

OFFICIAL NOTICE

The Des Moines County Board of Supervisors will hold a regular session on **Tuesday, September 12th, 2023** at 9:00 A.M. in the public meeting room at the Des Moines County Courthouse.

8:30 AM -Work Session: Board of Supervisors: Review of Weekly Business

PUBLIC NOTICE – the meeting can be viewed by live stream at www.dmcountry.com/youtube. Anyone with questions during the meeting may email the Board of Supervisors at board@dmcountry.com OR call 319-753-8203, Ext 4

TENTATIVE AGENDA:

1. Pledge of Allegiance
2. Changes to Tentative Agenda
3. Meet with Department Heads / Elected Officials
4. Correspondence
5. Discussion / Vote:
 - A. Tax Abatement Request for Parcel # (140)-17274
 - B. Disclaimer and Consent for 2910 Madison Ave.
 - C. Presentation of Conservation Annual Report
 - D. Personnel Actions:
 1. County Attorney (1)
 2. Conservation (1)
 - E. Reports:
 1. Recorder's Report of Fees Collected, August 2023
 - F. Minutes for Regular Meeting on August 29th, 2023
6. Other Business
7. Future Agenda Items
8. Committee Reports
9. Public Input
10. Adjournment

Work Sessions Following the Meeting:

BOS / DMCCB

RE: Proposal to Lease Gahn Recreation Area for Campground Development
Held at the Conservation Office at 13700 Washington Rd., West Burlington, IA at 5:30 PM

BOS / County Engineer

RE: Project Tour

Des Moines County Treasurer's Office

Janelle Nalley-Londquist, Treasurer
513 N Main St., Ste 13 - P.O. Box 248
Burlington, IA 52601
www.iowatreasurers.org

Property Tax Department

Debra Moore, Deputy
Julie Howe, Deputy
Phone: (319) 753-8252
dmctax@dmcounty.com



Motor Vehicle Department

Michelle Reynolds, Deputy
Gina Beckman, Deputy
Phone: (319) 753-8273
dmcvmv@dmcounty.com

September 8, 2023

Board of Supervisors
Courthouse
Burlington, IA 52601

Ref: Dist & Parcel: (140) 17274

Gentlemen:

On July 30, 2023, Paula Gustafson's 1997 Dutch House mobile home located at 14876 Washington Rd Lot 148, W Burlington, IA was destroyed in a fire, attached is a copy of the letter typed up by our office and signed by the Fire Chief of the Burlington Fire Dept certifying this mobile home was completely destroyed by the fire.

On Tuesday, 8-29-23 Paula came into our office and paid \$21.00 (1/12) of her 2024 MH tax bill, we only collected one month of taxes as mobile home taxes are billed current (July 1, 2023, through June 30, 2024).

We are asking for the remaining unpaid balance of \$229.00 of her 2024 MH taxes on the above referenced parcel to be cancelled, attached is a copy of her mobile home tax bill.

Sincerely,

Debra L. Moore, Deputy Treas
Des Moines Co Treasurer's Office
Tax Dept

Enc(s): 2

IN THE IOWA DISTRICT COURT FOR DES MOINES COUNTY

CITY OF BURLINGTON, IOWA,

Petitioner,

vs.

CODY FORD; SPOUSE, IF ANY, OF
CODY FORD; NEWLINE HOLDINGS
LLC - SERIES 19; and TREASURER
FOR DES MOINES COUNTY, IOWA,

Respondent.

CASE NO. EQEQ014934

**PETITION FOR TITLE TO
ABANDONED PROPERTY
(Iowa Code 657A.10B)**

The City of Burlington, Iowa, petitions the Court as follows:

1. The City is an Iowa municipal corporation.
2. This Petition is filed pursuant to Iowa Code §657A.10B.
3. The abandoned property ("Property") which is the subject of this Petition consists of real property located at **2910 Madison Avenue** in the City of Burlington, Des Moines County, Iowa (Parcel No. 16-17-276-001), and legally described as:

PARCEL M IN PART OF THE NORTHEAST 1/4 OF SECTION 17,
T69N, R2W OF THE 5TH P.M., CITY OF BURLINGTON, DES
MOINES COUNTY, IOWA, AS DESCRIBED IN SURVEY FILED
JULY 19, 2017, RECORDED AS DOC. NO. 2017-003647 IN THE
OFFICE OF THE COUNTY RECORDER OF DES MOINES
COUNTY, IOWA,

including a large institutional building ("Institutional Building"), a smaller administrative building ("Administrative Building"), and a detached garage building ("Garage Building"), hereinafter referred to collectively as the "Buildings".

