

COUNTY COMPENSATION COMMISSION IN EMINANT DOMAIN IOWA CHAPTER 6A

PURPOSE:

The purpose of this commission is for the condemnation of such private property as may be necessary for any public improvement which the general assembly has authorized to be undertaken by the state, for which an available appropriation has been made.

COMPOSTION AND TERM LIMITS:

Annually the Board of Supervisors shall appoint not less than 28 residents of the county and the names of such persons shall be placed on a list and they shall be eligible to serve as members. One fourth (1/4) of the persons appointed shall be owner-operators of agricultural property; one fourth (1/4) shall be owners of city property; one fourth (1/4) shall be licensed real estate salespersons or real estate brokers; and one fourth (1/4) shall be persons having knowledge of property values in the county by reason of their occupation, such as bankers, auctioneers, property manager, property appraisers and persons responsible for making loans on property

MEETING SCHEDULE:

The County Compensation Commission in Eminent Domain only meets when written application has been filed with the Chief Judge of the Judicial District of the County where the land sought to be condemned is located. The Chief Judge of the judicial district or the judge's designee shall select by lot six (6) people from the above list; if agricultural land is to be condemned then two (2) from the group of agricultural property owners; if the land to be condemned is city, then two (2) from the group of city property owners, then two (2) from each of the remaining groups. These six (6) persons shall constitute a compensation commission to assess the damages to all property to be taken by the applicant and located in the county and the Chief Judge shall name a chairperson from the persons elected. The Chief Judge or judge's designee may appoint such alternate members and chairpersons to the commission as are deemed necessary and appropriate under the circumstances. A person shall not be selected as a member or alternate member of the compensation commission if the person possesses any interest in the proceedings which would cause the person to render a biased decision. The applicant shall mail a copy of the list of commissioners and alternates appointed by the Chief Judge by certified mail to the property owner at the owner's last known address. The applicant shall also cause the list of commissioners and alternates to be published once in a newspaper of general circulation in the county, not less than four nor more than twenty days before the meeting of the compensation commission to assess the damages. Service of the list of commissioners and alternates by publication shall be deemed complete on the day of publication. In lieu of mailing and publishing the list of commissioners and alternates, the applicant may cause the list to be served upon the owner of the property in the manner provided by the Iowa Rules of Civil Procedure for the personal service of the original notice. The list of commissioners and alternates shall be mailed and published or served, as above provided prior to or contemporaneously with service of the notice of assessment as provided in section 6B.8.

Written instructions for members of compensation commissions shall be prepared under the direction of the Chief Justice of the Supreme Court and distributed to the Sheriff in each county. The Sheriff shall transmit copies of the instructions to each member of a compensation commission, and such instructions shall be read aloud to each commission before it commences its duties.

Commission members shall receive a per diem of two hundred dollars and actual and necessary expenses incurred in the performance of their official duties.