

REGULAR SESSION

NOVEMBER 29, 2004

The Union County Board of Supervisors met in regular session, Monday, November 29, 2004. The meeting was called to order at 9:00 a.m. with the following members present: Irelan, Turner, Brown, McCann, and King.

AGENDA: Motion by Irelan and seconded by Brown approve the agenda. All voting aye, motion carried.

ENGINEER: Scott Nixon, County Engineer, presented the weekly maintenance and activity report.
Bridge Replacement Pay Voucher – Motion by Turner and seconded by McCann to approve the Pay Voucher #4 to Godbersen Smith Construction Co of Ida Grove, IA for \$68,105.11. All voting aye, motion carried.

PART-TIME EMPLOYEE: Motion by Brown and seconded by Turner to approve Diana Carlson, per County Treasurer Linda Marley's recommendation, as a Part-Time Clerk/Backup Driver's License Examiner in the Treasurer's Office at a starting wage of \$10.00 per hour. Roll call vote: Irelan, aye; McCann, aye; Brown, aye; Turner, aye; and King, present. Motion carried.

CENTRAL POINT CORDINATOR: Lori Nosekabel, CPC, discussed the Authorization for Involuntary Hospitalization Agreement and presented the monthly CPC Report.

CASE MANAGEMENT: Kris Richey, Case Management, presented the Case Management Report.

COUNTY-WIDE SALES TAX DISCUSSION: The following were present for the discussion: Tim Kenyon, Mark Saylor, Gerald McLain, John VanNostrum, Linda Kilgore, Tony Allen, Vicki Allen, Gene Dunfee, Gary Clear, Scott Nixon, Melvin Davis, Sandy Hysell, and Mindy Schaefer. Jay Syverson and David Vestal via phone conference. The Board discussed a County-wide Local Option Sales and Service one percent sales tax. The general consensus was to move forward with a meeting of City and County Officials.

COUNTY PROPERTY SALE RESOLUTIONS: Motion by Turner and seconded by McCann to approve **Resolution #24 FY04-05** – NOW on this 29th day of November, 2004, the matter of the sale of county owned properties comes before the Union County Board of Supervisors. Whereas the Union County Board of Supervisors finds that it is no longer necessary for the county to own certain properties, and Whereas the various properties need to be placed back on the tax rolls, and Whereas the Board of Supervisors held a public hearing on November 22, 2004 to obtain input from the public concerning this proposed sale. Be And It Is Hereby Resolved that the Union County Board of Supervisors held a public hearing with regard to the proposed sale of real estate described as follows, to-wit:

SALE OF COUNTY PROPERTY:	Buyer	Amount
New Hope		
1. ABANDONED RR ROW ACROSS THE NW-4 NW-4 SEC. 01-73-28	Melvin Davis	\$100.00
2. ABANDONED RR ROW ACROSS THE NE-4 NE-4 SEC. 02-73-28.	Melvin Davis	\$100.00
3. ABANDONED RR ROW ACROSS THE SE-4 NW-4 SEC. 11-73-28.	Kent Kiburz	\$100.00
4. ABANDONED RR ROW ACROSS THE SE-4 SE-4 SEC. 28-73-28.	Melvin Davis	\$100.00

The Chair is hereby authorized to sign the necessary documents. This resolution is effective this 29th day of November, 2004. Roll call vote: Irelan, aye; McCann, aye; Brown, abstain; Turner, aye; and King, aye. Motion carried.

Motion by Irelan and seconded by Turner to approve **Resolution #25 FY04-05** – NOW on this 29th day of November, 2004, the matter of the sale of county owned properties comes before the Union County Board of Supervisors. Whereas the Union County Board of Supervisors finds that it is no longer necessary for the county to own certain properties, and Whereas the various properties need to be placed back on the tax rolls, and Whereas the Board of Supervisors held a public hearing on November 22, 2004 to obtain input from the public concerning this proposed sale. Be And It Is Hereby Resolved that the Union County Board of Supervisors held a public hearing with regard to the proposed sale of real estate described as follows, to-wit:

SALE OF COUNTY PROPERTY:	Buyer	Amount
Lorimor		
1. PT FORMER RR LYING IN O.P. LORIMOR, BEG 107.15 FT, E INT W LN FORMER RR & N LN 1ST ST EXT W, NE 168.86 FT, E 22.23 FT, SW TO N LN 1ST ST W TO P.O.B.	Annetta McMillin	\$100.00

SALE OF COUNTY PROPERTY:	Buyer	Amount
Thayer		
1. O.P. LOT 2 (EX N 10 FT & EX S 10 FT W 70 FT) BLK 7	Tom Brett	\$100.00

The Chair is hereby authorized to sign the necessary documents. This resolution is effective this 29th day of November, 2004. Roll call vote: Turner, aye; Brown, aye; McCann, aye; Irelan, aye; and King, aye. Motion carried.

