

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING  
TUESDAY, APRIL 11, 2023**

At 9:00 a.m. Chairperson Bob Yoder called to order in regular session a meeting of the Washington County Board of Supervisors which took place in the Washington County Courthouse. Items on the agenda included approval of agenda; public comment related to agenda items; public hearing regarding proposed FY24 Washington County budget; Proclamation regarding National Public Safety Telecommunicators Week; Resolution 23-14 regarding FY24 Maximum Property Tax Dollars; acknowledgement of K-9 fund donation; personnel change request – Communications; personnel change request – Conservation; personnel change request – Washington County Ambulance Services; Quarterly Report – Recorder; Quarterly Report – Auditor; Resolution 23-15 regarding condemnation proceedings; approval of Washington County Secondary Roads Department FY24 Five-Year Road Plan; approval of Washington County Secondary Roads Department FY24 Iowa Department of Transportation Budget; approval of Iowa Department of Transportation Funding Agreement 5-23-HSIP-SWAP-010 for paved shoulders, rumble strips and grooved-in pavement markings on County Road G36 from Iowa State Highway 1 to Redwood Avenue; department head comment; adjourn. Supervisors Jack Seward, Jr., Stan Stoops, Marcus Fedler, and Richard Young were also present.

Other individuals present at the meeting included Jennifer Wilkerson with KCII Radio, Kalen McCain with the SE Iowa Union, County Engineer Jacob Thorius, Interim County Attorney Anthony Janney, Communications Director Cara Sorrells, Deputy Sheriff Shawn Ellingson, County Treasurer Jeff Garrett, County Recorder Teresa Mangold, Board of Supervisors Administrative Assistant Amber Williams, and citizen Barb Simon. Various other individuals listened and/or watched remotely by way of electronic means.

All motions were passed unanimously by those supervisors in attendance unless noted otherwise.

On motion by Young, seconded by Fedler, the Board voted to approve the agenda as published.

There was no public comment.

On motion by Fedler, seconded by Young, the Board voted to open a public hearing regarding the proposed FY24 Washington County budget. Budget Director Cyndie Sinn reminded that the public hearing was the first of two required public hearings that must take place prior to final approval of the FY24 Washington County budget. She also stated that the purpose of the hearing was to discuss the maximum amount of property tax dollars to be levied for the FY24 which begins July 1, 2023. Sinn shared a valuation/levy rate comparison between FY23 and FY24 which showed an overall increase in FY24 total valuations of 1.65%. After rollbacks were applied the increase in total valuations was lowered by 0.99%. The FY24 total debt service valuation increased by 0.42% when compared to FY23 while the total countywide levy increased by 4.71% and the total rural levy increased by 7.23%. The total countywide tax asking for FY24 increased by 5.69% and the total property tax asking increased by 7.43%. Sinn informed the Board that notice of the public hearing had been published as required and Auditor Dan Widmer added that his office had received no public comment. There was no comment from those assembled. On motion by Stoops, seconded by Seward, the Board voted to close the public hearing.

On motion by Fedler, seconded by Seward, the Board voted to approve the following Board of Supervisors proclamation regarding National Public Safety Telecommunicators Week April 10, 2023, through April 14, 2023, and to authorize the Chairperson to sign the document on behalf of the Board of Supervisors.

**Proclamation  
National Public Safety Telecommunicators Week  
April 10-14, 2023**

**WHEREAS**, this week is a time to show appreciation and to recognize that our health, safety, and well-being are often dependent on the commitment and steadfast devotion of Public Safety Telecommunicators, because emergencies that require police, fire, emergency medical service, or other critical services can occur at any time; and

**WHEREAS**, when an emergency occurs the prompt response of law enforcement, firefighters, and medical personnel is critical to the protection of life and preservation of property; and

**WHEREAS**, the safety of our law enforcement officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone 911; and

**WHEREAS**, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services. These dedicated men and women are the First Responders and are more than anonymous voices on the telephone line. They are local police, fire, and medical professionals who use public safety telecommunications to quickly respond to emergency calls; and

**WHEREAS**, Emergency Responders rely on their knowledge and professionalism to make critical decisions, obtain information, and quickly dispatch needed aid; and

**WHEREAS**, Public Safety Telecommunicators provide a single vital link for our law enforcement officers and firefighters by monitoring their activities by radio, providing them information, and ensuring their safety; and,

