

PUBLIC NOTICE

Board of Supervisors

OFFICIAL PROCEEDINGS FRANKLIN COUNTY BOARD OF SUPERVISORS UNAPPROVED MINUTES JANUARY 2, 2020

The Board of Supervisors met in regular session at 8:30 a.m., with Board members Mike Nolte-Chairman, Gary McVicker and Corey Eberling present.

Chairman Nolte led the Pledge of Allegiance.

Motion by Eberling, seconded by McVicker, approves the Agenda. All ayes. Motion carried.

Motion by McVicker, seconded by Eberling, approves the Minutes of Dec. 30, 2019. All ayes. Motion carried.

The Board reviewed budgets with the following departments: Ned Parker, Conservation/Land Acquisition Trust/REAP; Michelle Giddings, Auditor; DHS; Dan Tilkes, Sanitarian - Weed Commissioner; Brent Symens, County Attorney; Ryan Peterson, General Services; Chad Murray, Treasurer; and Jay Waddingham, Secondary Road, Disposal Grounds, Safety

Motion by Eberling, seconded by McVicker, adopts Resolution 2020-01: Construction Evaluation

Resolution reads as follows:

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a Board of Supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the Board of Supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of Supervisors between Feb. 1, 2020 and Jan. 31, 2021 and submit an adopted recommendation regarding that application to

the DNR; and

WHEREAS, the Board of Supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3) on this Jan. 2, 2012.

Eberling-Aye, McVicker-Aye, Nolte-Aye. Resolution duly adopted.

Motion by McVicker, seconded by Nolte, motions to adopt Resolution 2020-02: Setting time and date for Public Hearing on the sale of Franklin County property, being the fair ground property.

Discussion was held and a concern was expressed by Eberling that the Board honor what was originally presumed to be set up as the Historical Society owning their building through a long term lease and deed and the Fair Association owning their ground on previous leases and deeds. Since there was no true clarification of ownership in the past recorded documents it was requested that the Board divide out the land and deed each entity what was presumed to be theirs.

After discussion, the Board proceeded with the said motion to adopt Resolution 2020-02. Said Resolution reads as follows:

To fix a date and time for a Public Hearing to receive comments on the sale of Franklin County Real Property aka Franklin County Fair Ground Property

WHEREAS, Franklin County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, sets Feb. 3, 2020 at 10 a.m. as the date and time for a Public Hearing to transfer Franklin County property;

WHEREAS, at which time the Board will receive all written and oral comments to the transfer and ownership of property;

WHEREAS, For the consideration of One Dollar and other valuable consideration, Franklin County, Iowa, a corporation, would Quit Claim to Franklin County Agriculture and Fair Association, all their right, title, interest, estate, claim and demand in the following described real estate in Franklin County, Iowa:

Parcel 2019-07 in the Southwest Quar-

ter of the Northwest Quarter (SW ¼ ¼) of Section Thirty-three (33), Township Ninety-two (92) North, Range Twenty (20) West of the 5th P.M., described in the Plat of Survey filed September 23, 2019 as Document No. 20191458 in the office of the Franklin County, Iowa, Recorder. Grantor retains a right of access, egress, and utility easement over, under, and across that part of the West 22 acres of the SW1/4 NW1/4 of Sec. 33, Twp. 92 North, Rge. 20 West of the 5th P.M., more particularly described as follows: Commencing at the West quarter corner of said Sec. 33; thence N 00 degrees 24'46" E (assumed bearing) along the West line of said SW1/4 NW1/4 a distance of 195.02 feet to the point of beginning line of Parcel 2019-07; thence N 89 degrees 35'52" E along said South line 289.00 ft; thence S 00 degrees 24'08" E 14.00 ft; thence N 89 degrees 35'52" E along said South line 90.00 ft.; thence N 00 degrees 24'08" W 14.00 ft.; thence N 89 degrees 35'52" E along said South line 347.65 ft. to the East line of the West 22 acres of the SW1/4 NW1/4; thence N 00 degrees 06'09" W along said East line of W 22 acres 982.16 ft; thence S 89 degrees 53'51" W 20.00 ft.; thence S 00 degrees 06'09" E 485.00 ft.; thence S 03 degrees 10'52" 296.29 ft.; thence S 12 degrees 6'18" W 174.92 ft.; thence S 89 degrees 35'52" W 651.41 ft. to said West line of SW1/4 NW1/4; thence S 00 degrees 24'46" W along said West line 31.00 ft. to point of beginning.

Subject to Restrictions and Easements of Record.

NOW THEREFORE, IT IS RESOLVED by the Board of Supervisors of Franklin County, Iowa, that said Public Hearing will be held according to the laws applicable to the County and transfer of real property from a governmental entity through a Quit Claim Deed which is exempt from D.O.V. pursuant to Iowa Code Section 428A.2(6) shall be performed.

BE IT DULY ADOPTED this 2nd day of January, 2020, with the vote thereon being as follows:

Eberling-Nay, McVicker-Aye, Nolte-Aye. Resolution duly adopted.

Motion by McVicker, seconded by Nolte, adjourns at 4:19 p.m., until Jan. 3, 2020. All ayes. Motion carried.

ATTEST:

Michael Nolte, Chairman

Michelle S. Giddings, Auditor