Motion by Turner and seconded by McCann to approve **Resolution #26 FY04-05** – NOW on this 29th day of November, 2004, the matter of the sale of county owned properties comes before the Union County Board of Supervisors. Whereas the Union County Board of Supervisors finds that it is no longer necessary for the county to own certain properties, and Whereas the various properties need to be placed back on the tax rolls, and Whereas the Board of Supervisors held a public hearing on November 22, 2004 to obtain input from the public concerning this proposed sale. Be And It Is Hereby Resolved that the Union County Board of Supervisors held a public hearing with regard to the proposed sale of real estate described as follows, to-wit:

SALE OF COUNTY PROPERTY:

New Hope

	Buyer	Amount
1. ABANDONED RR ROW ACROSS THE NW-4 NE-4 SEC. 22-73-28.	Stan Zandarski	\$250.00
2. ABANDONED RR ROW ACROSS THE NE-4 NW-4 SEC. 22-73-28.	Stan Zandarski	\$100.00
3. ABANDONED RR ROW ACROSS THE NE-4 SW-4 SEC. 22-73-28.	Stan Zandarski	\$250.00
4. ABANDONED RR ROW ACROSS THE SE-4 SW-4 SEC. 22-73-28.	Stan Zandarski	\$100.00
5. ABANDONED RR ROW ACROSS THE NE-4 NW-4 SEC. 27-73-28.	Stan Zandarski	\$400.00
6. ABANDONED RR ROW ACROSS THE NW-4 NW-4 SEC 27-73-28.	Stan Zandarski	\$450.00

The Chair is hereby authorized to sign the necessary documents. This resolution is effective this 29th day of November, 2004. Roll call vote: Irelan, aye; McCann, aye; Brown, abstain; Turner, aye; and King, aye. Motion carried.

Properties left open are:

New Hope

4. ABANDONED RR ROW ACROSS THE NW-4 SW-4 SEC. 11-73-28.

Creston

STONE & ELLIOTS LAKEVIEW, PT. LOT 31, BEG 95 FT NORTH SW CORNER NORTH 5 FT, EAST 78 FT, NORTH 10 FT, EAST 13.5 FT, SOUTH 15 FT, WEST 91.5 FT TO P.O.B. (SOUTH BUREAU)

12. DEVOES 1ST, S 7 FT OF THE E 12 FT OF THE N 82 FT & N 43 FT OF THE E 12 FT OF THE S 204.75 FT LOT 29.

SWIG. 2ND, LOT 9 LYING SW CREEK.

CLAIMS: Motion by Irelan and seconded by McCann to approve the handwritten claim to Union County Health Insurance for \$7,831.70. All voting aye, motion carried.

MINUTES: Motion by McCann and seconded by Irelan to approve the minutes from November 22, 2004. All voting aye, motion carried.

The Board recessed for lunch at 11:50 a.m. and reconvened at 1:00 p.m.

CLOSED SESSION: Motion by Brown and seconded by Turner to enter closed session at 1:07 p.m. per Iowa Code 21.5 (1)(c). Roll call vote: Turner, aye; Brown, aye; Irelan, aye; McCann, aye; and King, aye. Motion carried. Closed session ended at 1:20 p.m.

Irelan left at 1:20 p.m.

RESOLUTION APPROVING CORRECTIVE DEED: Motion by Brown and seconded by Turner to approve **Resolution #27 FY04-05** – Now on this 29th day of November, 2004, the matter of the proposed sale of Union County Real Estate comes to the attention of the Union County Board of Supervisors. Whereas, the Union County Board of Supervisors previously conveyed real estate located in Union County, Iowa, more particularly described as follows, to-wit: Lots 2 – 3 – 4 – 5 in Forbes' Subdivision of Arispe, Union County, Iowa, and, Whereas, said real estate was acquired as a result of proceedings associated with delinquent taxes pursuant to Chapter 446 of the Code of Iowa, and Whereas, Union County has previously attempted to sell the property at the regular tax sale without success, and Whereas, an individual has requested the opportunity to purchase said real estate, and Whereas, it is in the best interest of Union County and the residents of Union County to sell, transfer and convey said property, and Whereas, on June 14, 1993, a Public Hearing was held, at which time no objections to the sale were presented, and Whereas, the deed issued June 28, 1993, has been found to contain an irregularity/defect in the legal description for the property, and Whereas, Union County has subsequently learned that although the published notice set out the correct legal description of the property within the city, the deed subsequently issued contained an irregularity regarding the identification of the subdivision. Said irregularity did not affect the transfer records as shown in the records of the Union County Auditor and/or the Union County Assessor, and Whereas, Union County wishes to now confirm the previous sale of real estate, correct the irregularity pertaining to the identification of the subdivision within the legal description and confirm the conveyance of title of said real estate to Dennis Loury and Twyla Loury. Be And It Is Hereby Resolved that Union County, by and through the Union County Board of Supervisors, does hereby confirm the sale, transfer and conveyance of said real estate located in Union County, Iowa, more particularly described as follows, to-wit: Lots 2 – 3 – 4 – 5 in Forbes' Subdivision of Arispe, Union County, Iowa, It IS Further Resolved that the Chairman of the Board of Supervisors shall be authorized and directed to execute a Deed Without Warranty and such other documents as necessary to complete the process of confirming the prior sale, transfer, and conveyance to Dennis Loury and Twyla Loury. Roll call vote: McCann, aye; Brown, aye; Turner, aye; King, aye; and Irelan, absent. Motion carried.

IMCC/OAKDALE PRISONER AGREEMENT: Tim Kenyon, County Attorney, discussed the IMCC/Oakdale Prisoner Agreement with the Board.

GENERAL RELIEF APPEAL: Motion by Turner and seconded by McCann to table the appeal until next week. All voting aye, motion carried.

ADJOURNMENT: There being no further business, the meeting was adjourned at 2:10 p.m.

ATTEST: _____ **BY:** _____
MELINDA SCHAEFER, DEPUTY MICHAEL J. KING, CHAIR BOARD OF SUPERVISORS