**WHEREAS**, Public Safety Telecommunicators have assisted with the apprehension of criminals, suppression of fires, and treatment of patients; and

**WHEREAS**, the work of these Public Safety Telecommunicators is invaluable in emergency situations, and each one of these dedicated men and women deserves our heartfelt appreciation. Citizens place their trust in these individuals, not just this week, but every day of the year; and

**WHEREAS** each Telecommunicator exhibits compassion, understanding, and professionalism during the performance of their job assisting those in need;

**NOW THEREFORE**, the following individuals listed below are this day honored and thanked for their dedication, diligence, and professionalism in helping to keep citizens safe.

Aspen Bromell, Hunter Erwin, Lydia Houston, Issak Kleese, Melanie Larson,  
Sandra Lovetinsky, Shelley Reed-Wulf, Carrie Rich, Cara Sorrells, Brittany  
Stutzman, Rachel Swaffer, and Teresa Todd

I, **Robert C. Yoder**, Chairperson of the Washington County Board of Supervisors on behalf of the Washington County Board of Supervisors do hereby on this 11<sup>th</sup> day of April, 2023, designate the week of April 10-14, 2023, as **National Public Safety Telecommunicators Week** in Washington County.

On motion by Seward, seconded by Stoops, the Board voted by way of roll call vote to approve Resolution 23-14 as follows and to authorize the Chairperson to sign Resolution 23-14 on behalf of the Board.

**RESOLUTION 23-14  
FY24 MAXIMUM PROPERTY TAX DOLLARS**

**WHEREAS**, the Washington County Board of Supervisors have considered the proposed FY24 county maximum property tax dollars for both General County Services and Rural County Services, and

**WHEREAS**, a notice concerning the proposed county maximum property tax dollars was published as required and posted on the county website,

**WHEREAS**, a public hearing concerning the proposed county maximum property tax dollars was held on April 11, 2023,

**NOW THEREFORE BE IT RESOLVED** by the Board of Supervisors of Washington County that the maximum property tax dollars for General County Services and Rural County Services shall not exceed the following:

General County Services \$11,178,202.00

Rural County Services \$1,657,570.00

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY24 do represent an increase of 2% from the Maximum Property Tax dollars requested for FY23.

On motion by Seward, seconded by Young, the Board voted to acknowledge a donation to the Washington County Sheriff's K-9 fund from Mary Ulin in the amount of \$100.00.

On motion by Seward, seconded by Fedler, the Board voted to acknowledge, and authorize the Chairperson to sign on behalf of the Board, a personnel change request from Communications for Intern Kalie Perez whose final day of employment occurred March 29, 2023.

On motion by Fedler seconded by Young, the Board voted to acknowledge, and authorize the Chairperson to sign on behalf of the Board, a personnel change request from Conservation for Adrianna Pacha who will begin duties as a non-exempt seasonal Naturalist Intern at the rate of \$13.00 per hour effective April 11, 2023. The County Auditor is hereby authorized to issue pay warrants upon proper certification from the Department Head.

On motion by Fedler seconded by Seward, the Board voted to acknowledge, and authorize the Chairperson to sign on behalf of the Board, a personnel change request from Washington County Ambulance Services for Chelsea Owens who will begin duties as a non-exempt regular part-time Paramedic at the rate of \$30.73 per hour effective April 13, 2023. The County Auditor is hereby authorized to issue pay warrants upon proper certification from the Department Head.

On motion by Seward, seconded by Fedler, the Board voted to acknowledge, and authorize the Chairperson to sign on behalf of the Board, a personnel change request from Washington County Ambulance Services for Connor Tarvin who will begin duties as a non-exempt regular part-time Paramedic at the rate of \$30.73 per hour effective April 21, 2023. The County Auditor is hereby authorized to issue pay warrants upon proper certification from the Department Head.

On motion by Stoops, seconded by Seward, the Board voted to acknowledge receipt of the Recorder's report for the 3<sup>rd</sup> quarter of FY23 and to authorize the Chairperson to sign the report on behalf of the Board. The report, presented by Recorder Teresa Mangold, reflected revenues for the quarter in the amount of \$93,833.01 with the county retaining \$36,724.41. A total of 861 documents were recorded during the quarter and Mangold added that her office processed 18 marriage applications, 176 passport applications, 199 passport photographs, and 854 boat, ATV and snowmobile renewals and/or registrations. Also, during the quarter a total of 480 certified copies of birth certificates, death certificates, and marriage licenses were provided to various individuals. On motion by Stoops, seconded by Fedler, the Board voted to acknowledge receipt of the Washington County Recorder's quarterly report. The complete report is available in the office of the Washington County Recorder.

On motion by Seward, seconded by Young, the Board voted to acknowledge receipt of the Auditor's report for the 3<sup>rd</sup> quarter of FY23 and to authorize the Chairperson to sign the report on behalf of the Board. The report, presented by Auditor Dan Widmer, reflected revenues for the quarter in the amount of \$1,305.00. Of this total, \$1,275.00 resulted from transfer fees, \$10.00 from election services, and \$20.00 from GIS Services. The complete report is available in the office of the Washington County Auditor.

On motion by Seward, seconded by Young, the Board voted by way of roll call vote to approve Resolution 23-15 as follows and to authorize the Chairperson to sign Resolution 23-15 on behalf of the Board.

#### **RESOLUTION 23-15**

### **RESOLUTION ESTABLISHING JUST COMPENSATION, AFFIRMING NEGOTIATIONS, AUTHORIZING THE INITIATION AND APPOINTMENT OF COMPENSATION COMMISSION, AND DIRECTING NOTICE TO PROPERTY OWNERS OF PROPOSED DECISION TO CONDEMN PROPERTY FOR THE MCKAINS GRADING PROJECT**

**WHEREAS**, the Board of Supervisors of Washington County, Iowa has previously approved construction of certain public improvements known as the McKains Grading Project, which consists of upgrades to an existing County secondary road ("Project"); and

**WHEREAS**, the County has caused compensation estimates to be made of certain property interests necessary for completion of the Project, described as follows:

Parcels of land owned by L&L Acres LLC, consisting of:

*Parcel 1*

A permanent right-of-way easement in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  Section 3, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Beginning at the SW Corner of Section 3, Township 74 North, Range 9 West, Washington County, Iowa as described in USPLS Corner Certificate recorded in Instrument No. 2020-3454; thence with the west line of said Section 3, North 01 degrees 47 minutes 12 seconds West 484.20 feet to the southerly right-of-way line of the Iowa Chicago & Eastern Railroad Corporation; thence with said right-of-way line, North 87 degrees 41 minutes 03 seconds East 200.06 feet; thence departing said line, South 01 degrees 28 minutes 03 seconds East 427.67 feet; thence North 88 degrees 33 minutes 13 seconds East 51.97 feet; thence South 01 degrees 19 minutes 30 seconds East 70.76 feet to the south line of said Section 3; thence with said line, North 88 degrees 52 minutes 18 seconds West 249.39 feet to the point of beginning, containing 2.32 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 2*

A permanent right-of-way easement in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  & the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  Section 10, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Beginning at the W $\frac{1}{4}$  Corner of said Section 10 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3467; thence with the west line of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 27, said line also being the existing east right-of-way line of Dogwood Avenue, North 01 degrees 14 minutes 43 seconds West 1344.64 feet to the NW Corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 27 as recorded in the USPLS Land Corner Certificate recorded in Instrument No. 20203468; thence with the north line of said  $\frac{1}{4}$ - $\frac{1}{4}$ , South 88 degrees 52 minutes 18 seconds East 165.73 feet; thence departing said line, South 01 degrees 07 minutes 46 seconds East 153.49 feet; thence South 88 degrees 45 minutes 02 seconds West 50.00 feet; thence South 01 degrees 17 minutes 47 seconds East 1250.00 feet; thence North 88 degrees 42 minutes 10 seconds East 50.00 feet; thence South 01 degrees 17 minutes 50 seconds East 500.04 feet; thence South 88 degrees 42 minutes 10 seconds West 62.24 feet to the existing east right-of-way line of Dogwood Avenue; thence with said line the following courses and distances: North 01 degrees 11 minutes 21 seconds West 178.11 feet; thence South 88 degrees 48 minutes 39 seconds West 70.00 feet; thence North 01 degrees 11 minutes 21 seconds West 386.45 feet to the south line of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 27; thence with said line, North 89 degrees 24 minutes 07 seconds West 35.18 feet to the point of beginning, containing 5.09 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 3*

