

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Tim Latham, Vice Chairman Casey Callanan, Supervisor Chris Watts and various members of the public.

Chairman Latham convened the meeting at 10:00 a.m.

Callanan moved with Watts seconding, to approve today's agenda and the meeting minutes of the March 10, 2020 regular session. Motion passed unanimously.

Public comment session was held.

Watts moved with Callanan seconding, to approve claims. Motion passed unanimously.

Callanan moved with Watts seconding, to approve the Class B Beer Permit for Pine Creek Golf Club. Motion passed unanimously.

Callanan moved with Watts seconding, to authorize the Chair to sign the GIS Data Management Services contract with Sidwell. Motion passed unanimously.

Chairman Latham opened the public hearing regarding the Proposed Ordinance 47A- Amended Isolation and Quarantine Ordinance.

Callanan moved with Watts seconding to adopt Ordinance 47A WHEREAS, the Cerro Gordo County Department of Public Health Director has determined that an amendment to the Isolation Quarantine Ordinance, Ordinance No. 47, is necessary; and WHEREAS, the amendment is necessary to correct the address of the Cerro Gordo County Board of Health; and WHEREAS, the amendment is proposed at the recommendation of the Cerro Gordo County Department of Public Health Director. NOW, IT IS THEREFORE ORDAINED by the Board of Supervisors of Cerro Gordo County, Iowa that:

1. Section 7: Appeal Proceedings, Subsection 7.1, of the Isolation Quarantine Ordinance, Ordinance No. 47, is hereby repealed and replaced with the following in lieu thereof:
SECTION 7: Appeal Proceedings
7.1 The subject of an order imposing isolation or quarantine may appeal a written order by submitting a written appeal within ten days of receipt of the written order. The appeal shall be addressed to Cerro Gordo County Board of Health, 2570 4th St. SW, Suite 1, Mason City, IA 50401. Unless stayed by order of the board or a district court, the written order for quarantine or isolation shall remain in force and effect until the appeal is finally determined and disposed of upon its merits.
2. This Ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Roll call vote: Watts- Aye; Callanan- Aye; Latham- Aye. Motion passed unanimously.

Watts moved with Callanan seconding to waive the second and third considerations of the proposed Ordinance 47A. Roll call vote: Watts- Aye; Callanan- Aye; Latham- Aye. Motion passed unanimously.

Callanan moved with Watts seconding, to approve Real Estate by Quit Claim Deed from the City of Rock Falls. Motion passed unanimously.

Watts moved with Callanan seconding, to abate Tax Sale 2019251, under Cerro Gordo County, consisting of AY2018 and AY2019 taxes of \$296.00 plus costs and AY2020 taxes of \$122.00 plus interest on Mobile Home Vin 11679. Motion passed unanimously.

Chairman Latham opened the public hearing on Amendments to Zoning Ordinance No. 15.

Callanan moved with Watts seconding to close the public hearing. Motion passed unanimously.

Callanan moved with Watts seconding to approve Resolution 2020-30 WHEREAS, Cerro Gordo County is a member in good standing in the National Flood Insurance Program; and

WHEREAS, areas prone to flooding, known as special flood hazard areas, in Cerro Gordo County have recently been re-mapped by the Federal Emergency Management Agency (FEMA); and WHEREAS, the new maps issued by FEMA have an effective date of June 5, 2020; and WHEREAS, the Cerro Gordo County Planning & Zoning Commission, after study and public hearing, has recommended amendments to the Zoning Ordinance upon the application of the Zoning Administrator; and WHEREAS, the final public hearing has been held with notice as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that Ordinance No. 15 is hereby amended, and that this Resolution shall be in full force and effect from and after its passage:

