

**MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON August 23, 2022.**

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

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

Barnett mentioned that a survey monkey has been put together and the Board agreed to add it to next week's agenda to approve paying the \$380 in order to host it on the county website.

Motioned by Barnett, second by Heidenwirth to open a Public Hearing on a request to rezone 50 acres from A-1 to A-2 located on Hwy 3 in the NW ¼ N & E of RR Except Parcel C in Section 34, Township 92 N, Range 15 W for the purpose of excavating sand for resell. Planning and Zoning Administrator Misty Day explained that there were some concerns from a neighbor and the Planning and Zoning Commission has taken that into consideration. There is no intent to excavate the wetlands and they are only planning on excavating approximately 38 acres. The Zoning Commission ultimately recommended to approve the rezoning. Moved by Barnett, second by Heidenwirth to close the Public Hearing.

Motioned by Heidenwirth, second by Barnett to approve Ordinance Title VI, Number 27 to rezone 50 acres for the purposes of excavating sand for resell. All ayes. Motion carried. Eddy made a motion to waive the second and third readings, second by Barnett. Roll was called as: AYES: Tom Heidenwirth NAYS: None

ABSENT: N/A  
Rusty Eddy  
Greg Barnett

Motion carried and ordinance adopted as follows:

**ORDINANCE TITLE VI, NUMBER 27**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF BUTLER COUNTY, IOWA ZONING ORDINANCE (ORDINANCE TITLE VI, NUMBER 7, ADOPTED ON MAY 25, 2004)**

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

Approximately 10 acres in the SW corner of a parcel described as All that part of the Southwest Quarter (SW¼) of Section Twenty-seven (27) lying South and West of the Shell Rock River and Approximately 40 acres of a parcel described as All that part situated North of highway right-of-way in the Northwest Quarter (NW¼) of Section Thirty-four (34), all in Township Ninety-two (92) North, Range Fifteen (15) West of the 5th P.M.

on the Official Zoning Map as was originally adopted.

Section 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation "A-2" 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 7, adopted on May 25, 2004) 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 August 23<sup>rd</sup>, 2022.

SECOND PASSAGE (READING) waived on August 23<sup>rd</sup>, 2022.

THIRD AND FINAL PASSAGE (READING) waived AND ADOPTION on August 23<sup>rd</sup>, 2022.

**BUTLER COUNTY BOARD OF SUPERVISORS**

BY: Rusty Eddy  
Butler County Board of Supervisors, Chair

Leslie Groen, County Auditor

Day discussed Environmental Health/P & Z Seasonal Employment. She would like the additional employee to help with an online permitting process and transfer files at an average of 12 – 15 hours per week. The starting wage for the position is around \$12.50 although there is some flexibility. Barnett moved to approve the Seasonal Employment for Health/P&Z, second by Eddy. All ayes. Motion carried.

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

Motioned by Heidenwirth, second by Barnett to adjourn the regular meeting at 9:17 A.M. to August 30, 2022 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 August 23, 2022.

Attest: Leslie Groen  
Butler County Auditor

Rusty Eddy  
Chairman of the Board of Supervisors