A permanent right-of-way easement in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 10, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SW Corner of said Section 10 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3464; thence with the west line of said Section 10, North 02 degrees 12 minutes 22 seconds West 1775.59 feet; thence departing said line, North 87 degrees 47 minutes 38 seconds East 104.74 feet to the point of beginning, said point being on the existing easterly right-of-way line of Dogwood Avenue; thence departing said right-of-way line, North 78 degrees 59 minutes 06 seconds East 12.59 feet; thence 111.37 feet by arc distance along a curve to the left that has a radius of 1021.00 feet and a chord that bears South 14 degrees 08 minutes 24 seconds East 111.32 feet; thence South 72 degrees 44 minutes 06 seconds West 12.07 feet to the existing east right-of-way line of Dogwood Avenue; thence with said line 112.72 feet by arc distance along a curve to the right having a radius of 996.00 feet and a chord that bears North 14 degrees 24 minutes 17 seconds West 112.66 feet to the point of beginning, containing 0.03 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 4*

A permanent right-of-way easement in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 10, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SW Corner of said Section 10 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3464; thence with the west line of said Section 10, North 02 degrees 12 minutes 22 seconds West 1125.11 feet; thence departing said line, North 87 degrees 47 minutes 38 seconds East 419.61 feet to the point of beginning, said point being on the existing easterly right-of-way line of Dogwood Avenue; thence departing said right-of-way line, North 55 degrees 55 minutes 22 seconds East 31.05 feet; thence South 34 degrees 04 minutes 38 seconds East 275.02 feet; thence South 55 degrees 55 minutes 22 seconds West 28.92 feet to the existing easterly right-of-way line of Dogwood Avenue; thence with

said line, North 34 degrees 31 minutes 18 seconds West 275.03 feet to the point of beginning, containing 0.19 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 6*

A permanent right-of-way easement in the SW¼ of the SW¼ of Section 10, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SW Corner of said Section 10 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3464; thence with the south line of said Section 10, South 89 degrees 29 minutes 01 seconds East 572.59 feet; thence departing said line, North 00 degrees 30 minutes 59 seconds East 24.41 feet to the point of beginning; thence North 00 degrees 34 minutes 34 seconds West 153.95 feet; thence 333.91 feet by arc distance along a curve to the left having a radius of 1061.00 feet and a chord that bears North 09 degrees 35 minutes 31 seconds West 332.53 feet to the existing westerly right-of-way line of Dogwood Avenue; thence with said line the following courses and distances: North 68 degrees 34 minutes 21 seconds East 29.11 feet; thence 374.55 feet by arc distance along a curve to the right having a radius of 1106.00 feet and a chord that bears South 11 degrees 43 minutes 33 seconds East 372.77 feet; thence South 00 degrees 04 minutes 22 seconds West 127.53 feet; thence departing said line, North 89 degrees 55 minutes 38 seconds West 45.74 feet to the point of beginning, containing 0.46 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 7*

A permanent right-of-way easement in the NE¼ of the SE¼ of Section 9, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SE Corner of said Section 9 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3464; thence with the east line of said Section 9, North 02 degrees 12 minutes 22 seconds West 1984.69 feet; thence departing said line, South 87 degrees 47 minutes 38 seconds West 136.64 feet to the point of beginning, said point being on the existing westerly right-of-way line of Dogwood Avenue; thence with said right-of-way line, South 01 degrees 11 minutes 21 seconds East 32.29 feet; thence continuing with said right-of-way line, 295.51 feet by arc distance along a curve to the left having a radius of 1226.00 feet and a chord that bears South 08 degrees 05 minutes 39 seconds East 294.80 feet; thence departing said line, South 75 degrees 14 minutes 06 seconds West 32.68 feet; thence 282.75 feet by arc distance along a curve to the right having a radius of 1296.02 feet and a chord that bears North 08 degrees 30 minutes 54 seconds West 282.19 feet; thence South 87 degrees 44 minutes 06 seconds West 115.01 feet; thence North 02 degrees 15 minutes 54 seconds West 52.69 feet; thence North 87 degrees 57 minutes 26 seconds East 148.31 feet to the point of beginning, containing 0.39 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 8*

