

The Iowa County Board of Supervisors met on March 17, 2023. Heitshusen, Chairman called the meeting to order at 9:00 a.m. Degen, Heitshusen, Maas, Montross and Schumacher were present.

Motion by Montross, seconded by Degen to **approve the agenda**. All aye, motion carried.

Motion by Degen, seconded by Montross to **approve minutes** from March 10, 14 and 15, 2023. All aye, motion carried.

**Chair Note:** The board approved handwritten warrants paid with warrants numbers 21797, 21798, 21966, 21967 – 21970 and payroll paid with 21799 - 21965. The Board received a Manure Management Plan from F. Elizabeth Miller, Facility # 62331, and Meyer 2 Facility # 64561.

Nick Amelon, Iowa County Engineer, met with board to present his department's weekly update.

Motion by Maas, seconded by Montross to **open the Public Hearing** for F67 Road Vacation at 9:15 a.m. All aye, motion carried.

Motion by Degen, seconded by Maas to **close the Public Hearing** for F67 Road Vacation at 9:17 a.m. All aye, motion carried.

Motion by Maas, seconded by Schumacher to **pass, approve, and authorize board to sign** Resolution to vacate F67 as follows:

**RESOLUTION 2023-03-17**

**Approving Vacation of Unused Right-of-Way and Disposition of Real Estate**

**Whereas**, Iowa County, Iowa proposed to vacate unused right-of-way described as follows:

A portion of unused right-of-way along 325<sup>th</sup> St (F67), located in Section 29 of Greene Township, Township 78 North, Range 9 West of the 5<sup>th</sup> Principal Meridian, Iowa County, Iowa, more particularly describes as follows:

BEING A PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, A PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 ALL OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 9 WEST OF THE 5TH P.M., IOWA COUNTY, IOWA AND IS DESCRIBED AS.

COMMENCING AT THE CENTER OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 9 WEST; THENCE N 87°58'19" E ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 33.03 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE FOR TT AVENUE (F67), BEING THE POINT OF BEGINNING; THENCE S 00°11'22" W ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 33.02 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE FOR 325TH STREET (F67); THENCE S 87°58'19" W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 33.02 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE S 87°46'36" W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 692.75 FEET; THENCE NORTHEASTERLY 1082.07 FEET ALONG THE ARC OF A 1245.91

FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, WHOSE 1048.38 FOOT CHORD BEARS N 44°01'14" E TO A POINT ON SAID EAST RIGHT OF WAY LINE FOR TT AVENUE (F67); THENCE S 00°15'52" W ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 692.81 FEET TO THE POINT OF BEGINNING CONTAINING 4.16 ACRES AT THE TIME OF SURVEY. AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD

**Whereas**, the Board of Supervisors (i) set a time and place for a public hearing on the proposed vacation of the above-described property and (ii) directed that notice of such hearing be given in accordance with the requirements of Iowa Code Sections 354.23, 306.12 and 306.23

**Whereas**, notice of the proposed vacation and the time and place for the public hearing was given as required by law by letters and shown by the map attached hereto as Exhibit "A". and the Proof of Publication attached hereto as Exhibit "B".

**Whereas**, a public hearing on the proposed vacation of the above-described property was held as scheduled on the 17th day of March, 2023 at 9:15 o'clock a.m. in the East Annex Building located in Marengo, Iowa, at which hearing a quorum of the Board of Supervisors was present.

**Whereas**, after providing time for comment on the proposed vacation by all who indicated a desire to comment, the public hearing was closed.

**Whereas**, upon consideration of the comments made in the public hearing and upon determination that the Board of Supervisors finds that the above described parcel is of no benefit to the public.

**Now, Therefore, Be It Resolved** by the Board of Supervisors of Iowa County, Iowa that the vacation of the right of way described as:

A portion of unused right-of-way along 325<sup>th</sup> St (F67), located in Section 29 of Greene Township, Township 78 North, Range 9 West of the 5<sup>th</sup> Principal Meridian, Iowa County, Iowa, more particularly describes as follows:

BEING A PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, A PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 ALL OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 9 WEST OF THE 5TH P.M., IOWA COUNTY, IOWA AND IS DESCRIBED AS.

