

## WAPELLO COUNTY BOARD PROCEEDINGS

DATE: 5-2-2017

TIME: 9:30 a.m.

PRESENT: Jerry Parker, Chair; Brian Morgan, Vice Chair; Greg Kenning, Supervisor; Brian Moore, County Engineer; Gary Smith, County Assessor; Gary Oldenburger, County Attorney; Winona Whitaker, The Courier; Doug Heinje; Rhonda Conrad, Legacy in Flight; Leslie Ahlberg, Attorney; Kelly Spurgeon, Auditor; Pam Norton, Auditor's Clerk.

Chair Parker opened the meeting. Vice Chair Morgan moved, seconded by Supervisor Kenning to approve the agenda. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve the minutes of the April 18, 2017 Board meeting. Motion carried.

PUBLIC HEARING FOR PROPOSED ZONING CHANGES ON LAKE ROAD, BLACKHAWK ROAD AND BRICK ROW (OLD AGENCY ROAD). Written comments received were read. Engineer Moore read one he'd received from Dave Barker regarding changing the classification from R-1 to A-1. He states as a follow up to our phone call today, I own the 2 acres of land that is just south of the Foreman's. There's not any fence between our properties and I am not for his property having livestock this close to where I am planning to build sometime in the future due to trespass of livestock and the associated odor. My perspective is that we leave the zoning as it is at R-1.

Auditor Spurgeon read comments from Roger Foreman. He stated that I, Roger Foreman do not recognize the hearing today for reason of Mr. Jerry Parker's acknowledgment of Jennifer's withdrawal of her application for rezoning. For reason of dereliction of duty, I hereby demand the resignation of Mr. Jerry Parker, and for dereliction of duty, I hereby demand the resignation of Sheriff Miller. Facts will be provided at the request of the media.

The third written comment on zoning R-1 to A-1 was received from Doug Heinje, owner of adjacent property on north and east side. He stated 1) approximately 20 years ago this portion of property, from city limits to the end of the surfaced road, was zoned R-1. This was discussed and determined to be the correct thing to do by purpose and reason. This purpose and reason should still be applicable today. (If not this discussion would be to reverse the decision for the entire distance.)

2) The previous and current owners of the property were aware of how the property was zoned at the time of their purchase. They were obviously OK with it or would not have purchased. If their planned use for the property was not compliant with the current zoning they should have considered the issues before purchase. Changed planned use or not purchased. 3) I would like to hear discussion from qualified persons on how changing the zoning may affect adjacent property values and why original decision was made. 4) If zoning is changed from R-1 to A-1 the entire property line to adjacent property should be fenced, by surveyor's records and landmarks, appropriately for farm animals. (48 inch woven w/3 bar wire top or 52 inch w/1 or 2 bar wire top). 5) For the record, I have not requested nor am I requesting any change in zoning for my property.

Hearing no public comments, Vice Chair Morgan moved, seconded by Supervisor Kenning to close the public hearing. Motion carried.

Chair Parker asked for comments on the Foreman proposal. Engineer Moore said the Zoning Commission met March 17th and at that time, there was no record from Mr. Heinje. Their recommendation was not to approve because they weren't going to speak for Mr. Heinje.

Chair Parker said those people made a tremendous investment at that time and probably never saw changes happening. He said he doesn't support changing it. He stated that Mr. Foreman has called and he is withdrawing his request, but we have the responsibility to act on the Commission's recommendations.

Vice Chair Morgan moved, seconded by Supervisor Kenning to deny the Foreman request. Motion carried.

Engineer Moore next spoke of two properties, first one on Brick Row, application from Alliant Energy, substation just outside the county on Brick Row. As part of their bigger project, new transmission lines required upgrading of their substation. They bought more ground just east of that substation. They want to make that piece commercial. No objections were received. The Zoning Commission's recommendation was for approval. Vice Chair Morgan moved, seconded by Supervisor Kenning to approve the Alliant request. Motion carried.

Engineer Moore said the second property on Blackhawk Road was a cleanup situation.

He said the original map was drawn back in the 90's and this just encompasses the rest of his property. The Zoning Commission's recommendation was approval. Supervisor Kenning moved, seconded by Vice Chair Morgan to approve the recommendation. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve Resolution #21-2017 amendment to the fiscal year 2018 five-year construction program. Motion carried.

Rhonda Conrad, Legacy in Flight committee, spoke to the Board concerning the "Fly Iowa" event scheduled in August at the Ottumwa Regional Airport. The committee was asking for support in providing a \$5,000 sponsorship to help cover some of the costs. Supervisor Kenning moved, seconded by Vice Chair Morgan to approve the sponsorship. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve the annual maintenance invoice with Imagetek for the Motor Vehicle department. Motion carried.

Vice Chair Morgan moved, seconded by Supervisor Kenning to approve Resolution #22-2017 noxious weeds to be destroyed. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve a liquor license for Smokin Bones, 8401 Hwy 34E, Agency effective 5/1/17 – 4/30/18. Motion carried.

Vice Chair Morgan moved, seconded by Supervisor Kenning to approve the 6-year contract with Pictometry for two flights. Motion carried.

Vice Chair Morgan moved, seconded by Supervisor Kenning to approve the county library contracts for 2017/2018. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve a tax suspension under Iowa Code 427.8. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve hiring Mark Milligan for summer help at Secondary Roads, hire date 5/8/17 at \$15/hr. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve hiring Leslie Ahlberg as a full-time Assistant County Attorney in the County Attorney's office, hire date 5/8/17 at a starting salary of \$50,378. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve hiring Reuben Neff as a full-time Assistant County Attorney in the County Attorney's office, hire date 5/10/17 at a starting salary of \$54,000. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve the annual \$1 payment to the Wapello County Sheriff Reserves 2016-2017. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve our county handbook section on cell phone and computer security. Motion carried.

Supervisor Kenning moved, seconded by Vice Chair Morgan to approve an Iowa retail permit for cigarette/tobacco/nicotine/vapor for Hwy 63 South BP effective 7/1/17 – 6/30/18. Motion carried.

10:06 a.m. Supervisor Kenning moved, seconded by Vice Chair Morgan to adjourn. Motion carried.

ATTEST:

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Kelly Spurgeon  
Wapello County Auditor

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Jerry L. Parker, Chair  
Board of Supervisors