A permanent right-of-way easement in the SE¼ of the SE¼ of Section 4, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Beginning at the SE Corner of Section 4, Township 74 North, Range 9 West, Washington County, Iowa as described in USPLS Corner Certificate recorded in Instrument No. 2020-3454; thence with the south line of said Section 4, North 89 degrees 59 minutes 12 seconds West 79.64 feet to the existing easterly right-of-way line of Dogwood Avenue; thence with said line, 59.98 feet by arc distance along a curve to the left having a radius of 426.05 feet and a chord that bears North 42 degrees 34 minutes 50 seconds West 59.93 feet; thence North 46 degrees 36 minutes 48 seconds West 150.08 feet; thence 259.71 feet by arc distance along a curve to the right having a radius of 326.25 feet and a chord that bears North 23 degrees 48 minutes 30 seconds West 252.91 feet; thence North 01 degrees 00 minutes 11 seconds West 92.50 feet to the southerly right-of-way line of the Iowa Chicago & Eastern Railroad Corporation; thence with said right-of-way line, North 87 degrees 41 minutes 03 seconds East 318.14 feet to the east line of said Section 4; thence with said line, South 01 degrees 47 minutes 12 seconds East 484.20 feet to the point of beginning, containing 2.78 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 9*

A permanent right-of-way easement in the SE¼ of the SE¼ of Section 4, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SE Corner of said Section 4 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3454; thence with the east line of said Section 4, North 01 degrees 47 minutes 12 seconds West 599.21 feet to the point of beginning, said point being on the north right-of-way line of the Iowa Chicago & Eastern Railroad Corporation; thence with said right-of-way line, South 87 degrees 41 minutes 03 seconds West 316.17 feet to the existing east right-of-way line of Dogwood Avenue; thence with said right-of-way line the following courses and distances: North 00 degrees 48 minutes 51 seconds West 559.06 feet; thence North 01 degrees 07 minutes 57 seconds West 182.36 feet to Quarter Quarter section line; thence along said line, South 89 degrees 56 minutes 48 seconds East 304.75 feet to section line; thence along said line, South 01 degrees 47 minutes 12 seconds East 728.63 feet to the point of beginning, containing 5.23 acres, of which 0.00 acres are existing highway right-of-way.  
(the "necessary property interests").

which may be subject to taking by means of proceedings in eminent domain in connection the Project; and

**WHEREAS**, the compensation estimates were prepared by JCG Land Services and Hattery Real Estate Appraisals, LLC, and value finding appraisals were prepared by Hattery Real Estate Appraisals, LLC and all estimates and appraisals were sent to each of the aforementioned private property owners for the necessary property interests; and

**WHEREAS**, the County has engaged in good faith negotiations to acquire the necessary property interests for the Project, but has been unable to acquire the necessary right-of-way by agreement with the owners; and

**WHEREAS**, the Board of Supervisors deems it necessary and proper to acquire property by the exercise of eminent domain; and

**WHEREAS**, the County Engineer has reported that the necessary property interests are contiguous to existing road right-of-way, and are necessary for the maintenance, safety improvement, and upgrade of the existing secondary road pursuant to Iowa Code section 306.27; and

**WHEREAS**, pursuant to Iowa Code section 306.28, before such authority is exercised, a compensation commission should now be selected in accordance with Iowa Code section 6B.4 to appraise damages and make written report of the damages to the board of supervisors, with due notice to be served upon the property owners, mortgagees of record, and any other occupant or tenant known to be occupying the property that is subject to acquisition by eminent domain.

**NOW THEREFORE BE IT RESOLVED by the BOARD OF SUPERVISORS OF WASHINGTON COUNTY, IOWA:**

**Section 1.** The Board hereby finds just compensation for the necessary property interest to be in the amounts set forth in the compensation estimates and appraisals prepared by JCG Land Services and Hattery Real Estate Appraisals, LLC, which have been provided to the

property owners and copies of which are on file with the County Auditor.

**Section 2.** The Board finds that the above-described property and interest(s) therein are necessary in order to achieve the public purposes of the Project consistent with Iowa Code chapter 306.

**Section 3.** The prior negotiations between the County and each of the aforementioned private property owners for the acquisition of the necessary property interests are found to have been based upon the just compensation established herein, and such negotiations are hereby approved, ratified, and confirmed as good faith negotiations for the necessary property interests.

