

August 13, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Schlarmann, Oswald, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Schlarmann to approve the minutes of the August 6, 2024 meeting. All aye. Motion carried.

Moved by Swisher seconded by Oswald to approve claims #2408-0001 through #2408-0177. All aye. Motion carried.

The Auditor met with the Board for the items as noted in the various motions below and to review recommendations to implement from the County’s annual Worker’s Compensation Insurance review.

Moved by Swisher seconded by Zirkelbach to approve a Special Class C Retail Native Wine License, with Living Quarters, and Outdoor Service privileges, for Lubben Vineyards & Wines, LLC, doing business as Lubben Vineyards & Wines, 13504 U.S. 151, Anamosa, to be effective August 15, 2024. All aye. Motion carried. [2024-123]

Moved by Oswald seconded by Zirkelbach to approve a gathering permit and waive the \$5.00 permit fee, for the Jones County Historical Society for the Golden Jubilee Folk Festival on August 25, 2024 at 13838 Edinburgh Rd., Scotch Grove. All aye. Motion carried. [2024-124]

Moved by Zirkelbach seconded by Schlarmann to acknowledge receipt of a manure management plan from B & K Ponderosa, facility #68590, for a facility located in Section 9 of Washington Township, with the County Auditor to retain the document in a temporary file for public access for one year. All aye. Motion carried.

The Board members gave brief updates on past and future committee meetings.

The Land Use Administrator met with the Board for a public hearing on a zoning district change, for a public hearing on a nuisance ordinance violation, discuss a property with a current nuisance ordinance violation, for the final consideration of ordinance 2024-05, and approval of a preliminary subdivision plat.

Moved by Oswald seconded by Schlarmann to approve the final consideration of, and to adopt, pass, and publish, Jones County, Iowa Ordinance 2024-05, to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye, whereupon the Chairman declared the final consideration approved, and the ordinance adopted.

JONES COUNTY IOWA ORDINANCE 2024-05

An ordinance amending the code of ordinances of the County of Jones, State of Iowa.

Be it enacted by the Board of Supervisors of Jones County, Iowa as follows:

Section 1: The purpose of this ordinance is to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE by amending the zoning map.

Section 2: The Chapter will be amended as follows:

Amend SECTION 5. BOUNDARIES AND OFFICIAL ZONING MAP, of ARTICLE IV – GENERAL REGULATIONS AND PROVISIONS by amending, subject to the terms of a

contractual development agreement, the zoning of property briefly described as approx. 436' west, 570' north of SW ¼ NW ¼ in Section 34, Township 86, North, Range 3, (tax parcel 0234152004) containing approximately 5.70 acres, from the A-Agricultural Zoning District to the C2-Highway Commercial Zoning District.

Section 3. When Effective

This ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

Supervisor Zirkelbach introduced the following resolution, seconded by Supervisor Oswald. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye, whereupon the Chairman declared the resolution passed and adopted.

RESOLUTION APPROVING PRELIMINARY SUBDIVISION PLAT

WHEREAS, a preliminary plat of Brad Stephen's Fourth Addition, a subdivision of one (1) lot, located in the Southwest ¼ of the Northwest ¼ of Section 34, Township 86 North, Range 3 West of the 5th P.M., has been approved by the Jones County Planning and Zoning Commission, and filed with the Jones County Board of Supervisors,

IT IS THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF JONES COUNTY, IOWA that they concur with the recommendation from the Jones County Planning and Zoning Commission for approval of the preliminary plat, and that variances to the Jones County Subdivision Ordinance may be considered upon receipt of the final plat; said variances are recommended to streets and access point requirements, interior street standards, storm water pollution prevention plan, soil erosion control plan, and drainage control plan, AND,

FURTHER, that the developer may proceed with preparation and submission of a final plat in accordance with the Jones County Subdivision Ordinance.

Moved by Oswald seconded by Schlarmann to grant an extension until August 28, 2024, to provide proof of satisfactory abatement of a nuisance to Jerry Willcoxson for a property located at 10657 Main St., Center Junction. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to open the public hearing at 9:18 a.m. to review violations of the Jones County Nuisance Ordinance on property owned by Judy Raymond located at 12645 105th Ave., Center Junction. On roll call vote: Zirkelbach aye, Schlarmann aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

The Land Use Administrator gave an update on the property and reviewed communication received from the property owner. The property owner was not present for the public hearing. The Board and Land Use Administrator agreed that some progress has been made on the property. The Board will take action on the property next week.

Moved by Oswald seconded by Schlarmann to close the public hearing at 9:27 a.m. All aye. Motion carried.

Moved by Oswald seconded by Swisher to open the public hearing at 9:27 a.m. on a proposal to rezone property in Section 18 of Lovell Township from the A- Agricultural Zoning District to II- Industry Zoning District. All aye. Motion carried.

The Land Use Administrator explained the rezoning proposal. The property owners were present and talked about their commercial ready-mix facility on the property. The Assistant to the

Engineer gave comments on the road condition and said that the property owner may be held responsible if the road condition deteriorates because of the heavy traffic on that portion of the road. There was no other public comment.

Moved by Schlarmann seconded by Swisher to close the public hearing at 9:32 a.m. On roll call vote. Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Oswald seconded by Schlarmann to approve the first consideration of Jones County, Iowa Ordinance 2024-06, an ordinance amending the zoning map in CHAPTER 3, JONES COUNTY ZONING ORDINANCE of TITLE VI – PROPERTY & LAND USE. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye, whereupon the Chairman declared the first consideration approved.

The Assistant to the Engineer met with the Board for approval of a final voucher, for approval of a storage container purchase, and to give an update on the 215th Avenue grading project.

During the public comment period, Linda Stickle gave comments on the proposed Public Safety Facility.

Moved by Schlarmann seconded by Swisher to go into closed session at 9:45 a.m. per Iowa Code Section 21.5 (1)c to discuss pending litigation. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to exit closed session at 10:10 a.m. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Schlarmann seconded by Swisher to adjourn at 10:10 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman