

May 21, 2019

The Lee County Board of Supervisors met on Tuesday, May 21, 2019, at 9:00 a.m. at the Correctional Center.

Present: Gary Folluo, Rick Larkin, Ron Fedler, Rich Harlow and Matt Pflug.

All votes are unanimous unless otherwise indicated.

The Board opened the meeting by reciting the Pledge of Allegiance.

Moved by Larkin, seconded by Fedler, to approve the agenda. Motion carried.

At 9:01 a.m. Folluo opened a Public Hearing to received bids on property owned by the County and the Argyle Sanitary Sewer District in Argyle. Two bids were submitted. Folluo opened the bids. For the County Shed Property the bids were \$1,800.00 from Ron Burchett and \$16,100.00 from Dale Auwaeter. For the Sanitary Sewer District property the bids were \$812.12 from Ron Burchett and \$5,000.00 from Dale Auwaeter. At 9:05 a.m. Pflug moved to close the Public Hearing, seconded by Larkin. Roll call: Pflug-aye, Larkin-aye, Fedler-aye, Harlow-aye and Folluo-aye. Motion carried.

Moved by Harlow, seconded by Pflug, to approve Resolution #2019-63. Roll call: Harlow-aye, Pflug-aye, Larkin-aye, Fedler-aye and Folluo-aye.

Resolution #2019-63

RESOLUTION APPROVING THE SALE OF CERTAIN REAL ESTATE

**WHEREAS**, Lee County holds Title by way of a Quit Claim Deed on the property with a shed in the unincorporated town of Argyle, legally described below as follows:

A lot Sixty-six (66) by One Hundred Fifty (150) feet in the West Half (W ½) of the Southwest Quarter (SW ¼) of the Northwest quarter (NW ¼) of Section Nine (9), Township Sixty-six (66) North, Range Six (6) West, in the Town of Argyle, bounded as follows: From the Southwest corner of the Northwest Quarter (NW ¼) of Section Nine (9) Township Sixty-six (66) North, Range Six (6) West, North One Hundred Seventy (170.0) feet and East One Hundred Sixty-two (162.0) feet to the point of beginning; thence North One Hundred Fifty (150.0) feet; Thence East Sixty-six (66) feet; thence South One Hundred Fifty (150.0) feet; thence West Sixty-six (66) feet to the point of beginning, containing Two Hundred Twenty-seven thousandths (0.227) acres, more or less

Excepting therefrom:

Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 9, thence North for a distance of 170.0 feet, thence N89° 40'E for a distance of 162.0 feet to the point of beginning, thence North for a distance of 80.0 feet, thence N89° 40'E for a distance of 66.0 feet, thence south for a distance of 40.0 feet, thence S89°40'W for a distance of 30.0 feet, thence South for a distance of 40.0 feet, thence S89° 40'W for a distance of 36.0 feet back to the point of beginning, containing 0.094 acres more or less. Township, 66 Range 6.

Note: The West side of the Northwest Quarter (NW ¼) has been assumed to bear due North-South.

And Excepting therefrom

Part of the Northwest ¼ of Section 9, Township 66, Range 6 described as beginning 170 feet North and North 89 degrees 40 minutes East 198 feet from the Southwest corner of said Northwest ¼ of Section 9; thence North 89 degrees 40 minutes East 30 feet; thence North 40 feet; thence South 89 degrees 40 minutes West 30 feet; thence South 40 feet to the point of beginning, containing 0.027 of an acre, more or less, Lee County, Iowa.

**WHEREAS**, Lee County no longer has a beneficial use for said property and desires to divest itself of the property; and

**WHEREAS, NOTICE** was provided by the Lee County Board of Supervisors to prospective bidders that the west wall of the structure (which currently has a 2/10 of a feet overhang from the roof that represents a potential aerial encroachment of neighboring property) located on this property abuts adjoining property to which there is no access or easement for purposes of maintaining the wall of that current structure and the adjoining landowner will not allow access from his property for building maintenance.

