

HARDIN COUNTY BOARD OF SUPERVISORS  
MINUTES – FEBRUARY 7, 2018  
WEDNESDAY – 10:00 A.M.

Chair BJ Hoffman called the meeting to order. Also present were Supervisors René McClellan and Lance Granzow; and Justin Ites, Rob Maharry, Micah Cutler, Jessica Sheridan, Megan Dohrman, Nathan Mead, Dave McDaniel, Cindy Litwiller, Dustin Ingram, Taylor Roll, Machel Eichmeier, Lori Kadner, Jessica Lara, Julie Duhn, Donna Juber, Robert Juber, and Jessica Lara.

The Pledge of Allegiance was recited.

McClellan moved, Granzow seconded to approve the agenda as posted. Motion carried.

Granzow moved, McClellan seconded to approve the minutes of January 24, 2018. Motion carried.

McClellan moved, Granzow seconded to approve the minutes of January 30, 2018. Motion carried.

McClellan moved, Granzow seconded to approve the claims for payment. Motion carried.

Granzow moved, McClellan seconded to approve the Auditor's monthly report for January 2018. Motion carried.

McClellan moved, Granzow seconded to approve the job title change for Megan Dohrman from Roadside Vegetation Manager to Roadside Vegetation Manager Biologist, effective February 7, 2018. Motion carried.

McClellan moved, Granzow seconded to approve the resignation of Mary Graffunder, Assistant Jail Administrator, Sheriff's Office, effective February 16, 2018. Motion carried.

McClellan moved, Granzow seconded to approve the resignation of Michael Bennett, part-time correctional officer, Sheriff's Office, effective January 24, 2018. Motion carried.

Granzow moved that the following Resolution No. 2018-08, Authorization to Execute and Deliver Quit Claim Deeds – Road Vacation – 170<sup>th</sup> Street and Hwy S56 be adopted.

RESOLUTION NO. 2018-08

**BE IT RESOLVED** by the Hardin County Board of Supervisors that pursuant to action dated 01/10/2018, a hearing was held on that date at the Courthouse in Eldora, Iowa on the proposed vacation of that portion of 170<sup>th</sup> St. and S56 original with modification in the Southwest One-quarter (SW ¼) Section 3 Clay Township and the Northwest One-quarter (NW ¼) of Section 10 in Clay Township originally established on the 7<sup>th</sup> of July, 1856 more particularly described as:

DESCRIPTION OF PARCEL-C

Commencing at the South One-quarter Corner of Section Three (3), Township Eighty-eight (88) North, Range Nineteen (19) West of the 5<sup>th</sup> P.M., Hardin County, Iowa; thence N00°27'00"W 776.80 feet along the east line of the SW1/4 of said Section 3; thence S38°25'10"W 150.05 feet to the Point of Beginning; thence continuing S38°25'10"W 337.95 feet along the southeasterly line of the right-of-way as described by recorder's document Yr.2000 No.1361; thence S51°02'10"W 111.00 feet along the southeasterly line of said right-of-way to the southwest line of Parcel-B as described by recorder's document Yr.2008 No.2119; thence N43°37'08"W 105.60 feet along the southwest line of said Parcel-B to the westerly line of said right-of-way; thence N53°57'48"E 119.58 feet along the westerly line of said right-of-way; thence N33°43'19"E 199.20 feet along the westerly line of said right-of-way; thence N02°10'30"W 654.80 feet along the westerly line of said right-of-way to the

south line of right-of-way as described by recorder's document Yr.2006 No.4454 and beginning of a non-tangent curve; thence easterly 102.02 feet along a curve concave southeasterly and the south right-of-way line as described by recorder's document Yr.2006 No.4454 having a radius of 170.00 feet through a central angle of 34°23'07" with a chord N73°11'11"E 100.49 feet; thence N89°33'40"E 81.95 feet along the south line of the right-of-way as described by recorder's document Yr.2006 No.4454; thence S00°27'00"E 214.00 feet; thence S06°58'00"W 154.00 feet; thence S05°01'30"E 297.60 feet to the Point of Beginning. NOTE: The east line of the SW1/4 of Section 3-88-19 is assumed to bear N00°27'00"W for the purpose of this description.

