

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JANUARY 23, 2024.

Meeting called to order at 9:00 A.M. by Chairman Wayne Dralle with members Rusty Eddy and Greg Barnett present. Moved by Eddy second by Barnett to approve the agenda. All ayes. Motion carried.

Minutes of the previous meeting were read. Motioned by Barnett, second by Eddy to approve the minutes as read. All ayes. Motion carried.

No public comment was received.

Motioned by Eddy, second by Barnett to Open a Public Hearing on a request by Reints Farms LLC to rezone 140 acres from A-1 to M for expansion of Butler County Logistics Park on a parcel located in the SW1/4 of Section 34, Township 92 North, Range 15 West of the 5th P.M. Misty Day, Planning and Zoning, provided details regarding the parcel. The Zoning Commission recommended approval of the rezoning. Jeff Kolb and Jeff Reints both provided statements in favor of the rezoning as they prepare for growth adjacent to the Logistics Park. Motioned by Barnett, second by Eddy to close Public Hearing. All ayes. Motion carried.

Board considered Ordinance Title VI, Number 32 – An Ordinance Amending the Official Zoning Map. Barnett motioned to approve the first reading, second by Dralle. Roll Call: Ayes – Eddy, Dralle, Barnett. Nays – None. Motioned by Barnett, second by Eddy to waive the second and third hearings. All ayes. Motion carried and the ordinance was adopted as follows:

ORDINANCE TITLE VI, NUMBER 32

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF BUTLER COUNTY, IOWA ZONING ORDINANCE (ORDINANCE TITLE VI, NUMBER 28, ADOPTED ON NOVEMBER 1, 2022)

Section 1. RESCISSION. This Ordinance rescinds the current zoning designation, “A-1” Agriculture, on a parcel legally described as follows:

A parcel of land located in the SW¹/₄ of Section 34-92-15, Butler County, Iowa, described as follows:

Beginning at the Northwest corner of said SW¹/₄ of Section 34-92-15; thence S. 89°39'43" E. along the North line of said SW¹/₄ a distance of 2649.53 feet to the NE corner of said SW¹/₄; thence S. 00°10'20" E. along the East line of said SW¹/₄ a distance of 2109.46 feet; thence S. 89°50'14" W. a distance of 410.00 feet; thence S. 00°10'11" W. a distance of 245.00 feet; thence S. 52°49'32" W. a distance of 415.00 feet; thence S. 00°16'04" E. a distance of 63.00 feet to the South line of said SW¹/₄; thence S. 90°00'00" W. along said South line a distance of 1268.04 feet; thence N. 00°15'50" W. a distance of 377.70 feet; thence N. 60°21'03" W. a distance of 303.00 feet; thence N. 30°22'55" W. a distance of 467.50 feet; thence S. 89°31'35" W. a distance of 134.70 feet to the West line of said SW¹/₄; thence N. 00°23'03" W. along said West line a distance of 1754.43 feet to the point of beginning; excepting therefrom all legal highways, together with the easements benefiting said property as set forth in the Memorandum of Agreement dated April 26, 1991, and filed May 17, 1991, in Book 135, paged 140-143, in the office of the Butler County Recorder.

The South line of the SW¹/₄ of Section 34-92-15 is assumed to bear S. 90°00'00" W.

on the Official Zoning Map as was originally adopted.

Section 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation “M” for the property legally described above, on the Official Zoning Map.

Section 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Butler County Zoning Ordinance (Ordinance No. Title VI, Number 28, adopted on November 1, 2022) as indicated by said section number and hereafter shall be cited by reference to said section number.

Section 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

Section 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

Section 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from

the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part not adjudged invalid or unconstitutional.

Section 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on JANUARY 23, 2024.

SECOND PASSAGE (READING) WAIVED on JANUARY 23, 2024.

THIRD AND FINAL PASSAGE (READING) WAIVED AND ADOPTION on JANUARY 23, 2024.

BUTLER COUNTY BOARD OF SUPERVISORS

BY: *Wayne Dralle*, Chair

Leslie Groen, County Auditor

Motioned by Eddy, second by Barnett to open a Public Hearing on a request by Jeremy Cole, Cole Excavating to rezone 8.2 acres from A-1 to C to relocate business shop-headquarters to a parcel described as that part of Lot 16N1/2 NW W of RD & N 295.3' lot 17 W of RD of Section 1, Township 93 North, Range 17 West of the 5th P.M. Dralle read a letter received by Matt Rust, who lives nearby and wanted to voice his concerns with rezoning this parcel. His main concerns were noise, water drainage, and large equipment on site. Day provided details and stated that the Planning and Zoning Commission did not see any concerns. Motioned by Eddy, second by Barnett to close Public Hearing. All ayes. Motion carried.

Board considered Ordinance Title VI, Number 33 – An Ordinance Amending the Official Zoning Map. Motioned by Barnett, second by Eddy to approve the first reading. Roll call: Ayes – Eddy, Dralle, Barnett. Nays – None. Motioned by Barnett, second by Dralle to set the date and time for a second Public Hearing for February 6, 2024, at 9:00 A.M. All ayes. Motion carried.

Board reviewed Treasurer Semi-Annual Report. Motioned by Barnett, second by Eddy to approve the report. All ayes. Motion carried.

FY25 Budget Funding Requests:

Scott Bruns, Butler Soil and Water Conservation District, provided the board with their 2023 budget details, thank the Board for past support, and requested the continued County funding of \$5,000 to continue with their planned 2024 events. The Board will make that decision during the budget process.

FY25 Budget Workshop

- Treasurer – Roxie Nicolaus, stated that there were no major changes outside of salaries.
- P & Z/Environmental Health – Misty Day, stated that there were no major changes outside of professional fees decreasing and salaries increasing. Ahlers and Cooney attorney fees for the pipeline were taken from this budget.
- Veteran Affairs – Tom Heckman, stated no changes other than the salary increase.
- IT – Sara Trepp, stated that some line items have gone up and others have gone down based upon recent changes made. Overall, the budget is down around 3%.
- Public Health – Jennifer Becker, stated that there were some areas that required changes. Referrals for home health has decreased. Costs associated with lower referrals have also been affected. They will be losing three staff members within the year and have decided to fill two of the three employees. It remains difficult to hire nurses as the Public Health wages are much lower than starting wages in competing nursing positions in the area.

John Riherd, County Engineer, provided an Engineer's Update. Riherd discussed their participation with the City of Shell Rock and a railroad funding grant. He is continuing to receive personal accounts regarding the importance of the Packard bridge to add to the RAISE grant application.

Motioned by Barnett, second by Eddy to approve claims. All ayes. Motion carried.

Motioned by Eddy, second by Barnett to adjourn the regular meeting at 10:18 A.M. to January 30, 2024, at 9:00 A.M. All ayes. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on January 23, 2024.

Attest: *Leslie Groen*
Butler County Auditor

Wayne Dralle
Chairman of the Board of Supervisors