watts seconding, to **approve the minutes from the December 11, 2018 regular and special session and today's agenda.** Motion passed unanimously.

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

Watts moved with Latham seconding, to **approve the payroll register for the week ending December 8, 2018.** Motion passed unanimously.

Latham moved with Watts seconding, to **certify the costs of the Special City Election for the City of Swaledale in the amount of \$178.18.** Motion passed unanimously.

Latham moved with Watts seconding, to **accept the Post-Election Audit Report/Auditor Certification and file with the Board of Supervisors.** Motion passed unanimously.

Watts moved with Latham seconding, to **approve a fireworks permit for Gary & Sandra Paulsen.** Motion passed unanimously.

Chairman Callanan opened the public portion of the hearing on proposed Ordinance 21F – An Ordinance Establishing a Local Option Sales and Services Tax Applicable to Transactions within the Incorporated Areas of Mason City, Clear Lake, Dougherty, Meservey, Plymouth, Rock Falls, Rockwell, Swaledale, Thornton and Ventura of Cerro Gordo County and in the Unincorporated Area of Cerro Gordo County.

Watts moved with Latham seconding, to **close the public portion of the hearing on proposed Ordinance 21F – An Ordinance Establishing a Local Option Sales and Services Tax Applicable to Transactions within the Incorporated Areas of Mason City, Clear Lake, Dougherty, Meservey, Plymouth, Rock Falls, Rockwell, Swaledale, Thornton and Ventura of Cerro Gordo County and in the Unincorporated Area of Cerro Gordo County.** Motion passed unanimously.

Latham moved with Watts seconding, to **approve the first consideration and vote of proposed Ordinance 21F – An Ordinance Establishing a Local Option Sales and Services Tax Applicable to Transactions within the Incorporated Areas of Mason City, Clear Lake, Dougherty, Meservey, Plymouth, Rock Falls, Rockwell, Swaledale, Thornton and Ventura of Cerro Gordo County and in the Unincorporated Area of Cerro Gordo County.** Motion passed unanimously with a roll call vote. Ordinance 21F is available in the County Auditor's office or on the Cerro Gordo County website.

Latham moved with Watts seconding, to **waive second and third consideration of proposed Ordinance 21F – An Ordinance Establishing a Local Option Sales and Services Tax Applicable to Transactions within the Incorporated Areas of Mason City, Clear Lake, Dougherty, Meservey, Plymouth, Rock Falls, Rockwell, Swaledale, Thornton and Ventura of Cerro Gordo County and in the Unincorporated Area of Cerro Gordo County.** Motion passed unanimously with a roll call vote.

Watts moved with Latham seconding, to **approve reports from the Zoning Director and the Environmental Health Service Manager concerning Manure Management Plans filed by for Weaver Finishing Farm and forward them to the DNR.** Motion passed unanimously.

Latham moved with Watts seconding, to **authorize the chair to sign extension to Maintenance & Support Agreement #003481-000 with Morphotrak, LLC.** Motion passed unanimously.

Latham moved with Watts seconding, to **authorize the chair to sign amendment No 12 to Food Service Contract between Cerro Gordo County and CBM Managed Services.** Motion passed unanimously.

Callanan opened the public portion of the hearing to consider the proposal to sell real estate owned by Cerro Gordo County to Carole Ann Cornelius for \$8500 on Parcel 05-23-317-001-00.

Latham moved with Watts seconding, to **close the public portion of the hearing to consider the proposal to sell real estate owned by Cerro Gordo County to Carole Ann Cornelius for \$8500 on Parcel 05-23-317-001-00.** Motion passed unanimously.

Watts moved with Latham seconding, to **adopt Resolution 2018-98, RESOLUTION APPROVING THE SALE OF: LOT ELEVEN (11) IN BLOCK THREE (3) IN CRANE & HILL'S FIRST ADDITION TO OAKWOOD PARK, CERRO GORDO COUNTY, IOWA.** To Carole Ann Cornelius for the purchase price of \$8,500.00. WHEREAS, Cerro Gordo County, Iowa, is the owner of the following described real estate, to-wit: LOT ELEVEN (11) IN BLOCK THREE (3) IN CRANE & HILL'S FIRST ADDITION TO OAKWOOD PARK, CERRO GORDO COUNTY, IOWA. (the "Real Estate"); and, WHEREAS, the Board of Supervisors of Cerro Gordo County, Iowa, adopted Resolution 2018-96, Inviting Proposals for the Sale of Real Property and Setting the Date for Public Hearing; and, WHEREAS, public hearing was held upon the proposal at 10:10 A.M. on the 18th day of December, 2018, following publication of notice of hearing as required by law; and, WHEREAS, the Board of Supervisors intends to accept a valid Proposal to Purchase the Real Estate subject to approval of the sale by the Board of Supervisors following public hearing as required by law. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa: 1. The offer of Carole Ann Cornelius, ("Buyer") to purchase the Real Estate for \$8,500.00 is hereby accepted by the Board of Supervisors of Cerro Gordo County, Iowa subject to the execution of the Offer to Buy Real Estate and Acceptance. 2. The Chairperson of the Board of Supervisors and the Cerro Gordo County Auditor shall be and they are hereby authorized and directed to execute a Quit Claim Deed to convey said Real Estate to Buyer upon receipt of the purchase price plus any related expenses, and to execute any and all other documents to facilitate the conveyance of said Real Estate. 3. The Quit Claim Deed shall be delivered to Buyer at closing in the office of the Board of Supervisors immediately after the expiration of thirty (30) days from date of this resolution unless an appeal of this action has been made to the Iowa District Court. 4. The County shall record the Resolution Setting Forth the Proposal to Sell Real Estate; the Proof of Publication of Notice of Hearing; the Resolution Approving the Sale; and the Quit Claim Deed immediately following closing. The cost of recording shall be paid in advance by Buyer. The recorded Resolutions and Proof of Publication shall be retained by County following recording with its official records. The recorded Quit Claim Deed shall be delivered to Buyer. Motion passed unanimously.