**WHEREAS**, the Lee County Board of Supervisors received sealed bids at the Lee County Auditor's office until 4:30 p.m. on the 20th day of May, 2019, after publication of proper notice, and opened said bids at public hearing on the 21st day of May, 2019, in accordance with the published notification.

**WHEREAS**, after opening said bids at public hearing, the Lee County Board of Supervisors decided to accept the sealed bid of Dale Auwaeter, offering to purchase said property from the County for the amount of \$ 16,100.00

**NOW THEREFORE BE IT RESOLVED** that the Lee County Board of Supervisors approves the sale of the following described property located in the unincorporated town of Argyle:

A lot Sixty-six (66) by One Hundred Fifty (150) feet in the West Half (W ½) of the Southwest Quarter (SW ¼) of the Northwest quarter (NW ¼) of Section Nine (9), Township Sixty-six (66) North, Range Six (6) West, in the Town of Argyle, bounded as follows: From the Southwest corner of the Northwest Quarter (NW ¼) of Section Nine (9) Township Sixty-six (66) North, Range Six (6) West, North One Hundred Seventy (170.0) feet and East One Hundred Sixty-two (162.0) feet to the point of beginning; thence North One Hundred Fifty (150.0) feet; Thence East Sixty-six (66) feet; thence South One Hundred Fifty (150.0) feet; thence West Sixty-six (66) feet to the point of beginning, containing Two Hundred Twenty-seven thousandths (0.227) acres, more or less

Excepting therefrom:

Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 9, thence North for a distance of 170.0 feet, thence N89° 40'E for a distance of 162.0 feet to the point of beginning, thence North for a distance of 80.0 feet, thence N89° 40'E for a distance of 66.0 feet, thence south for a distance of 40.0 feet, thence S89°40'W for a distance of 30.0 feet, thence South for a distance of 40.0 feet, thence S89° 40'W for a distance of 36.0 feet back to the point of beginning, containing 0.094 acres more or less. Township, 66 Range 6.

Note: The West side of the Northwest Quarter (NW ¼) has been assumed to bear due North-South.

And Excepting therefrom

Part of the Northwest ¼ of Section 9, Township 66, Range 6 described as beginning 170 feet North and North 89 degrees 40 minutes East 198 feet from the Southwest corner of said Northwest ¼ of Section 9; thence North 89 degrees 40 minutes East 30 feet; thence North 40 feet; thence South 89 degrees 40 minutes West 30 feet; thence South 40 feet to the point of beginning, containing 0.027 of an acre, more or less, Lee County, Iowa.

**BE IT FURTHER RESOLVED** the Lee County Board of Supervisors hereby accepts the sealed bid offer of Dale Auwaeter to purchase said property from the County for the amount of \$ 16,100.00 .

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Supervisors is hereby authorized to sign the Quit Claim Deed on behalf of the Lee County Board of Supervisors to effectuate the transfer of said property.

Dated and signed this the 21st day of May, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; Matt Pflug, Member and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Pflug, seconded by Fedler, to approve Resolution #2019-64.  
Roll call: Pflug-aye, Fedler-aye, Harlow-aye, Larkin-aye and Folluo-aye.

Resolution #2019-64

RESOLUTION APPROVING THE SALE OF CERTAIN REAL ESTATE ACTING AS TRUSTEES ON BEHALF OF THE ARGYLE SANITARY DISTRICT

**WHEREAS**, on August 23, 2011, the Lee County Board of Supervisors, during an open board meeting, after public hearing and discussion, appointed themselves trustees for Argyle Sanitary District for the unincorporated town of Argyle:

**WHEREAS**, The Argyle Sanitary District holds Title by way of a Quit Claim Deed on the property legally described below as follows:

Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 9, thence North for a distance of 170.0 feet, thence N89° 40'E for a distance of 162.0 feet to the point of beginning, thence North for a distance of 80.0 feet, thence N89° 40'E for a distance of 66.0 feet, thence south for a distance of 40.0 feet, thence S89°40'W for a distance of 30.0 feet, thence South for a distance of 40.0 feet, thence S89° 40'W for a distance of 36.0 feet back to the point of beginning, containing 0.094 acres more or less. Township, 66 Range 6.