**Section 4.** The County Auditor is hereby directed to serve notice of intent to appraise and acquire said property by eminent domain on the property owners, mortgagees of record, and any other occupant or tenant known to be occupying the property that is subject to acquisition by eminent domain, in accordance with Iowa Code sections 306.30 and 306.31.

**Section 5.** The law firm of Ahlers & Cooney, P.C., is hereby authorized to initiate proceedings in eminent domain, including seeking the appointment of a compensation commission to appraise damages.

**Section 6.** That said compensation commission, after appointment shall forthwith proceed to the assessment of damages and shall make written report of the damages to the board of supervisors.

**Section 7.** That the Board of Supervisors will set a date and time for public hearing on objections or assessment upon receipt of the report, with due notice as required by law.

**Section 8.** The notice of intent hereby ordered shall be in substantially the form attached hereto as Exhibit A.

**EXHIBIT A: Form of Notice of Intent to Condemn** To whom it may concern:

Notice is given that the Board of Supervisors of Washington County, Iowa, proposes to condemn for road purposes the following described real estate in said county:

*Parcel 1*

A permanent right-of-way easement in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  Section 3, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Beginning at the SW Corner of Section 3, Township 74 North, Range 9 West, Washington County, Iowa as described in USPLS Corner Certificate recorded in Instrument No. 2020-3454; thence with the west line of said Section 3, North 01 degrees 47 minutes 12 seconds West 484.20 feet to the southerly right-of-way line of the Iowa Chicago & Eastern Railroad Corporation; thence with said right-of-way line, North 87 degrees 41 minutes 03 seconds East 200.06 feet; thence departing said line, South 01 degrees 28 minutes 03 seconds East 427.67 feet; thence North 88 degrees 33 minutes 13 seconds East 51.97 feet; thence South 01 degrees 19 minutes 30 seconds East 70.76 feet to the south line of said Section 3; thence with said line, North 88 degrees 52 minutes 18 seconds West 249.39 feet to the point of beginning, containing 2.32 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 2*

A permanent right-of-way easement in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  & the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  Section 10, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Beginning at the W $\frac{1}{4}$  Corner of said Section 10 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3467; thence with the west line of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 27, said line also being the existing east right-of-way line of Dogwood Avenue, North 01 degrees 14 minutes 43 seconds West 1344.64 feet to the NW Corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 27 as recorded in the USPLS Land Corner Certificate recorded in Instrument No. 20203468; thence with the north line of said  $\frac{1}{4}$ - $\frac{1}{4}$ , South 88 degrees 52 minutes 18 seconds East 165.73 feet; thence departing said line, South 01 degrees 07 minutes 46 seconds East 153.49 feet; thence South 88 degrees 45 minutes 02 seconds West 50.00 feet; thence South 01 degrees 17 minutes 47 seconds East 1250.00 feet; thence North 88 degrees 42 minutes 10 seconds East 50.00 feet; thence South 01 degrees 17 minutes 50 seconds East 500.04 feet; thence South 88 degrees 42 minutes 10 seconds West 62.24 feet to the existing east right-of-way line of Dogwood Avenue; thence with said line the following courses and distances: North 01 degrees 11 minutes 21 seconds West 178.11 feet; thence South 88 degrees 48 minutes 39 seconds West 70.00 feet; thence North 01 degrees 11 minutes 21 seconds West 386.45 feet to the south line of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 27; thence with said line, North 89 degrees 24 minutes 07 seconds West 35.18 feet to the point of beginning, containing 5.09 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 3*

A permanent right-of-way easement in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 10, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SW Corner of said Section 10 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3464; thence with the west line of said Section 10, North 02 degrees 12 minutes 22 seconds West 1775.59 feet; thence departing said line, North 87 degrees 47 minutes 38 seconds East 104.74 feet to the point of beginning, said point being on the existing easterly right-of-way line of Dogwood Avenue; thence departing said right-of-way line, North 78 degrees 59 minutes 06 seconds East 12.59 feet; thence 111.37 feet by arc distance along a curve to the left that has a radius of 1021.00 feet and a chord that bears South 14 degrees 08 minutes 24 seconds East 111.32 feet; thence South 72 degrees 44 minutes 06 seconds West 12.07 feet to the existing east right-of-way line of Dogwood Avenue; thence with said line 112.72 feet by arc distance along a curve to the right having a radius of 996.00 feet and a chord that bears North 14 degrees 24 minutes 17 seconds West 112.66 feet to the point of beginning, containing 0.03 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 4*