1. Article 4, Definitions, shall be amended as follows:
 - A. Delete the definition of BASE FLOOD and replace as follows:
BASE FLOOD
The flood having one (1) percent chance of being equaled or exceeded in any given year.
 - B. Add the definition of BASE FLOOD ELEVATION (BFE) as follows:
BASE FLOOD ELEVATION (BFE)
The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.
 - C. Add the definition of ENCLOSED AREA BELOW LOWEST FLOOR as follows:
ENCLOSED AREA BELOW LOWEST FLOOR
The floor of the lowest enclosed area in a building when all the following criteria are met:
 - a. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of Article 21.5(B)(3)(a) of this Ordinance, and
 - b. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
 - c. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the base flood elevation, and
 - d. The enclosed area is not a "basement" as defined in this section.
 - D. Add the definition of FIVE HUNDRED (500) YEAR FLOOD as follows:
FIVE HUNDRED (500) YEAR FLOOD
A flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.
 - E. Delete the definition of FLOODPLAIN and replace as follows:
FLOODPLAIN
Any land area susceptible to being inundated by water as a result of a flood.
 - F. Delete the definition of FLOODWAY FRINGE and replace as follows:
FLOODWAY FRINGE
Those portions of the Special Flood Hazard Area outside the floodway.
 - G. Add the definition of HIGHEST ADJACENT GRADE as follows:
HIGHEST ADJACENT GRADE
The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
 - H. Delete the definition of LOWEST FLOOR and replace as follows:
LOWEST FLOOR
The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of Enclosed Area below Lowest Floor are met.
 - I. Add the definition of MAXIMUM DAMAGE POTENTIAL USES as follows:
MAXIMUM DAMAGE POTENTIAL
Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.
 - J. Delete the definition of SPECIAL FLOOD HAZARD AREA (SFHA) and replace as follows:

SPECIAL FLOOD HAZARD AREA (SFHA)

The land within a community subject to the "base flood". This land is identified on the community's Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.

- K. Delete the definition of STRUCTURE and replace as follows:

STRUCTURE

Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, walls, fences, decks, signs, light standards, towers, storage tanks, grain storage facilities, and/or other similar uses.

- L. Delete the definition of the following terms:

FLOOD ELEVATION

FLOOD HAZARD AREAS

FLOOD_100 YEARS

2. Article 21, FLOODPLAIN MANAGEMENT, shall be deleted and replaced as follows:

ARTICLE 21: FLOODPLAIN MANAGEMENT

21.1 DECLARATION OF INTENT

The Legislature of the State of Iowa has in Chapter 335, Code of Iowa, as amended, delegated the power of counties to enact zoning regulations to secure safety from flood and promote health and the general welfare.

It is the purpose of the Floodplain Management Article to reduce flood losses, hazards, and related adverse effects in those special flood hazard areas of Cerro Gordo County, Iowa, which are subject to periodic inundation. Flooding can result in the loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare of the community.

These flood losses, hazards, and related adverse effects are caused by: a) the occupancy of special flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately evaluated or otherwise protected from flood; and b) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.

21.2 STATEMENT OF PURPOSE

It is the purpose of this article to minimize those flood losses described above with provisions designed to:

- A. Restrict or prohibit uses which are dangerous to health, safety, or property in time of flood or which cause excessive increases in flood heights or velocities.
- B. Require that uses vulnerable to floods, including public facilities which serve such uses, shall be protected against flood damage at the time of initial construction or substantial improvement.
- C. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.
- D. To assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

21.3 LANDS TO WHICH ORDINANCE APPLIES

The provisions of this ordinance shall apply to all lands and uses which have significant flood hazards. The Flood Insurance Rate Map (FIRM) for Cerro Gordo County and Incorporated Areas, dated June 5, 2020, which were prepared as part of the Cerro Gordo Flood Insurance Study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the base flood shall be considered as having significant flood hazards. Where uncertainty exists with respect to the precise location of the base flood boundary, the location shall be determined on the basis of the base flood elevation at the particular site in question. The Cerro Gordo Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

21.4 GENERAL PROVISIONS

- A. Rules for Interpretation of District Boundaries

The boundaries of the special flood hazard areas shall be determined by scaling distances on the

official Flood Insurance Rate Map. When an interpretation is needed as to the exact location of a boundary, the Zoning Administrator shall make the necessary interpretation.