4. The above-named Respondents may have interests in the Property, as follows:

a) Cody Ford, by virtue of a Warranty Deed, dated July 29, 2016, and filed August 3, 2016, as Instrument No. 2016-004032, Recorder's Office, Des Moines County, Iowa; and

b) Spouse, if any, of Cory Ford by virtue of marriage to Cody Ford; and

c) Newline Holdings LLC - Series 19 by virtue of a Tax Sale Certificate No. 21-0031, dated June 21, 2021 (not redeemed), Treasurer's Office, Des Moines County, Iowa; and

d) Treasurer for Des Moines County, Iowa, by virtue of real estate taxes and special assessments assessed to the Property, whether paid or unpaid or becoming due during the pendency of this action.

5. The Property is abandoned according to the criteria set forth in Iowa Code §657A.10B(4).

6. Property taxes and special assessments on the Property were delinquent at the time this Petition was filed.

7. Utilities are not currently being provided to the Property.

8. The Buildings on the Property have been vacant and unoccupied by the owner or lessees or licensees of the owner for at least six consecutive months.

9. The Buildings do not meet City Code requirements as being fit for human habitation, occupancy, or use. The Buildings are in a severe state of disrepair. See photos attached hereto as "Exhibit 1."

10. The Buildings are exposed to the elements such that deterioration of the Buildings is occurring.

11. The Buildings are partially boarded up but are not sufficiently secured from unauthorized entry.

12. Those claiming an interest in the Property have not made efforts to rehabilitate the Buildings and grounds.

13. Those claiming an interest in the Property have not, prior to the filing of this Petition, demonstrated good faith efforts to restore the Property to productive use.

14. There are vermin present within the Buildings and uncut vegetation, debris, and junk upon the Property.

15. The City has expended considerable effort to maintain the Buildings and grounds, including but not limited to cutting grass and weeds; disposing of accumulated junk and debris, and endeavoring to secure Buildings upon the Property, resulting in significant unpaid special assessments.

16. Those claiming an interest in the Property have not complied with orders to abate ongoing violations of the City Code.

17. The Property may contain personal property which has similarly been abandoned and which may require disposition upon award of title to the Property.

Accordingly, Petitioner the City of Burlington, Iowa, requests the Court issue an order finding the real property located at **2910 Madison Avenue** in the City of Burlington, Iowa, constitutes abandoned property within the meaning of Iowa Code §657A.10B; notice of this Petition has been given to all persons holding an interest in the Property; and the City has complied in all respects with the requirements of Iowa Code §657A.10B.

The City further requests the Court enter judgment awarding title to the Property to the City of Burlington, Iowa, free and clear of any and all claims, liens, or encumbrances held by any of the Respondents; and further awarding Petitioner ownership of any personal property remaining on the Property upon award of title.

/s/ Steven C. Leiding
STEVEN C. LEIDINGER, AT0011301
LYNCH DALLAS, P.C.
526 Second Avenue SE
P.O. Box 2457
Cedar Rapids, Iowa 52406-2457
Telephone 319.365.9101
Facsimile 319.365.9512
E-Mail sleidinger@lynchdallas.com

ATTORNEYS FOR PETITIONER

IN THE IOWA DISTRICT COURT FOR DES MOINES COUNTY

CITY OF BURLINGTON, IOWA,

Petitioner,

vs.

CODY FORD; SPOUSE, IF ANY, OF
CODY FORD; NEWLINE HOLDINGS
LLC - SERIES 19; and TREASURER
FOR DES MOINES COUNTY, IOWA,

Respondents.

