

WAPELLO COUNTY BOARD PROCEEDINGS

DATE: 9-29-2015

TIME: 5:30 p.m.

PRESENT: Steve Siegel, Chair; Greg Kenning, Vice Chair; Jerry Parker, Supervisor; Wanda Moeller, Courier; Brian Moore, Engineer; Willene White, NOEL Insurance; Marquette Huffman, MHPA; Charlotte Sammons, Eddyville; Lynn Crosby, Eddyville; Tom & Charlene Doyle, Eddyville; Brian Morrissey, Morrissey Consulting; J.D. Fleener, Allied Gas & Chemical Co. of Oskaloosa; Kelly Spurgeon, Auditor; Pam Norton, Auditor's Clerk.

Chair Siegel opened the meeting, rescheduling #4 PUBLIC HEARING ON THE RECOMMENDATION OF THE WAPELLO COUNTY ZONING COMMISSION CONCERNING THE GORDY PROPERTY. Vice Chair Kenning moved, seconded by Supervisor Parker to approve the amended agenda. Motion carried.

Vice Chair Kenning moved, seconded by Supervisor Parker to approve the minutes of the September 22, 2015 Board meeting. Motion carried.

Auditor Spurgeon read the abstract of votes for the IHCC School Election held on September 8, 2015 as follows:

ABSTRACT OF VOTES

We, the undersigned members of the Board of Supervisors, and ex-officio Board of County Canvassers for Wapello County, hereby certify the following to be a true and correct abstract of the votes cast at the 2015 School Election held on the 8th day of September, 2015, as shown by the tally lists returned from the election precincts.

For the office of Indian Hills Director District #1 to fill a vacancy there were seven hundred one (701) votes cast as follows:

| | | |
|---------------|----------|------------------------------------|
| Beth Danowsky | received | Six hundred ninety-two (692) votes |
| Scattering | received | Nine (9) votes |

We therefore declare Beth Danowsky duly elected for the office of Indian Hills Director District #1 at large for the term of 2 years.

For the office of Indian Hills Director District #2 there were two hundred twenty-two (222) cast as follows:

| | | |
|---------------|----------|----------------------------------|
| John Pothoven | received | Two hundred nineteen (219) votes |
| Scattering | received | Three (3) votes |

We therefore declare John Pothoven duly elected for the office of Indian Hills Director District #2 at large for the term of 4 years.

For the office of Indian Hills Director District #3 there were three hundred five (305) votes cast as follows:

| | | |
|---------------|----------|--------------------------------------|
| Judith A. Cox | received | Two hundred ninety-eight (298) votes |
| Scattering | received | Seven (7) votes |

We therefore declare Judith A. Cox duly elected for the office of Indian Hills Director District #3 at large for the term of 4 years.

For the office of Indian Hills Director District #6 there were seven hundred fifty-four (754) votes cast as follows:

| | | |
|--------------------|----------|--------------------------------------|
| Nellie M. Coltrain | received | Seven hundred forty-five (745) votes |
| Scattering | received | Nine (9) votes |

We therefore declare Nellie M. Coltrain duly elected for the office of Indian Hills Director District #6 at large for the term of 4 years.

For the office of Indian Hills Director District #7 there were six hundred fifty-eight (658) votes cast as follows:

| | | |
|----------------|----------|-----------------------------------|
| Alan M. Wilson | received | Six hundred forty-two (642) votes |
| Scattering | received | Sixteen (16) votes |

We therefore declare Alan M. Wilson duly elected for the office of Indian Hills Director District #7 at large for the term of 4 years.

For the office of Indian Hills Director District #8 to fill a vacancy there were eight hundred forty-one (841) votes cast as follows:

| | | |
|-------------------|----------|---------------------------------------|
| Jerry Kirkpatrick | received | Eight hundred thirty-five (835) votes |
| Scattering | received | Six (6) votes |

We therefore declare Jerry Kirkpatrick elected for the office of Indian Hills Director District #8 at large for the term of 2 years.

For the office of Indian Hills Director District #9 there were one thousand six hundred twenty (1620) votes cast as follows:

| | | |
|-------------------|----------|---|
| George E. Manning | received | One thousand five hundred ninety-seven (1597) votes |
| Scattering | received | Twenty-three (23) votes |

We therefore declare George E. Manning elected for the office of Indian Hills Director District #9 at large for the term of 4 years.

Supervisor Parker moved, seconded by Vice Chair Kenning to certify the abstract.
Motion carried.

PUBLIC HEARING ON THE RECOMMENDATION OF THE WAPELLO COUNTY ZONING COMMISSION CONCERNING THE ALLIED GAS & CHEMICAL COMPANY PROPERTY.

One written comment was received from Tom & Charlene Doyle, adjacent property owners, dated 9/29/15 opposed to changing the Allied Gas property from A1 to A2, listing 9 reasons:

1. This is a farm and should remain a farm.
2. People don't understand boundaries and would intrude on our property where we have livestock. The dangers are not understood and we would be liable in case of injury due to trespassing.
3. Our property fences are barb wire with electric wire also attached. This is a danger to people who don't understand them and especially little kids.
4. If this were to become a housing development it could be way too many houses for the area.
5. Another concern is runoff from multiple dwellings into our livestock water supplies.
6. If rezoned this ground could be developed into many things besides housing.
7. The owner of this ground doesn't live in the area, so really lacks the concern of what it might do to the area farms. Our farm has been a family farm for many generations.
8. Who will build the fences to keep livestock in? Are we to build our ½ every 2 ½ acres and hope someone will build the other part.
9. This Allied Gas property has been in one government program after another ever since they have owned it. It seems that the government intent of paying for planting these trees would be that it remain in trees.