B. Compliance

No structure or land shall hereafter be used and no structure shall be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance.

C. Abrogation and Greater Restrictions

It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

D. Interpretation

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State law.

E. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes. This ordinance does not imply that areas outside the designated special flood hazard areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Cerro Gordo County or an officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

F. Permits required

Permits required from federal or state agencies must be obtained prior to making application to Cerro Gordo County, Iowa.

21.5 STANDARDS FOR FLOOD PLAIN DEVELOPMENT

All uses must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood data have not been provided on the Flood Insurance Rate Map, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

A. All development within the special flood hazard areas shall:

1. Be consistent with the need to minimize flood damage.
2. Use construction methods and practices that will minimize flood damage.
3. Use construction materials and utility equipment that are resistant to flood damage.
4. Obtain all other necessary permits from federal, state, and local governmental agencies including approval when required from the Iowa Department of Natural Resources.

B. Structures

1. New and substantially improved residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the base flood elevation and extend such elevation at least 8 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers) may be allowed subject to favorable consideration by the Board of Adjustment, where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding. All new residential structures shall be provided with a means of access, which will be passable, by wheeled vehicles during the base flood.
2. New or substantially improved nonresidential structures shall have the first floor (including basement) elevated a minimum of one (1) foot above the base flood elevation or together with attendant utility and sanitary systems, be

floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure below the base flood elevation is watertight with walls substantially impermeable to the passage of water. Fill may be used to accomplish this only after receiving permission from the appropriate agencies. A record of the certification indicating the specific elevation (in relation to the North American Vertical Datum) to which any structures are floodproofed shall be maintained by the Administrator.

3. All new and substantially improved structures

a. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

- (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- (2) The bottom of all openings shall be no higher than one foot above grade.
- (3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access, and low damage potential storage.

b. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

c. New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

C. Factory-built homes

1. All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the base flood elevation.

2. All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.

D. Subdivisions (including factory-built home parks and subdivisions)

Subdivisions shall be consistent with the need to minimize flood damage and shall provide adequate drainage to reduce exposure to flood hazards. Development associated with subdivisions shall meet the applicable standards of this section. Subdivision proposals intended for residential use shall provide all lots with a means of access, which will be passable by wheeled vehicles during the base flood.

E. Utility and Sanitary Systems

All new and replacement sanitary sewage systems shall be designed to minimize and eliminate infiltration of floodwaters into the system as well as the discharge of effluent into floodwaters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the base flood elevation.

1. On-site waste disposal and water supply systems shall be located or designed to avoid impairment to

the system or contamination from the system during flooding.

2. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than one (1) foot above the base flood elevation.

3. Utilities such as gas and electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

F. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

G. Storage of materials and equipment that are flammable, explosive, or injurious to human, animal, or plant life is prohibited unless elevated a minimum of one (1) foot above the base flood elevation. Other material and equipment must either be similarly elevated or:

1. Not be subject to major flood damage and be anchored to prevent movement due to flood waters; or
2. Be readily removable from the area within the time available after flood warning.

H. Flood control structural works, such as levees, flood walls, or other flood control structures, shall provide, at a minimum, protection from a base flood with a minimum of 3 feet of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.

I. Accessory Structures to Residential Uses

1. Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.

a. The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 square feet in size. Those portions of the structure located less than 1 foot above the BFE shall be constructed of flood-resistant materials.

b. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.

c. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.

d. The structure shall be firmly anchored to resist flotation, collapse, and lateral movement.

e. The structure's service facilities, such as electrical and heating equipment, shall be elevated or floodproofed to at least one foot above the base flood elevation.

f. The structure's walls shall include openings that satisfy the provisions of Article 21.5(C)(3)(a) of this Ordinance.