#### DESCRIPTION OF PARCEL-D

Commencing at the South One-quarter Corner of Section Three (3), Township Eighty-eight (88) North, Range Nineteen (19) West of the 5th P.M., Hardin County, Iowa; thence N00°27'00"W 776.80 feet along the east line of the SW1/4 of said Section 3; thence S38°25'10"W 150.05 feet; thence continuing S38°25'10"W 337.95 feet along the southeasterly line of the right-of-way as described by recorder's document Yr.2000 No.1361; thence S51°02'10"W 111.00 feet along the southeasterly line of said right-of-way to the southwest line of Parcel-B as described by recorder's document Yr.2008 No.2119 and the Point of Beginning; thence continuing S51°02'10"W 532.10 feet along the south line of said right-of-way and to the south line of the SW1/4 of said Section 3; thence S89°17'00"W 771.25 feet along the south line of the SW1/4 of said Section 3 to the south line of the right-of-way as described by recorder's document Yr.2006 No.4454; thence N44°32'50"E 46.92 feet along the south right-of-way as described by recorder's document Yr.2006 No.4454 to the northerly line of right-of-way as described by recorder's document Yr.2000 No.1361; N89°17'00"E 141.60 feet along said right-of-way; thence N85°41'49"E 131.40 feet along said right-of-way; thence N87°01'49"E 82.10 feet along said right-of-way; thence S88°05'07"E 159.65 feet along said right-of-way; thence N53°34'47"E 306.70 feet along said right-of-way; thence N64°08'59"E 166.70 feet along said right-of-way; thence N53°57'48"E 207.74 feet along said right-of-way to the southwest line of Parcel-B as described by recorder's document Yr.2008 No.1361; thence S43°37'08"E 105.60 feet along the southwest line of said Parcel-B to the Point of Beginning.

NOTE: The east line of the SW1/4 of Section 3-88-19 is assumed to bear N00°27'00"W for the purpose of this description.

#### DESCRIPTION OF PARCEL-B

Commencing at the North One-quarter Corner of Section Ten (10), Township Eighty-eight (88) North, Range Nineteen (19) West of the 5th P.M., Hardin County, Iowa; thence S89°17'00"W 809.60 feet along the north line of the NW1/4 of said Section 10 to the easterly line of the right-of-way as described by recorder's document Yr.2000 No.1361 and the Point of Beginning; thence continuing S89°17'00"W 771.25 feet to the east line of the right-of-way as described by recorder's document Yr.2006 No.4454; thence S44°32'50"W 46.92 feet; thence N89°17'00"E 750.61 feet to the easterly right-of-way line as described by recorder's document Yr.2000 No.1361; thence N56°54'15"E 63.20 feet along the easterly right-of-way line as described by recorder's document Yr.2000 No.1361 to the Point of Beginning.

NOTE: The north line of the NW1/4 of Section 10-88-19 is assumed to bear S89°17'00"W for the purpose of this description.

**WHEREAS**, on January 10, 2018, the Board passed Resolution No. 2018-06 vacating the three parcels of real estate described in Resolution No. 2018-06, passed January 10, 2018 and above.

**WHEREAS**, the respective vacated parcels should now be deeded to the landowner adjacent to each respective parcel by separate Quit Claim Deeds, as described below.

**NOW THEREFORE, BE IT RESOLVED** that three Quit Claim Deeds should now be issued as follows:

1. Parcel C: NRP of Iowa, LLC, 5800 Merle Hay Rd, Ste 14, Johnston, IA 50131
2. Parcel D: PLCP, LP, 33371 170<sup>th</sup> St, Steamboat Rock, IA 50672
3. Parcel B: Norman K. Thoms and Teresa A. Thoms, 18820 V Ave, Steamboat Rock, IA 50672.

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Supervisors and the Auditor of Hardin County, Iowa, are hereby authorized and directed to execute and deliver three Quit Claim Deeds, as described above.

The motion was seconded by Board Member McClellan and after due consideration thereof, the roll was called and the following Board Members voted:

Ayes: Granzow, McClellan and Hoffman  
Nays: None  
Absent: None  
Abstain: None

Whereupon, the Chairman of the Board of Supervisors declared said Resolution duly passed and adopted this 7<sup>th</sup> day of February, 2018.