CASE NO. EQEQ014934

**DISCLAIMER OF INTEREST
AND CONSENT TO ORDER OF
DES MOINES COUNTY, IOWA**

Des Moines County Attorney, Lisa Schaefer, on behalf of Des Moines County, Iowa, hereby consents to entry of a Judgment in favor of Petitioner in the above-captioned action awarding title of the subject property located at **2910 Madison Avenue** in the City of Burlington, Des Moines County, Iowa (Parcel No. 16-17-276-001), ("Property") to the City of Burlington, Iowa, free and clear of any claims, liens, or encumbrances. Des Moines County, Iowa hereby disclaims any interest with respect to taxes and/or special assessments due and owing to Des Moines County and/or tax sale certificates, if any, held by Des Moines County as of the date of the Court's Order awarding title to the Property to the City of Burlington, Iowa.

/s/

Lisa Schaefer, AT
Des Moines County Attorney
Des Moines County Attorney's Office
100 Valley Street
Burlington, IA 52601
dmca@dmcounty.com

ATTORNEY FOR RESPONDENT
DES MOINES COUNTY, IOWA

657A.10A Petition by city for title to abandoned property.

1. In lieu of the procedures in sections 657A.2 through 657A.10, a city in which an abandoned building is located may petition the court to enter judgment awarding title to the abandoned property to the city. A petition filed under this section shall include the legal description of the abandoned property. If more than one abandoned building is located on a parcel of real estate, the city may combine the actions into one petition. The owner of the building and grounds, mortgagees of record, lienholders of record, or other known persons who hold an interest in the property shall be named as respondents on the petition.

The petition shall be filed in the district court of the county in which the property is located. Service on the owner and any other named respondents shall be by certified mail and by posting the notice in a conspicuous place on the building. The action shall be in equity.

2. Not sooner than sixty days after the filing of the petition, the city may request a hearing on the petition.

3. In determining whether a property has been abandoned, the court shall consider the following for each building that is located on the property and named in the petition and the building grounds:

- a. Whether any property taxes or special assessments on the property were delinquent at the time the petition was filed.
- b. Whether any utilities are currently being provided to the property.
- c. Whether the building is unoccupied by the owner or lessees or licensees of the owner.
- d. Whether the building meets the city's housing code for being fit for human habitation, occupancy, or use.
- e. Whether the building is exposed to the elements such that deterioration of the building is occurring.
- f. Whether the building is boarded up.
- g. Past efforts to rehabilitate the building and grounds.
- h. The presence of vermin, accumulation of debris, and uncut vegetation.
- i. The effort expended by the petitioning city to maintain the building and grounds.
- j. Past and current compliance with orders of the local housing official.
- k. Any other evidence the court deems relevant.

4. In lieu of the considerations in subsection 3, if the city can establish to the court's satisfaction that all parties with an interest in the property have received proper notice and either consented to the entry of an order awarding title to the property to the city or did not make a good faith effort to comply with the order of the local housing official within sixty days after the filing of the petition, the court shall enter judgment against the respondents granting the city title to the property.

5. If the court determines that the property has been abandoned or that subsection 4 applies, the court shall enter judgment awarding title to the city. The title awarded to the city shall be free and clear of any claims, liens, or encumbrances held by the respondents.

6. If a city files a petition under subsection 1, naming the holder of a tax sale certificate of purchase for the property as a respondent, the city shall also file the petition, along with a verified statement declaring that the property identified in the petition contains an abandoned building, with the county treasurer. Upon receiving the petition and verified statement, the county treasurer shall make an entry in the county system canceling the sale of the property and shall refund the purchase money to the tax sale certificate holder.