It is our hope that you will follow the recommendation of the planning and zoning commission to leave the property zoned as A1.

Brian Morrissey, Morrissey Consulting, said the request is for the 165 acres to be rezoned to A2 to allow flexibility of the lots. He passed out an aerial photo saying no additional infrastructure is required for this subdivision and he's never had a fencing issue.

Charlotte Sammons said she lives the first farm west of Kirksville and the tree line goes down her property, and those trees are a nuisance to her. Her basement backs up.

Brian Morrissey said the minimum lot size is 2 ½ acres. He said approximately half could be developed to 2 ½ acres and half 10 acre lots.

Chair Siegel questioned if they wanted to make it all A2. Vice Chair Kenning asked who this farm belongs to, and Supervisor Parker responded he didn't know. Lynn Crosby said she lives in the house on the Kirksville Road, first one off the gravel road.

Supervisor Parker said the Board's intentions in the beginning were to preserve prime farm land and made it 10 acres to make it difficult to develop. He said we listened to our zoning board and we look at some things maybe they miss. He asked what their answer would be to preserving it by making it 10 acres.

Brian Morrissey asked what you classify prime cropland. He said from where he's at, he would not consider this prime farm ground. He said it was used previously as pasture ground but currently has a lot of vegetation. He would think people would like to preserve those trees and maybe additional ponds to control runoff to make it attractive to more people. He certainly understands that farm ground is very valuable and can't be replaced. This was probably farm ground at one time.

Supervisor Parker said, as time goes on, maybe we should be careful. Think we have to be prudent about protecting what's left out there. Saying all land has to be 10 acres, not appropriate. In A2, we have made it 2 ½ acres possible. If the board would say we're going to leave it as it is, would it be end of the project. If proceed, would you proceed with the 2 ½ acre lots first.

J.D. Fleener, owner of Allied Gas, said we have half 10 acres and half 2 ½ acres. One man works for me and wants to build a house there. To make it that he has to buy 10 acres makes it quite expensive for him. That ground is so far from prime land. CRP is \$85/acre, very low. When bought it 30 years ago, objected to the trees, then opened it up and they didn't like that. It's been kind of a funny deal.

Chair Siegel asked if they were planning to develop this current A2?

Mr. Fleener said just the land along the Kirksville and Columbia Roads.

Chair Siegel asked what price housing are you talking about.

Mr. Fleener said he thinks his house is \$225,000 to \$250,000.

Chair Siegel asked if other houses are in the same price range.

Mr. Fleener said he's not planning any more houses.

Charlotte Sammons said someone raised his family on this ground 53 years.

Supervisor Siegel said, as he looks at the map, it appears most of the area he wants changed is in trees. Were there always trees there.

Mr. Fleener said when CRP came along, they planted 130,000 trees on it

Supervisor Parker said their taxes won't go up as a result of what they're doing.

Tom Doyle said J.D. has alluded to the fact that we're out to get him and we're not. I want that cleared up right away. He said he talked to the kid wanting to build, and he's ok with buying 10 acres.

Charlene Doyle said as long as prime farm ground, pasture, livestock needs hay. Fences really concerned with our livestock next to it. If zoned A2, other things that could be put on that property are a concern to us. Wanted to buy some acres that border us, but was told I couldn't afford it.

Supervisor Parker said disputes aren't something we should consider. He said he doubts they'll make the decision tonight. Is the development going to continue. I don't want to stop that. Are we eliminating it if we say no to this project, I don't think it is. Disputes on the fence are easily worked out.

Brian Morrissey asked how it can be used other than crops if zoned ag.

Chair Siegel answered that A2 is all of that plus he read a list including stables, animal hospitals, feed sales, anhydrous ammonia, churches, funeral homes, etc.

Supervisor Parker said he thinks the increased development has to be a concern to us. Charlotte Sammons said most farmers know how many cattle they can put on their ground.

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

Vice Chair Kenning moved, seconded by Supervisor Parker to approve Resolution #52-2015 to cancel a check issued in the previous fiscal year. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to approve a list of the current Wapello County Veterans Affairs Commissioners. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to approve Resolution #53-2015 abating certain property taxes on property owned by SIEDA Community Action. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to accept Mahaska County's letter of application to join the South Central Behavioral Health Region. Motion carried.

Vice Chair Kenning moved, seconded by Supervisor Parker to approve amending the 28E agreement to recognize Mahaska County in the Region. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to set the date of October 20, 2015 for a budget amendment public hearing. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to accept UMR 2015-2016 administrative fees for gapless HCC Life and UHC option PPO. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to authorize the Chair to sign the loss statement for damages at Highland Place, the former Wapello County Home. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to approve Resolution #54-2015 abating property taxes on certain property owned by Tenco Industries, Inc. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to authorize the Chair to sign the proof of loss statement from NOEL Insurance, Inc. Motion carried.

Our next meeting will be at 2:00 p.m. on October 8th along with the canvass of the City Primary Election.

County claims in the amount of \$320,047.52 and payroll in the amount of \$400,833.46 were approved.

6:40 p.m. Vice Chair Kenning moved, seconded by Supervisor Parker to adjourn. Motion carried.

ATTEST:

Kelly Spurgeon
Wapello County Auditor

Steve Siegel, Chair
Board of Supervisors