Note: The West side of the Northwest Quarter (NW ¼) has been assumed to bear due North-South.

**WHEREAS**, The Argyle Sanitary District no longer has a beneficial use for said property and solicited sealed bids for the sale of the property; and

**WHEREAS**, the Lee County Board of Supervisors, acting as trustees for the Argyle Sanitary District received sealed bids at the Lee County Auditor's office until 4:30 p.m. on the 20th day of May, 2019, after publication of proper notice, and opened said bids at public hearing on the 21st day of May, 2019, in accordance with the published notification.

**WHEREAS**, after opening said bids at public hearing, the Lee County Board of Supervisors, acting as trustees for the Argyle Sanitary District decided to accept the sealed bid of Dale Auwaeter, offering to purchase said property from the County for the amount of \$ 5,000.00

**NOW THEREFORE BE IT RESOLVED** that the Lee County Board of Supervisors, acting as Trustees for the Argyle Sanitary District hereby approves the sale of the following described property located in the unincorporated town of Argyle:

Argyle Sanitary District Property

Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 9, thence North for a distance of 170.0 feet, thence N89° 40'E for a distance of 162.0 feet to the point of beginning, thence North for a distance of 80.0 feet, thence N89° 40'E for a distance of 66.0 feet, thence south for a distance of 40.0 feet, thence S89°40'W for a distance of 30.0 feet, thence South for a distance of 40.0 feet, thence S89° 40'W for a distance of 36.0 feet back to the point of beginning, containing 0.094 acres more or less. Township, 66 Range 6.

Note: The West side of the Northwest Quarter (NW ¼) has been assumed to bear due North-South.

**BE IT RESOLVED** that the Lee County Board of Supervisors, acting as trustees for the Argyle Sanitary District hereby accepts the sealed bid offer of Dale Auwaeter , to purchase said property from the Argyle Sanitary District for the amount of \$ 5,000.00

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Supervisors, Acting as Trustee for the Argyle Sanitary District, is authorized to sign the Quit Claim deed on behalf of the Argyle Sanitary District to effectuate the transfer of said property.

Dated and signed this the 21st day of May, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; Matt Pflug, Member and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Fedler, seconded by Harlow, to approve the Tuesday, May 14, 2019 Board minutes. Motion carried.

Moved by Pflug, seconded by Larkin, to approve the payment of claims. Motion carried.

Public Input: Ryan Drew with the Southeast Iowa Building Trades Council informed the Board of the importance of using local union labor.

The Board held a discussion with Mohrfeld Electric, Fort Madison and Precision Energy Services, West Burlington, regarding a possible solar project for County Buildings.

The Board then held a discussion with Fort Madison City Manager David Varley regarding a proposed 28E Agreement for the Sheriff's Department to offer Interim Police Chief Services.

Moved by Larkin, seconded by Fedler, to approve the appointment of Ray Essex as a Medical Investigator for Lee County. Motion carried.

Moved by Fedler, seconded by Harlow, to approve a Service Agreement with the Nyhart Company for GASB 75 Services. Motion carried.

Moved by Pflug, seconded by Fedler, to approve two part-time seasonal employees for the Conservation Department: Alexis Walrath, Beach Concessionaire, \$10.00/hr., effective 5/22/19 and Bryce Solem, Conservation Aide, \$10.00/hr., effective 5/22/19. Motion carried.

Received and filed the Commission of Veteran Affairs Minutes of Meeting for March 26, 2019 and the Commission of Veteran Affairs Quarterly Report for January through March 2019.

Committee Reports: Larkin reported on a Landfill Board meeting. Folluo reported on a Port Authority Board meeting and a meeting with the Iowa Department of Transportation concerning the Salt Shed in Donnellson.

At 10:45 a.m., a motion was made by Pflug, seconded by Fedler, to adjourn. Motion carried.

The next meeting of the Board of Supervisors will be Tuesday, May 28, 2019 at 9:00 a.m. at the Correctional Center.

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Gary Folluo, Chairman

Attest: \_\_\_\_\_

Denise Fraise, Lee County Auditor