2004 Acts, ch 1165, §10, 11; 2010 Acts, ch 1050, §11, 12

Referred to in §448.13

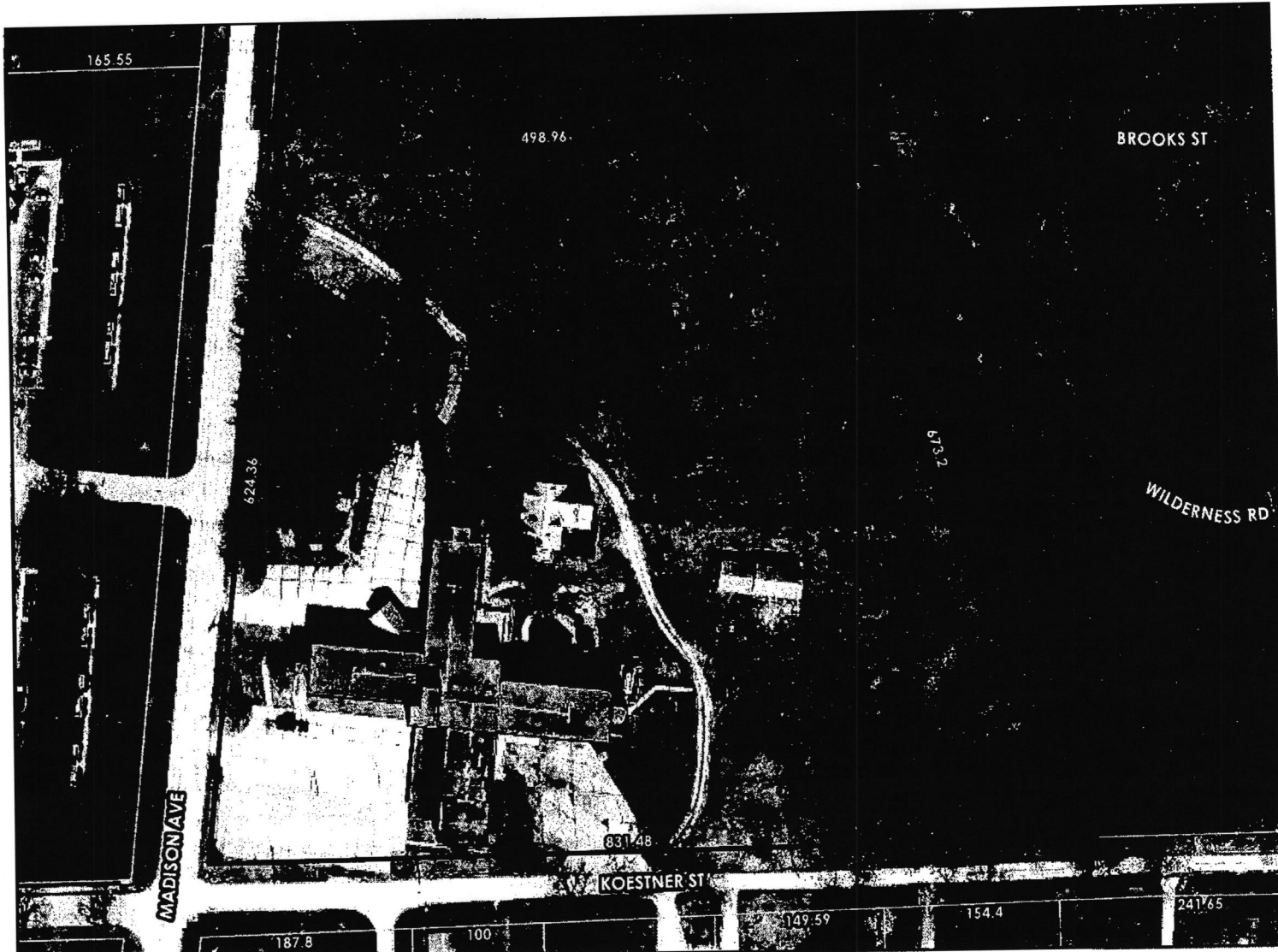
448.13 Cancellation of tax sale and certificate of purchase — refund of purchase money.

If the county treasurer receives a verified statement from a city or county stating that a parcel sold at tax sale contains a building that is abandoned, as those terms are defined in section 657A.1, prior to redemption of the parcel under chapter 447 or the issuance of a tax deed for the parcel, and the verified statement is accompanied by a petition filed by the city or county under section 657A.10B for title to the parcel, the county treasurer shall make an entry in the county system canceling the sale of the parcel and shall refund the purchase money to the tax sale certificate holder.

2010 Acts, ch 1050, §4; 2021 Acts, ch 55, §1

Referred to in §420.245

6/30/23
\$ 54,509



Disclaimer: Map and parcel data are believed to be accurate, but are not guaranteed. This is not a legal document and cannot be substituted for a title search, appraisal, survey, or for zoning verification.

