

The Iowa County Board of Supervisors met May 11, 2018. Garringer called the meeting to order at 9:01 a.m. Garringer, Heitshusen, Gahring, Huedepohl and Pope were present.

Motion by Pope, seconded by Gahring to **approve the agenda**. All aye, motion carried.

Motion by Gahring, seconded by Heitshusen to **approve the minutes** from May 4, 2018. All aye, motion carried.

Chair Note: Board approved claims paid with warrant numbers 59795 – 59935. Board received manure management plans from Hocker-Axmear Finisher #68543 and F. Elizabeth Miller #62331.

Motion by Pope, seconded by Gahring to **approve the five-day liquor license for Amana Society, Inc DBA Renaissance Fest**, located at 811 27th Avenue, IA 52203. All aye, motion carried.

Motion by Gahring, seconded by Heitshusen to **appoint Donna Heitman as Sumner Township Trustee to replace Randy Heitman who resigned**. All aye, motion carried.

Motion by Gahring, seconded by Heitshusen to **appoint Donna Meier to the Marengo Board of Adjustment**. All aye, motion carried.

Motion by Gahring, seconded by Pope to **approve and sign the Watershed Resilience Grant 13-NDRI-006 draw request #12** for \$41,483.00. All aye, motion carried.

Nick Amelon, County Engineer met with the board to update the board on construction, road maintenance, office miscellaneous & projects.

Motion by Gahring, seconded by Pope to approve the following:

**Resolution No. 2018-5-11
Proposed Vacation of Right of Way and Disposition of Real Estate**

Whereas, the Iowa County, Iowa has received a request to vacate a right of way and dispose of that right of way to the proprietor of an adjacent parcel to such right of way.

Whereas, Iowa County, Iowa proposes to vacate the right of way and to dispose of the real property described as follows:

A portion of the Northeast One-Quarter of the Northeast One-Quarter Section 36, Township 78 North, Range 11 West of the 5th Principal Meridian, Iowa County, Iowa, more particularly describes as follows:

Commencing at the Northeast corner of Section 36, Township 78 North, Range 11 West of the 5th Principal Meridian, Iowa County, Iowa; Thence S 01° 14' 29" E, along the Easterly line of the Northeast One-Quarter of said Section 36, a distance of 693.93 feet; thence S 87° 57' 17" W, 127.01 feet to a point on the Westerly right-of-way line Iowa State Highway No. 149 (also known as M Avenue) and the point of beginning; thence continuing S 87°57' 17" W, 612.01 feet; Thence N 73°07'46" E, 88.16 feet; thence

N 81° 49'05" E, 277.35 feet; thence N 79°21'23" E, 92.34 feet; thence N 87°58'47" E, 160.73 feet to its intersection with said Westerly right-of-way line; thence S 01°09'40" E, along said Westerly right-of-way line, 65.95 feet to the point of beginning, containing 0.625 acres (27,238 square feet) and is subject to easements and restrictions of record.

which property is located at 2192 332nd Street, North English, Iowa, North English, Iowa (the "Vacated Parcel"). Iowa County further proposes to convey the Vacated Parcel to DG Partners, LLC, the proprietor of the adjoining parcel on the basis that the Vacated Parcel will be conveyed "AS IS" subject to all encumbrances and defects of record.

Whereas, the Board of Supervisors desires to (i) set a time and place for a public hearing on the proposed vacation and disposition of the Vacated Parcel and (ii) direct that notice of such hearing be given in accordance with the requirements of Iowa Code Sections 354.23, 306.12 and 306.23. The Board of Supervisors notes that the only adjoining property owner is DG Partners, LLC who will waive the appraisal requirement of Iowa Code Section 306.23. The Board of Supervisors further notes the property was originally conveyed as right or way by Harley M Carter and Arlene H. Carter, husband and wife who are both deceased.

Now, Therefore, Be It Resolved by the Board of Supervisors of Iowa County Iowa that the vacation and disposition of the Vacated Property described above be considered by the County and that a public hearing on the proposed vacation and disposition will be held on the 1st day of June, 2018 at 9:30 o'clock a.m. at East Courthouse Annex which is located at 970 Court Avenue, Marengo, Iowa.

Be It Further Resolved, that the County Auditor is hereby directed to give notice of this Resolution and the hearing as required by law.

All aye, motion carried.

Rob Rotter, Sheriff, met with the board to discuss the CBM food service contract.

Motion by Gahring, seconded by Pope to **approve the final extension of the food service contract with CBM Managed Services until May 13, 2019.** All aye, motion carried.

Lou McMeen, Assistant County Attorney met with the board regarding LL Avenue.

Motion by Pope, seconded by Gahring to **go into closed session** at 10:27 a.m. under Iowa Code section 21.5 (1)(c) to discuss strategy with legal counsel on current litigation.

Roll call to go into closed session was as follows:

<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
X			Heitshusen
X			Gahring
X			Pope
X			Huedepohl
X			Garringer
			5-11-18

All aye, motion carried.

Those present for the closed session were Supervisors Garringer, Heitshusen, Gahring, Pope and Huedepohl. Also, present for the closed session was Auditor Jessica Stohlmann, Assistant County Attorney Lou McMeen, County Sheriff Rob Rotter, and County Engineer Nick Amelon.

There was no action taken during the closed session.

Motion by Gahring, seconded by Pope to go out of closed session at 10:58 a.m. All aye, motion carried.

No action was taken regarding LL Avenue.

Scot Wetjen, Building Maintenance, met with the board to discuss bids he received for lawn mowers.

Motion by Gahring, seconded by Pope to **approve the mower bid from Sinclair Tractor to purchase a Z355R mower with a 48” deck and a two-year warranty for \$2,999.** All aye, motion carried.

No action taken regarding the appointment of Condemnation Compensation Commission.

Motion by Heitshusen, seconded by Gahring to **adjourn** at 11:11 a.m. All aye, motion carried.

Ray Garringer, Chairman

Jessica Stohlmann, Auditor

*****Minutes are unofficial until approved at next Board Meeting.*****