A permanent right-of-way easement in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 10, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SW Corner of said Section 10 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3464; thence with the west line of said Section 10, North 02 degrees 12 minutes 22 seconds West 1125.11 feet; thence departing said line, North 87 degrees 47 minutes 38 seconds East 419.61 feet to the point of beginning, said point being on the existing easterly right-of-way line of Dogwood Avenue; thence departing said right-of-way line, North 55 degrees 55 minutes 22 seconds East 31.05 feet; thence South 34 degrees 04 minutes 38 seconds East 275.02 feet; thence South 55 degrees 55 minutes 22 seconds West 28.92 feet to the existing easterly right-of-way line of Dogwood Avenue; thence with said line, North 34 degrees 31 minutes 18 seconds West 275.03 feet to the point of beginning, containing 0.19 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 6*

A permanent right-of-way easement in the SW¼ of the SW¼ of Section 10, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SW Corner of said Section 10 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3464; thence with the south line of said Section 10, South 89 degrees 29 minutes 01 seconds East 572.59 feet; thence departing said line, North 00 degrees 30 minutes 59 seconds East 24.41 feet to the point of beginning; thence North 00 degrees 34 minutes 34 seconds West 153.95 feet; thence 333.91 feet by arc distance along a curve to the left having a radius of 1061.00 feet and a chord that bears North 09 degrees 35 minutes 31 seconds West 332.53 feet to the existing westerly right-of-way line of Dogwood Avenue; thence with said line the following courses and distances: North 68 degrees 34 minutes 21 seconds East 29.11 feet; thence 374.55 feet by arc distance along a curve to the right having a radius of 1106.00 feet and a chord that bears South 11 degrees 43 minutes 33 seconds East 372.77 feet; thence South 00 degrees 04 minutes 22 seconds West 127.53 feet; thence departing said line, North 89 degrees 55 minutes 38 seconds West 45.74 feet to the point of beginning, containing 0.46 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 7*

A permanent right-of-way easement in the NE¼ of the SE¼ of Section 9, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SE Corner of said Section 9 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3464; thence with the east line of said Section 9, North 02 degrees 12 minutes 22 seconds West 1984.69 feet; thence departing said line, South 87 degrees 47 minutes 38 seconds West 136.64 feet to the point of beginning, said point being on the existing westerly right-of-way line of Dogwood Avenue; thence with said right-of-way line, South 01 degrees 11 minutes 21 seconds East 32.29 feet; thence continuing with said right-of-way line, 295.51 feet by arc distance along a curve to the left having a radius of 1226.00 feet and a chord that bears South 08 degrees 05 minutes 39 seconds East 294.80 feet; thence departing said line, South 75 degrees 14 minutes 06 seconds West 32.68 feet; thence 282.75 feet by arc distance along a curve to the right having a radius of 1296.02 feet and a chord that bears North 08 degrees 30 minutes 54 seconds West 282.19 feet; thence South 87 degrees 44 minutes 06 seconds West 115.01 feet; thence North 02 degrees 15 minutes 54 seconds West 52.69 feet; thence North 87 degrees 57 minutes 26 seconds East 148.31 feet to the point of beginning, containing 0.39 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 8*

A permanent right-of-way easement in the SE¼ of the SE¼ of Section 4, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Beginning at the SE Corner of Section 4, Township 74 North, Range 9 West, Washington County, Iowa as described in USPLS Corner Certificate recorded in Instrument No. 2020-3454; thence with the south line of said Section 4, North 89 degrees 59 minutes 12 seconds West 79.64 feet to the existing easterly right-of-way line of Dogwood Avenue; thence with said line, 59.98 feet by arc distance along a curve to the left having a radius of 426.05 feet and a chord that bears North 42 degrees 34 minutes 50 seconds West 59.93 feet; thence North 46 degrees 36 minutes 48 seconds West 150.08 feet; thence 259.71 feet by arc distance along a curve to the right having a radius of 326.25 feet and a chord that bears North 23 degrees 48 minutes 30 seconds West 252.91 feet; thence North 01 degrees 00 minutes 11 seconds West 92.50 feet to the southerly right-of-way line of the Iowa Chicago & Eastern Railroad Corporation; thence with said right-of-way line, North 87 degrees 41 minutes 03 seconds East 318.14 feet to the east line of said Section 4; thence with said line, South 01 degrees 47 minutes 12 seconds East 484.20 feet to the point of beginning, containing 2.78 acres, of which 0.00 acres are existing highway right-of-way.