0 85 170 340 Feet

1:1,650



Des Moines County GIS Commission

Property Information

Parcel:	Site Address:	Mail Address:
16-17-276-001	2910 MADISON AVE, BURLINGTON IA 52601	PO BOX 453, BURLINGTON IA 52601
Owner:		
FORD CODY		
Property Class:	M	Contract To: NOT AVAILABLE

Legal Information

Deed Book:	2016	Deed Page:	004032
Legal Description:			
SECTION:17 TOWNSHIP:69 RANGE:2 PARCEL M BURLINGTON			

2023 Assessed Values:

Building:	\$0	Dwelling:	\$137,200	Land:	\$139,700	Total:	\$276,900
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2022 Tax Information

2022 Assessed Values:

Building:	\$0	Dwelling:	\$137,200	Land:	\$139,700	Total:	\$276,900
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Districts and Levy Rates:

001 - BURL/BURL, 0.0366865900

Net Taxes:	\$5,552	Family Farm:	\$0	Gross Taxes:	\$5,551.63	DSC Credit:	\$0
Homestead Credit:	NO	Net Acres:	9.07	Ag Land:	\$0	Drainage/Levy Rates:	\$0

DES MOINES CO TREASURER

DATE : 9/1/2023 3:01 PM
OPER : 3-Julie
TKBY : Julie Howe
TERM : 3
REC# : R00430448

400 Miscellaneous Receipt	20609.01
DMC RECORDER OFFICE	20609.01
AFFIDAVITS & ARTICLES	535.00
0001-1-07-8110-400010	-535.00
CONTRACTS	345.00
0001-1-07-8110-400015	-345.00
DEEDS	2115.00
0001-1-07-8110-400020	-2115.00
EASEMENTS	765.00
0001-1-07-8110-400025	-765.00
MISCELLANEOUS	185.00
0001-1-07-8110-400030	-185.00
MORTGAGES	6995.00
0001-1-07-8110-400035	-6995.00
PLATS	410.00
0001-1-07-8110-400040	-410.00
TAX LIENS-ST OF IA	45.00
0001-1-07-8110-400045	-45.00
TRADE NAMES	20.00
0001-1-07-8110-400050	-20.00
SNOWMOBILE TITLE & LIENS-DNR	205.00
0001-1-07-8110-401000	-205.00
BOAT LIEN - DNR	50.00
0001-1-07-8110-402000	-50.00
BOAT/SNOW WRITING FEES-DNR	342.00
0001-1-07-8110-403000	-342.00
HUNT/FISH WRITING FEES-DNR	7.00
0001-1-07-8110-403001	-7.00
REVENUE STAMPS-IA DEPT REV	3485.74
0001-1-07-8110-404000	-3485.74
TRANSFER FEES - AUDITOR	1100.00
0001-1-07-8110-410000	-1100.00
VITAL RECORDS-IA DEPT HEALTH	1328.00
0001-1-07-8110-413000	-1328.00
PASSPORTS-US DEPT STATE	1200.00
0001-1-07-8110-415000	-1200.00
OTHER MISC FEES & COPIES	797.45
0001-1-07-8110-550000	-797.45
RECORDER'S REC MGT FEE	540.00
0024-1-07-8110-414000	-540.00
TRB - INT ON CK'G- TWO RIVERS	0.82
0001-1-07-8110-600000	-0.82
REC'S NON-REF OVER PYMT	13.00
0001-4-99-9030-822000	-13.00
DNR - BOAT TITLE FEE	125.00
0027-1-22-6110-412000	-125.00