/s/ BJ Hoffman  
BJ Hoffman, Chair  
Board of Supervisors

/s/ Jessica Lara  
Jessica Lara  
Hardin County Auditor

McClellan moved, Granzow seconded that the following Resolution No. 2018-09, Resolution of Hardin County Related to a Private Developer's Interest in 'Project Thomas' and Authorizing the Chairman to Act on the County's Behalf during an Agreed Upon Period of Due Diligence, be adopted. Roll Call Vote: "Ayes" McClellan, Granzow and Hoffman. "Nays" None. Resolution No. 2018-09 is hereby adopted as follows:

#### **RESOLUTION NO. 2018-09**

#### **A RESOLUTION OF THE COUNTY SUPERVISORS OF HARDIN COUNTY, IOWA, RELATED TO A PRIVATE DEVELOPER'S INTEREST IN 'PROJECT THOMAS' AND AUTHORIZING THE CHAIRMAN TO ACT ON THE COUNTY'S BEHALF DURING AN AGREED UPON PERIOD OF DUE DILIGENCE.**

**WHEREAS**, a private developer is interested in pursuing Project Thomas in partnership with Hardin County, City of Iowa Falls and Iowa Falls Development (IFADC) Corporation, and

**WHEREAS**, the Supervisors of Hardin County understand the need to allow for exclusivity, confidentiality and non-disclosure during a period of due diligence from February 7, 2018 to May 31, 2018, and

**WHEREAS**, any such Resolution confirms the County's confidentiality and non-disclosure of the private developer or Project Thomas or information developed by such private developer; and

**WHEREAS**, the Hardin County Supervisors understand that the County's confidentiality and non-disclosure of the private developer or Project Thomas or information developed by such private developer extends and includes its subsidiaries and affiliates;

**WHEREAS**, the Hardin County Supervisors authorizes the Chairman to act on the County's behalf during the agreed-upon period of due diligence, including to develop strategy and initiate negotiations for a master development agreement if needed in partnership with the City of Iowa Falls and IFADC, and

**WHEREAS**, the Hardin County Supervisors are prepared to consider local funding support for Project Thomas in partnership with City of Iowa Falls, IFADC and the private

developer, and such funding would require public consideration by the Supervisors at a later date;

**NOW, THEREFORE, THE HARDIN COUNTY SUPERVISOR'S RESOLUTION DOES AS FOLLOWS:**

**SECTION 1:** The Hardin County Supervisors are in support of Project Thomas and agree to sign the Confidentiality Agreement related to Project Thomas.

**SECTION 2:** The Hardin County Supervisors authorizes the Chairman to act on the County's behalf during the period of due diligence.

PASSED AND APPROVED on the 7th day of February, 2018.

HARDIN COUNTY SUPERVISORS

By: /s/ BJ Hoffman  
BJ Hoffman, Chairman

ATTEST:

/s/ Jessica Lara  
Jessica Lara, County Auditor

McClellan moved, Granzow seconded to approve the Sheriff's monthly report for January 2018. Motion carried.

Granzow moved, McClellan seconded to approve the application for liquor license for Eagle City Winery, Inc., effective April 2, 2018 for a period of one year. Motion carried.

Utility Permits: None.

Secondary Roads Department:

A departmental update was provided by County Engineer Taylor Roll. No action was necessary; informational only.

McClellan moved, Granzow seconded to approve the contract for HMA Resurfacing Project FM-CO42(88)-55-42 with Mathy Construction Company. Motion carried.

Other Business:

Chairperson Hoffman stated that there were questions about how Emergency Management was funded and wished for public explanation. Auditor Lara stated it was funded by voluntary contribution from the General Supplemental Levy which is taxed countywide. No action was necessary; informational only.

Chairperson Hoffman recessed the meeting at 10:16 a.m.

At 10:30 a.m. Chairperson Hoffman reconvened the meeting.

McClellan moved, Granzow seconded to go into closed session pursuant to Iowa Code Section 21.5(j). Roll Call: "Ayes" McClellan, Granzow, and Hoffman. "Nays" None. Motion carried.

McClellan moved, Granzow seconded to go out of closed session at 12:11 p.m. Roll Call: "Ayes" McClellan, Granzow, and Hoffman. "Nays" None. Motion carried.

Granzow moved, McClellan seconded to adjourn. Motion carried.

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BJ Hoffman, Chairman  
Board of Supervisors

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Jessica Lara  
Hardin County Auditor