Callanan opened the public portion of the hearing to consider the change of zone for Miller.

Latham moved with Watts seconding, to **close the public portion of the hearing to consider the change of zone for Miller.** Motion passed unanimously.

Latham moved with Watts seconding, to **adopt Resolution 2018-99, AMENDMENT NO. 38 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 Lyle Miller, 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 East 540.00 feet of the South 360.00 feet of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼)**

of Section Thirty-five (35), Township Ninety-four (94) North, Range Twenty-two (22) West of the Fifth Principal Meridian, Cerro Gordo County, Iowa. Said Parcel A contains 4.46 acres more or less including 0.66 acres of county road easement across the South and East 33 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.

Callanan opened the public portion of the hearing on petition to vacate for Pappajohn & Kortsha.

Watts moved with Latham seconding, to **close the public portion of the hearing on petition to vacate for Pappajohn & Kortsha.** Motion passed unanimously.

Latham moved with Watts seconding, to **adopt Resolution 2018-100, WHEREAS, the Board of Supervisors of the County of Cerro Gordo did receive a request to vacate and convey the real estate described in Section 1 & 2 herein, and; WHEREAS, the Board of Supervisors did, upon published notice, hold a public hearing on the 18th day of December, 2018, on a proposal to vacate and convey to the abutting property owners the real estate described in Section 1 & 2 herein, being a public access, and; WHEREAS, the Board of Supervisors do approve the vacation and conveyance of said real estate; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa; Section 1: Parcel 'A' located in S.J. Clausen and R.S. Young's Replat of Lots Fifteen (15) and Sixteen (16) in Block "D" in S.J. Clausen's Replat of Government Lots One (1), Two(2) and Three (3), in Section Twenty-eight (28), Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., all of Block "A" in R.S. Young's Replat of a Portion of Government Lot One (1) and Lots Seven (7) and Eight (8) in the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) of Section Twenty-eight (28), Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., and Lot Twelve (12) in R.S. Young's Subdivision of the West One-third (W1/3) of Government Lot One (1) in Section Twenty-one (21), Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M.; in Cerro Gordo County, Iowa, described and depicted on Plat of Survey dated November 6, 2018 and filed November 8, 2018 as Document No. 2018-6713 is hereby vacated and conveyed to: Aristotle G. Pappajohn as Trustee of the Aristotle G. Pappajohn Revocable Trust. Section 2: Parcel 'B' located in S.J. Clausen and R.S. Young's Replat and R.S. Young's Replat of Lots Fifteen (15) and Sixteen (16) in Block "D" in S.J. Clausen's Replat of Government Lots One (1), Two(2) and Three (3), in Section Twenty-eight (28), Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., all of Block "A" in R.S. Young's Replat of a Portion of Government Lot One (1) and Lots Seven (7) and Eight (8) in the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) of Section Twenty-eight (28), Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., and Lot Twelve (12) in R.S. Young's Subdivision of the West One-third (W1/3) of Government Lot One (1) in Section Twenty-one (21), Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., Cerro Gordo County, Iowa, described and depicted on Plat of Survey dated November 6, 2018 and filed November 8, 2018 as Document No. 2018-6713 is hereby vacated and conveyed to: Jodi G. Carman Kortsha. Section 3: That a certified copy of this resolution, as recorded, shall be provided to Aristotle G. Pappajohn as Trustee of the Aristotle G. Pappajohn Revocable Trust and Jodi G. Carman Kortsha to serve as the deed of conveyance as allowed in Chapter 354.23, Code of Iowa. Section 4: That all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed. Section 5: If any section, provision, or part of this resolution shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section thereof, or part thereof, not adjudged invalid or unconstitutional. Section 6: This resolution shall be in full force and effect from and after its passage. Motion passed unanimously.**

Latham moved with Watts seconding, to adjourn at 10:22 a.m.

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

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*Chairman Casey M. Callanan  
Board of Supervisors*

ATTEST:

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*Becky Kirchgatter, Deputy County Auditor  
Cerro Gordo County*