Paid By:DMC RECORDER OFFICE
2-Check 20609.01 REF:5006

APPLIED 20609.01
TENDERED 20609.01

CHANGE 0.00

MISCELLANEOUS RECEIPTS TO TREASURER

DATE: September 1, 2023

DOC NO.	PAID BY/DESCRIPTION	ACCOUNT NO.	AMOUNT	ACCURE DATE
1636	Public - Affidavits & Articles of Inc AA	0001-1-07-8110-400010	\$535.00	8/31/2023
"	Public - Contracts CT	0001-1-07-8110-400015	\$345.00	"
"	Public - Deeds DDS	0001-1-07-8110-400020	\$2,115.00	"
"	Public - Easements EM	0001-1-07-8110-400025	\$765.00	"
"	Public - Miscellaneous MI	0001-1-07-8110-400030	\$185.00	"
"	Public - Mortgages MTG	0001-1-07-8110400035	\$6,995.00	"
"	Public - Plats PLT	0001-1-07-8110-400040	\$410.00	"
"	State of Iowa-Tax Liens TL	0001-1-07-8110-400045	\$45.00	"
"	Public - Trade Names TN	0001-1-07-8110-400050	\$20.00	"
"	Public - Fin. Stmts - Fixture Filings FSF	0001-1-07-8110-400055	\$0.00	"
"	DNR - ATV Titles & Liens ST	0001-1-07-8110-401000	\$205.00	"
"	DNR - Boat Liens Fee BL	0001-1-07-8110-402000	\$50.00	"
"	DNR - Boat/Snow Writing Fees WFB	0001-1-07-8110-403000	\$342.00	"
"	DNR - Hunt & Fish Writing Fees WFH	0001-1-07-8110-403001	\$7.00	"
"	Ia Dept of Rev - Rev Stamp Fee RS	0001-1-07-8110-404000	\$3,485.74	"
"	Public - County Transfer Fees TF	0001-1-07-8110-410000	\$1,100.00	"
"	Ia Dept of Health - Vital Record Fee VR	0001-1-07-8110-413000	\$1,328.00	"
"	US Dept of State - Passports PP	0001-1-07-8110-415000	\$1,200.00	"
"	Public - PhotoCopy/Fax Fees OMI	0001-1-07-8110-550000	\$797.45	"
"	Public - Recorder's Record Mgt Fees RMF	0024-1-07-8110-414000	\$540.00	"
"	Two Rivers - Interest on Checking IC	0001-1-07-8110-600000	\$0.82	"
"	Public - Non-refund Over Payment NR	0001-4-99-9030-822000	\$13.00	"
"	DNR - Boat Title Fee BT	0027-1-22-6110-412000	\$125.00	"
"	Public - County UTV Permit CAP	0001-1-07-8110-407000	\$0.00	"

TOTAL \$20,609.01

THE REVENUE LISTED ABOVE WAS RECEIVED FROM THE RECORDER'S DEPARTMENT.

BY _____
INITIALS

TREASURER'S RECEIPT NUMBER ISSUED FOR THIS TRANSACTION: _____

MISCELLANEOUS RECEIPTS TO TREASURER

DATE: September 1, 2023

PLEASE ATTACH TAPE OF TOTAL AND ENTER AMOUNT HERE _____

[illegible]

THE REVENUE LISTED ABOVE WAS RECEIVED FROM _____

BY _____

TREASURER'S RECEIPT NUMBER ISSUED FOR THIS TRANSACTION

NOTICE OF DES MOINES COUNTY PERSONNEL ACTION

Name: Ryan Roth Employee # : _____
Title: Park Ranger Department: Conservation

STATUS CHANGES

TERMINATION

☒ Resignation ☐ Unsatisfactory Probation
☐ Discharge ☐ Death
☐ Retirement ☐ Other, Explain _____

TRANSFER

☐ Permanent ☐ Voluntary
☐ Temporary ☐ Involuntary

Previous Title _____
Previous Dept _____
New Job Title _____
New Dept _____
Previous Rate _____ New Rate _____
Effective Transfer Date _____
Last Day Worked 9/8/23
Add Vacation Days _____ to _____
Add Sick Days _____ to _____
Add Other Days _____ to _____
Last Day Paid _____
Unpaid Days _____ to _____

LAY OFF

Final Termination Date _____
Final Rate of Pay _____
Permanent Address _____
City, State, Zip _____
Does the employee Want Health Insurance Continued ☐ Yes ☐ No
Does Employee Want Life Insurance Continued ☐ Yes ☐ No
Last Day Worked _____