*Parcel 9*

A permanent right-of-way easement in the SE¼ of the SE¼ of Section 4, Township 74 North, Range 9 West of the Fifth Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the SE Corner of said Section 4 as described in USPLS Corner Certificate recorded in Instrument No. 2020-3454; thence with the east line of said Section 4, North 01 degrees 47 minutes 12 seconds West 599.21 feet to the point of beginning, said point being on the north right-of-way line of the Iowa Chicago & Eastern Railroad Corporation; thence with said right-of-way line, South 87 degrees 41 minutes 03 seconds West 316.17 feet to the existing east right-of-way line of Dogwood Avenue; thence with said right-of-way line the following courses and distances: North 00 degrees 48 minutes 51 seconds West 559.06 feet; thence North 01 degrees 07 minutes 57 seconds West 182.36 feet to Quarter Quarter section line; thence along said line, South 89 degrees 56 minutes 48 seconds East 304.75 feet to section line; thence along said line, South 01 degrees 47 minutes 12 seconds East 728.63 feet to the point of beginning, containing 5.23 acres, of which 0.00 acres are existing highway right-of-way.

The damages caused by said condemnation will be assessed by a compensation commission appointed as provided by law for the purpose of appraising the damages. All parties interested are further notified that the compensation commission will, when duly appointed, proceed to appraise the damages, will report the appraisement to the board of supervisors and that the board will pass thereon as provided by law, and that at all such times and places you may be present. You are further notified that at the hearing before the supervisors you may file objections to the use of the land for road purposes and that all such objections not so made will be deemed waived.

Thorius informed the Board that Iowa Code Chapter 309.22 requires completion of an annual Five-Year Road Construction Plan. He added that on March 28, 2023, the Board of Supervisors held a work session to review the proposed FY24 Secondary Roads Five-Year Road Construction Plan (Plan) which contains over \$20.239 million in estimated project expenses and an estimated \$11.734 million available for the funding of such projects. Thorius noted that while only \$11.734 million in funding is currently available, road construction projects must be included in the Plan in order to be eligible for funding. Thorius is hopeful that additional funding will become available in the future which would allow for quicker completion of construction projects. The \$11.734 million in funding comes from the following sources: \$2.250 million (19%) in local secondary road funding, \$6.459 million (55%) in Farm-to-Market state gas tax funding, \$1.375 million (12%) in federal bridge funding, and \$1.65 million (14%) in funding from the federal gas tax. The overall goal of the Plan is to continue to replace aging structures and improve gravel road systems. Projects are selected based on their anticipated impact on the entire County road system as well as funding availability. Thorius also stressed that the Plan is a “living” plan that can be updated and modified for various reasons which include changes in funding options. On motion by Young, seconded by Stoops, the Board voted to approve the FY24 Washington County Secondary Roads FY24 Five-Year

Road Construction Plan and to authorize the Chairperson to sign pertinent documents. The FY23 Plan is available for review in the office of the Washington County Engineer.

Thorius reminded that while the Secondary Roads FY24 budget had already been approved by the Board of Supervisors that same budget must also be submitted in a slightly different format to the Iowa Department of Transportation for approval. On motion by Fedler, seconded by Yoder, the Board voted to approve the FY24 Iowa Department of Transportation Budget for Washington County Secondary Roads and to authorize the Chairperson to sign pertinent documents. The complete report is available by contacting the Washington County Engineer's office.

On motion by Seward, seconded by Fedler, the Board voted to approve Iowa Department of Transportation Funding Agreement 5-23-HSIP-SWAP-010 for funding assistance for paved shoulders, rumble strips and grooved-in pavement markings on County Road G36 reaching from Iowa Highway 1 to Redwood Avenue and to authorize the Chairperson to sign pertinent documents.

There was no comment from department heads.

At 9:43 a.m. on motion by Fedler, seconded by Young, the Board voted to adjourn.

ATTEST:  
April 11, 2023

ROBERT C. YODER  
Chairperson, Board of Supervisors

DANIEL L. WIDMER  
County Auditor