COMMENCING AT THE CENTER OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 9 WEST; THENCE N 87°58'19" E ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 33.03 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE FOR TT AVENUE (F67), BEING THE POINT OF BEGINNING; THENCE S 00°11'22" W ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 33.02 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE FOR 325TH STREET (F67); THENCE S 87°58'19" W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 33.02 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE S 87°46'36" W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 692.75 FEET; THENCE NORTHEASTERLY 1082.07 FEET ALONG THE ARC OF A 1245.91 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, WHOSE 1048.38 FOOT CHORD BEARS N 44°01'14" E TO A POINT ON SAID EAST RIGHT OF WAY LINE FOR TT AVENUE (F67); THENCE S 00°15'52" W ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 692.81 FEET TO THE POINT OF BEGINNING CONTAINING 4.16

ACRES AT THE TIME OF SURVEY. AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

All aye, motion carried.

Motion by Maas, seconded by Schumacher to **pass and approve Resolution No. 2023-03-17 A** as follows:

**RESOLUTION #2023-3-17A**

**Bridge Embargo**

WHEREAS; the Board of Supervisors is empowered under authority of Code of Iowa

Sections 321.236 Sub.(8), 321.255 and 321.471 to 321.473 to prohibit operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdictions, and

WHEREAS; the Iowa County Engineer has caused to be completed the Structure Inventory and Appraisal of certain Iowa County bridges in accordance with the National Bridge Inspection Standards, and it has determined that they are inadequate for two-lane legal loads at allowable operating stress.

WHEREAS; the Iowa County Supervisors approved a list of bridges with vehicle and load limits and said list needs to be revised due to recent inspections or bridge replacements.

THEREFORE, BE IT RESOLVED by the Iowa County Board of Supervisors to approve the following vehicle and load limit changes, and that signs be erected advising of the permissible maximum weights or closures thereof:

- Bridge ID# 188861; D-5036; Post at 28 Tons All Vehicles. (Keep One Lane)
- Bridge ID# 188290; E-5005; Post at 28 Tons All Vehicles.
- Bridge ID#: 190261; I-1042; Post at 28 Tons All Vehicles.
- Bridge ID#: 191040; LE-1012; Post at 28 Tons All Vehicles.
- Bridge ID#: 189381; T-1022; Post at 28 Tons All Vehicles.
- Bridge ID#: 189451; T-5054; Post at 28 Tons All Vehicles. (Keep One Lane)
- Bridge ID#: 189100; Y-4045; Post at 28 Tons All Vehicles. (Keep One Lane)
- Bridge ID#: 189260; Y-4054; Post at 28 Tons All Vehicles.

All aye, motion carried.

Motion by Degen, seconded by Montross to **approve and authorize chairman to sign** agreement from DOT for Traffic Safety Improvement Program Funding. All aye, motion carried.

Adam Rabe, Iowa County Ambulance Director, met with the Board to present EMA and Safety Monthly reports.

Motion by seconded by to **approve the sale of 2013 Chevrolet LifeLine Ambulance** to the City of Ottumwa, Iowa for \$12,500.00, pending approval by City of Ottumwa. All aye, motion carried.

Recess at 10:10 a.m.

Chairman called meeting back to order at 10:13 a.m.

No action taken regarding the tree removal bids for Courthouse Campus. The tree will remain.

Motion by Schumacher, seconded by Maas to **approve liquor licenses** for Positive Friday investments, dba; Millstream Brewing Company and Hops and Hotrods, LLC. All aye, motion carried.

Motion by Maas, seconded by Schumacher to **approve Quarterly Transfer from Rural Basic to Secondary Roads** of \$328,750.00. All aye, motion carried.

Motion by Maas, seconded by Montross to **approve and authorize chairman to sign** FY 23-24 ICAP Member Proxy Renewal. All aye, motion carried.

Motion by Schumacher, seconded by Montross to **approve and authorize chairman to sign Purchase Agreement, Extended Warranty, Maintenance Agreement and Software & License Agreement with Adkins & Son, Inc.** All aye, motion carried.

Motion by Schumacher, seconded by Maas to **approve to go public with broadcasting and recording** of Iowa County Board meetings, effective March 24, 2023, and when technologically possible. All aye, motion carried.

Motion by Schumacher, seconded by Montross to **approve Letter of Support for Safe Haven.** All aye, motion carried.

Motion by Schumacher, seconded by Montross to **approve and authorize chairman to sign The Depository Trust Company Blanket issuer Letter of Representation.** All aye, motion carried.

Motion by Maas, seconded by Degen to **approve the Health Department building construction project.** All aye, motion carried.

Motion by Schumacher, seconded by Montross to **adjourn** at 10:30 a.m. All aye, motion carried.

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Kevin Heitshusen, Chairman

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Brandy Enochson, Auditor

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