LEAVE OF ABSENCE

☐ Maternity ☐ Educational
☐ Medical ☐ Military
☐ Other, Explain _____

SALARY ADJUSTMENT

☐ New Hire ☐ Demotion
☐ Anniversary ☐ Reduction
☐ Promotion ☐ Suspension
☐ Probationary ☐ Other, Explain _____

Dates of Absence _____ to _____

Does the employee Want Health Insurance Continued ☐ Yes ☐ No
Does Employee Want Life Insurance Continued ☐ Yes ☐ No
Previous Rate _____ New Rate _____
Previous Job Title: (if changed) _____
Effective Date: _____

Authorized by: Chris Lee Department: Conservation Date: 9/8/23
Authorized by: _____ Department: _____ Date: _____

Pay Period Ending: _____ Payroll Date: _____

September 5, 2023

The Des Moines County Board of Supervisors met in regular session at the Court House in Burlington at 9 AM on Tuesday, September 5, 2023, with Chair Shane McCampbell, Vice-Chair Tom Broeker, and Member Jim Cary present. This meeting was also held electronically via Webex and YouTube live streaming. Public input was available through board email or call in.

Unless otherwise noted, all motions passed unanimously. The Pledge of Allegiance was conducted.

Meeting with Department Heads: Maintenance Director Rodney Bliesener reported his staff is busy. The Main Street project is continuing and one of the North and South bound lanes will be shut down in front of the Courthouse. Bids for the new Public Health Building will be received on September 12th at 2:00 P.M. Public Health Director Christa Poggemiller reported her office has begun giving Flu Vaccines on Tuesday's. Safety Director Angela Vaughan stated she is present for a work session on the agenda. MHASEI CDS Director Ken Hyndman stated he will be in Des Moines later this week for training. The Region is working on a brochure that has information on where to apply for Mental Health services in your area. Land Use Administrator Zach James reported his office is busy working on flood plain and zoning regulations. They are continuing to work on finishing up the Solar Ordinance. Sheriff Kevin Glendening reported the purchase of a second Canine, Luna, for the Department. Deputy Hoschek will be the handler for Luna. The Jail population is 88. County Auditor Sara Doty stated her office is busy working on Elections. There will be a Special Election on September 12th. It has also been determined there will now be a Primary Election held on October 10th. The filing deadline to turn in nomination paperwork for the November 7th City/School Election is September 21st at 5:00 P.M. County Engineer Brian Carter reported the Highway 99 project is moving along. The Contractor is looking at closing the intersection of Golf Course Road early next week. His crews are working on full depth patching on Plank Road as well.

No correspondence was received.

Approval of Accounts Payable Claims in the amount of \$1,354,530.06 was presented. Cary made a motion to approve and was seconded by Broeker.

Approval of Payroll Reimbursement Claims in the amount of \$935.83 was presented. Broeker made a motion to approve and was seconded by Cary.

Approval of Tax Abatement Requests for Parcels #07-01-305-017; 07-01-305-018; 07-01-305-019; 07-01-305-020; & 07-01-305-021 was presented. Broeker made a motion to approve and was seconded by Cary.

Approval of Resolution #2023-038 to Support and Match Funds for Great River Housing Trust Fund FY2025 in the amount of \$12,500 was presented. Zach James spoke on this. Broeker made a motion to approve and was seconded by Cary.

INSERT RESOLUTION #2023-038

Approval of Personnel Actions for the County Attorney, Danielle Cassiday, Records Legal Assistant, New Hire at \$30,781.13 effective 9/11 was presented. Cary made a motion to approve and was seconded by Broeker.

Reports:

Veterans Affairs Monthly Report, August 2023

Broeker motioned to approve the August 29th, 2023, regular meeting minutes and seconded by Cary.

McCampbell attended a Conservation Board Meeting

The meeting was adjourned at 9:33 AM.

Following the board meeting, a work session was held with Safety Director Angela Vaughan regarding the Animal Control Ordinance. A second work session was held with County Engineer Brian Carter, who took the Board of Supervisors on a Project Tour.

This Board meeting is recorded. The meeting minutes and audio are posted on the county's website www.dmcounty.com

Shane McCampbell, Chair
Attest: Sara Doty, County Auditor