2. Exemption from the base flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

J. Recreational Vehicles

1. Recreational vehicles are exempt from the requirements of Section 21.5(C) of this Article regarding anchoring and elevation of factory-built homes when the following criteria are satisfied:

a. The recreational vehicle shall be located on the site for less than 180 consecutive days; or

b. The recreational vehicle shall be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

2. Recreational vehicles that are located on the site

- for more than 180 consecutive days and are not ready for highway use must satisfy requirements of Section 21.5(C) of this Article regarding anchoring and elevation of factory-built homes
- K. Pipeline, river, and stream crossings shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.
- L. Special Floodway Provisions
In addition to the Floodplain Development Standards, uses within the floodway must meet the following applicable standards. The floodway is that portion of the floodplain which must be protected from developmental encroachment to allow the free flow of flood waters. Where floodway data has been provided in the Flood Insurance Study, such data shall be used to define the floodway. Where no floodway data has been provided, the Department of Natural Resources shall be contacted to provide a floodway delineation. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.
1. No use shall be permitted in the floodway that would result in any increase in the base flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
 2. All uses within the floodway shall:
 - a. Be consistent with the need to minimize flood damage.
 - b. Use construction methods and practices that will minimize flood damage.
 - c. Use construction materials and utility equipment that are resistant to flood damage.
 3. No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the mainstream, drainage ditch, or any other drainage facility or system.
 4. Structures, buildings, and sanitary and utility systems, if permitted, shall meet the applicable General Floodplain standards and shall be constructed or aligned to present the minimum possible resistance to flood flows.
 5. Buildings, if permitted, shall have a low flood damage potential and shall not be for human habitation.
 6. Storage of materials or equipment that are buoyant, flammable, explosive, or injurious to human, animal, or plant life is prohibited. Storage of other material may be allowed if readily removable from the floodway within the time available after flood warning.
 7. Watercourse alterations or relocations (channel changes and modifications) shall be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
 8. Any fill allowed in the floodway shall be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.
 9. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.
- M. Maximum Damage Potential Uses
All new or substantially improved maximum damage potential uses shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the 500-year flood, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2 % annual chance flood; and that the structure, below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical

- Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.
- 21.6 ADMINISTRATION
- A. Appointment, Duties and Responsibilities of Zoning Administrator
1. The Zoning Administrator is hereby appointed to implement and administer the provisions of this ordinance and will herein be referred to as the Administrator.
 2. Duties of the Administrator shall include, but not necessarily be limited to, the following:
 - a. Review all floodplain development permit applications to assure that the provisions of this ordinance will be satisfied.
 - b. Review all floodplain development applications to assure that all necessary permits have been obtained from federal, state, and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.
 - c. Record and maintain a record of the elevation (in relation to North American Vertical Datum) of the lowest floor (including basement) of all new or substantially improved structures in the special flood hazard area.
 - d. Record and maintain a record of the elevation (in relation to North American Vertical datum) to which all new or substantially improved structures have been floodproofed.
 - e. Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
 - f. Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this ordinance.
 - g. Maintain the accuracy of the community's Flood Insurance Rate Maps when:
 - (1) Development placed within the Floodway (Overlay) District results in any of the following:
 - (a) An increase in the Base Flood Elevations, or
 - (b) Alteration to the floodway boundary
 - (2) Development placed in Zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or
 - (3) Development that relocates or alters the channel. Within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.
 - h. Perform site inspections to ensure compliance with the standards of this Ordinance.
- B. Floodplain Development Permit
1. Permit Required. A Flood Plain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, excavation or drilling operations), including the placement of factory-built homes
 2. Application for Permit. Application shall be made on forms furnished by the Administrator and shall include the following:
 - a. Description of the work to be covered by the permit for which application is to be made.
 - b. Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address, or similar description) that will readily identify and locate the work to be done.
 - c. Indication of the use or occupancy for which the proposed work is intended.
 - d. Base flood elevation.
 - e. Elevation (in relation to North American Vertical Datum) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.

