

The Adams County Board of Supervisors met on Monday, November 15, 2021 at 9:00 am with the following members present: Bobbi Maynes, Leland Shipley, Doug Birt, Scott Akin, and Merlin Dixon. The meeting was called to order by Chairperson Maynes and the Pledge of Allegiance was recited. Akin moved, seconded by Birt to approve today's agenda along with the minutes from November 9, 2021. All supervisors voted aye. Motion carried.

Engineer Travis Malone updated the board on the Secondary Roads Department. Malone has sent a list to the DOT for five railroad bridges that need repairs. He stated that the smaller counties in the state along the BNSF line are having issues with the Railroad not fixing them. These bridges are functionally obsolete. The crew has gotten sanders on the truck, but still hoping for no snow. The payload is back in working order. They are checking sign reflectivity at night this week.

Conservation Director Travis Paul presented the Annual Report for the Conservation Board. Shipley moved, seconded by Dixon to approve the Conservation Annual Report. All supervisors voted aye. Motion carried.

The Board of Supervisors, under the authority of the 2021 Code of Iowa, formed a canvassing board to check the 2nd Tier Canvass of the City/School held on November 2, 2021. The findings, thereof, are recorded at length in Election Book #8 in the Adams County Auditor's Office as required by Section 50.27 of the 2021 Code of Iowa. No obvious clerical errors were identified during the canvass and there were no special ballots that were rejected and not counted. The votes from Adams and Taylor counties were combined to tally the final results for the Corning Community School District:

Howard W. Anderson, Staci Venteicher, and James Houck were elected to the Corning Community School District Board of Directors for four-year terms each.

Akin moved, seconded by Dixon to approve Resolution 2021-26 Easement over Right of Way on 183rd St.

RESOLUTION 2021-26

RESOLUTION TO GRANT EASEMENT FOR INGRESS AND EGRESS AND RIGHT OF FIRST REFUSAL OF COUNTY OWNED ROAD RIGHT OF WAY

WHEREAS, the Board of Supervisors of Adams County, Iowa, desires to grant an Easement for Ingress and Egress over certain real property identified as a road right-of-way for 183rd Street, Adams County, Iowa, to an adjoining land-owner, as well as a right of first refusal for conveyance over certain real property identified as a road right-of-way for 183rd Street, Adams County, Iowa to an adjoining land-owner should such road become vacated, said real property described as follows, to-wit:

A parcel of land located in the Northwest Quarter of the Northeast Quarter (NW¹/₄ NE¹/₄) of Section 16, Township 72 North, Range 34 West of the 5th P.M., Adams County, Iowa, according to the Recorded Plat of Property filed in Book 32, Page 607 and Book 50 AND Book 50, Page 421, in the Office of the Adams County Recorder

WHEREAS, Iowa Code Section 331.361 (2), Code of Iowa, mandates that a County's disposal of an interest in real property, such as a grant of an easement, requires that the County shall set forth its proposal in a resolution and shall publish notice as provided in Iowa Code Section 331.305, for the resolution and of a date, time and place of a public hearing on the proposed sale.

WHEREAS, after the public hearing the Board of Supervisors may make a final determination on the proposal by approving and passing this resolution.

WHEREAS, the County Board of Supervisor on November 15, 2021, considered the disposal of an interest in the above mentioned property, by granting an Easement for Ingress and Egress over the above described real property identified as a road right-of-way for 183rd Street, Adams County, Iowa, to an adjoining land-owner, as well as a right of first refusal for conveyance over the above described real property identified as a road right-of-way for 183rd Street, Adams County, Iowa, to an adjoining land-owner should such road become vacated, after public hearing and acceptance of ONE Dollars (\$1.00) and other valuable consideration paid in full.

