

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JULY 7, 2009.

Meeting called to order at 9:00 a.m. by Chairman Ken Oldenburger with members John Zimmerman and Karl Nelson present.

Minutes of the previous meeting were read and approved as read.

Board met with Amy Stanbrough, Deputy Auditor, to discuss proposed change to monthly publication of claims listing. The Board authorized the change effective for Fiscal Year 2010.

Board acknowledged receipt of Manure Management Plan Annual Updates for R & M Greenfield and Worley sites.

Time set for a public hearing was held on a request by Schneider's Milling, Inc. and Andrew Barnett to rezone a parcel located in the NE¹/₄ of Section 5-92-15 from the present "A-1" district to an "M" district to allow for the sale of anhydrous. Present were: Rick Schneider, Brian Cole, Mike Wust, Richard Johnson, Greg Barnett, Jacob Barnett, Alan Nieman, Russ Lovrien, Tom Barnett, County Engineer John Riherd, County Assessor Deb McWhirter, and County Zoning Administrator Steve Busse. Busse reported that on February 3, 2009 the Board granted permission for Greg Barnett and Andy Barnett to place a 30,000 gallon anhydrous storage tank at 16019 Union Avenue, Clarksville, Iowa for personal use. Busse also reported that the Planning and Zoning Commission recommended that the Board of Supervisors approve the request. Greg Barnett stated that the original request was for personal use; however that changed during the spring to a commercial operation. He further reported that as soon as he was notified that he was in violation of the permitted use, he and Rick Schneider proceeded to do whatever was necessary to become compliant. Richard Johnson indicated that two local suppliers had ceased the sale of anhydrous this spring causing a hardship to local farmers. County Engineer John Riherd indicated he did have some reservations with placing a manufacturing district two miles off a hard surface road; however Busse indicated that the current zoning ordinance would make additional manufacturing in that area unlikely. Busse further reported he received telephone calls from Tom Woltz and Duane Reints indicating they could not be present and requesting that the Public Hearing be postponed. Oldenburger added that Duane Reints had indicated to him that he was opposed to the rezoning request. Busse added that Woltz stated he felt the operation was established for commercial use from the beginning and inquired as to penalties for non-compliance. Busse indicated that a penalty was not forth coming due to cooperation by the parties in following the correct steps to become compliant. Oldenburger questioned the Public Notice in which it stated the rezoning request was by Schneider's Milling, Inc., not Andrew Barnett, the actual landowner. A brief break was allowed to determine if the Notice was in compliance with the Butler County Zoning Ordinance. It was determined that the Notice was in compliance. Upon the close of the Public Hearing, it was moved by Nelson, second by Zimmerman to approve the 1st reading of said request. Motion carried. It was further moved by Zimmerman, second by Nelson to set the request for a 2nd reading on Tuesday, July 21, 2009 at 9:30 a.m. Motion carried.

Board reviewed Quarterly Reports of Sheriff and Auditor and ordered placed on file.

Moved by Zimmerman, second by Nelson to adjourn to Tuesday, July 14, 2009 at 9:00 A.M. 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 July 7, 2009.