- f. For buildings being improved or rebuilt, the estimated cost of improvements and market value of the building prior to the improvements.
 - g. For developments involving more than 5 acres, the base flood elevation.
 - h. Such other information as the Administrator deems necessary for the purpose of this ordinance.
3. Procedure for Acting on Permit. The Administrator shall make a determination as to whether the floodplain development, as proposed, meets the applicable provisions of Section 21.3 and shall approve or disapprove the application. In reviewing proposed development, the Administrator shall obtain, review, and reasonably utilize any available floodplain information or data from Federal, State, or other sources.
4. Construction and Use to be as provided in Application. Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement, or construction. Any use, arrangement, or construction at a variance with that authorized shall be deemed a violation of this Article. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Article, prior to the use or occupancy of any structure.
- C. Subdivision Review
The Administration shall review all subdivision proposals within the special flood hazard areas to assure that such proposals are consistent with the purpose and spirit of this ordinance and shall advise the Board of Supervisors of potential conflicts. Floodplain development in connection with a subdivision (including installation of public utilities) shall require a Floodplain Development Permit as provided in Section 21.6(B). Proposals for subdivision greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the Floodplain (Overlay) District.
- 21.7 NONCONFORMING USES
- A. A structure or the use of a structure or premises which was lawful before the passage or amendment of this Article, but which is not in conformity with the provisions of this Article, may be continued subject to the following conditions:
1. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this Article.
 2. Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
- B. If any nonconforming structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Article. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.
- Motion passed unanimously.
- Callanan moved with Watts seconding to approve dock permits for 55P on Oak St. Motion passed unanimously.
- Watts moved with Callanan seconding, to approve reports from the Zoning Director and the Environmental Health Service Director concerning Manure Management Plans filed for R&B Agriland, Inc- Bielefeld Hog (site #61221) and forward the reports to the DNR. Motion passed unanimously.
- Callanan moved with Watts seconding to authorize the Chair to sign the updated Iowa DOT Agreement for a Surface Transportation Block Grant Program Federal Aid

Swap Project on B20 (Project #STBG-SWAP-C017(87)—FG-17). Motion passed unanimously.

Callanan moved with Watts seconding Resolution 2020-31, WHEREAS the 2020 Special Election was held on Tuesday, March 3, 2020; and, WHEREAS the official canvass of the results of the North Iowa Area Community College by the Cerro Gordo County Board of Supervisors was scheduled for 10:15am on March 17, 2020; and, WHEREAS the Board has publicly and duly met and opened and canvassed the election abstracts of the various counties in the NIACC area. Now, therefore, the Board of Supervisors hereby certifies and declares the final results of the election in the official abstract of this canvas, including the passage or failure of the public measure on the ballot. Motion passed unanimously.

Chairman Latham opened the public hearing for the Change of Zone for Schmidt Livestock.

Callanan moved with Watts seconding to close the public hearing. Motion passed unanimously.

Watts moved with Callanan seconding to approve Resolution 2020-32 WHEREAS, the Cerro Gordo County Planning and Zoning Commission, after study, has recommended that the change of zoning classification of a certain area hereinafter described, upon the application of Schmidt Livestock, Inc., be made, and WHEREAS, the final public hearing has been held with notice as required by law. NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that Ordinance No. 15, Article 5.2, of the Zoning Ordinance of Cerro Gordo County, Iowa, is hereby amended by changing the district boundaries thereof so as to change the classification of the following described property from A-1 Agricultural District to A-2 Agricultural Residence District on the following described real estate, to-wit: A 4.97-acre parcel located in the Northwest Quarter of the Northeast Quarter of Section 36, Township 97 North, Range 22 West of the 5th P.M., Cerro Gordo County, Iowa as depicted in the Plat of Survey dated December 17, 2019 and recorded on January 7, 2020 as Document No. 2020-134. Motion passed unanimously.

Callanan moved with Watts seconding the temporary action on policies and operational changes due to COVID-19. Motion passed unanimously.

Watts moved with Callanan seconding, to adjourn at 10:36am. Motion passed unanimously.

Various tabulations, reports, correspondence and other documents that were presented at today's meeting are placed on file with the supplemental minutes.

Chairman Tim Latham
Board of Supervisors

ATTEST:

Adam V. Wedmore, Auditor
Cerro Gordo County