WHEREAS, that a PUBLIC HEARING on the granting of an Easement for Ingress and Egress over the above-described real property identified as a road right-of-way for 183rd Street, Adams County, Iowa, to an adjoining land-owner, as well as a right of first refusal for conveyance over the above-described real property identified as a road right-of-way for 183rd Street, Adams County, Iowa, to an adjoining land-owner should such road become vacated, more particularly described as follows, to-wit:

A parcel of land located in the Northwest Quarter of the Northeast Quarter (NW¹/₄ NE¹/₄) of Section 16, Township 72 North, Range 34 West of the 5th P.M., Adams County, Iowa, according to the Recorded Plat of Property filed in Book 32, Page 607 and Book 50 AND

having been set forth and held at 9:30 A.M. on Monday, the 15th day of November, 2021, at Adams County Courthouse, Board of Supervisors Chambers, 600 Ninth Street, Corning, Iowa, to consider grant of an Easement for Ingress and Egress over the above described real property identified as a road right-of-way for 183rd Street, Adams County, Iowa, to an adjoining land-owner, as well as a right of first refusal for conveyance over the above described real property identified as a road right-of-way for 183rd Street, Adams County, Iowa, to an adjoining land-owner should such road become vacated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ADAMS COUNTY, IOWA, HEREBY APPROVES the Grant of a nonexclusive easement for ingress and egress over and across real estate, more particularly described as follows, to-wit:

A parcel of land located in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 72 North, Range 34 West of the 5th P.M., Adams County, Iowa, according to the Recorded Plat of Property filed in Book 32, Page 607 and Book 50 AND Book 50, Page 421, in the Office of the Adams County Recorder

and for the benefit of the record title holder of the adjoining real estate, more particularly described as follows, to-wit:

Parcel "A" in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 72 North, Range 34 West of the 5th P.M., Adams County, Iowa, according to the recorded Plat of Survey filed at Book 2021, Page 727, in the Office of the Adams County Recorder.

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF ADAMS COUNTY, IOWA, HEREBY APPROVES the Grant of a Right of First Refusal over real estate, more particularly described as follows, to-wit:

A parcel of land located in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 72 North, Range 34 West of the 5th P .M., Adams County, Iowa, according to the Recorded Plat of Property filed in Book 32, Page 607 and Book 50 AND Book 50, Page 421, in the Office of the Adams County Recorder

so that in the event that 183rd Street should ever be vacated by the County, then the then record title holder of the adjoining real estate, more particularly described as follows, to-wit:

Parcel "A" in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 72 North, Range 34 West of the 5th P .M., Adams County, Iowa, according to the recorded Plat of Survey filed at Book 2021, Page 727, in the Office of the Adams County Recorder.

shall be given first right to obtain title to the above-described Real Estate owned by Adams County, Iowa.

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF ADAMS COUNTY, IOWA, HEREBY APPROVES that the foregoing Grants are binding on the County, its grantees, successors and assigns.

BE IT FURTHER RESOLVED, BOARD OF SUPERVISORS OF ADAMS COUNTY, IOWA, HEREBY APPOINTS its Board Chair, and County Auditor for and on behalf of the County execute all necessary instruments to affect this resolution.

Roll call: Birt-Aye, Dixon-Aye, Akin-Aye, Shipley-Aye, Maynes-Aye. Motion carried. Passed and approved this 15th day of November, 2021. The original and full resolution is located in the Auditor's Office.

City Attorney Matthew Hanson discussed with the board the City of Corning annexation property. Any concerns were to be shared during this meeting and the board shared none. They still have time to share any written concerns, but no other action was taken.

Department Head Reports: EMA – Bill Lyddon addressed a state concern with not having an agreement in place with a company for Hazmat clean up. He's reached out to Environmental Solutions Inc. to have an MOU to comply. Recorder – Iowa Dept of Revenue is implementing a new system for the Recorders transfer taxes and boat fees.

Committee and Meeting reports were presented as follows: Dixon – ATURA, Nov. 9, Greenfield; and Shipley – Adams Community Foundation, Nov 10, Corning.

Akin moved, seconded by Dixon to adjourn the meeting at 10:45 am. All supervisors voted aye.
Motion carried.

ATTEST: Bobbi Maynes, Chairperson, Adams County Board of Supervisors
Rebecca Bissell, Adams County Auditor