

PROCEEDINGS OF THE BOARD OF SUPERVISORS  
December 13, 2022

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

Chairman Watts called the meeting to order at 10:00 a.m.

Latham moved with Callanan seconding, to approve today's agenda and minutes for December 6, 2022. Motion passed unanimously.

Public comment session was held.

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

Latham moved with Callanan seconding, to approve the payroll warrant register for period ending 12/3/2022. Motion passed unanimously.

Callanan moved with Latham seconding, to authorize Rodney McKinney to conduct field review on the following drainage districts:

Drainage District	Reported By	Problem
DD 51 Section 32 Clear Lake Township	Randy Kotz	Tile blowout

Motion passed unanimously.

Callanan moved with Latham seconding, to tentatively approve the completion report for the Drainage District 120 repair project. Motion passed unanimously.

Latham moved with Callanan seconding, to schedule the completion hearing for the Drainage District 120 repair project for January 24, 2023, at 9:30 a.m. Motion passed unanimously.

Callanan moved with Latham seconding, to certify the costs of the September 13, 2022, Special Election. Motion passed unanimously.

Callanan moved with Latham seconding, authorize the Chair to sign a Certificate of Appointment of Deputy Recorder for Amy Smalley and Lindsey Mathre. Motion passed unanimously.

Latham moved with Callanan seconding, to approve the Clerk's Monthly Report of Fees. Motion passed unanimously.

Chairman Watts opened the public hearing on Change of Zone for Salier at 10:05 a.m.

Callanan moved with Latham seconding, to close the public hearing at 10:06 a.m. Motion passed unanimously.

Latham moved with Callanan seconding, to adopt Resolution 2022-104, Whereas, the Cerro Gordo County Planning & Zoning Commission, after study, has recommended that the change of zoning classification of a certain area hereinafter described, upon the application of William S. Salier and Karla A. Salier 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 the A-2 Agricultural Residence District on the following described real estate, to-wit:

Parcel D: A part of Parcel A and a part of Parcel C in a part of the NW Quarter of the NE Quarter of Section 14, Township 96 North, Range 19 West of the 5th P.M., in Cerro Gordo County, Iowa, more particularly described as follows:

Beginning at the N¼ Corner of said Section 14; thence N 89° 05' 04" E on the North line of the NE¼ of said Section 14 a distance of 454.00 feet; thence S 01° 18' 51" E a distance of 618.00 feet; thence S 89° 05' 04" W a distance of 454.00 feet to the West line of said Parcel "A" and the West line of said NE Quarter; thence N 01°

18° 51' W, Record bearing N 01°19'02" W, a distance of 618.00 feet along said West line to the Point of Beginning. Said Parcel "D" contains a total of 6.44 acres inclusive of 0.34 acres roadway easement. Said Parcel "D" is also subject to any and all other easements of record and not of record. Motion passed unanimously.

County Engineer Billings provided an initial update.

Chairman Watts opened the public hearing on Amendments to Zoning Ordinance No. 15 at 10:10 a.m.

Latham moved with Callanan seconding, to close the public hearing at 10:12 a.m. Motion passed unanimously.

Callanan moved with Latham seconding, to approve Amendments to Zoning Ordinance No. 15 WHEREAS, the Zoning Ordinance of Cerro Gordo County regulates land use within its jurisdictional boundaries; and WHEREAS, from time to time, it is necessary and prudent to make updates to said ordinance for proper regulation and upkeep; and WHEREAS, this amendment pertains to miscellaneous provisions of the Zoning Ordinance intended to promote the public health, safety, and general welfare; and WHEREAS, the Cerro Gordo County Planning and Zoning Commission, after study and public hearing, has recommended amendments to the Zoning Ordinance be made, 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 Board of Supervisors of Cerro Gordo County, Iowa, that the following amendments are hereby made to the Cerro Gordo County Zoning Ordinance:

- Article 4, Definitions, shall be amended as follows:  
A. Add the following definition of WATERCRAFT: Any vessel which through the buoyant force of water floats upon the water and is capable of carrying one or more persons.
- Article 6.5, Zoning for Family Homes, shall be amended as follows: Repeal Section 6.5, Zoning for Family Homes, and replace with the following:

6.5 ZONING FOR FAMILY HOMES

A Family Home shall be considered a residential use of property for the purposes of zoning and shall be treated as a permitted use in all residential zones or districts, including all single-family residential zones or districts, of the County. No Conditional Use Permit, Special Use Permit, Special Exception, or Variance shall be required by the owner, or operator of any Family Home as required by Chapter 335, Code of Iowa (or as amended).

A new Family Home shall not be located within one-fourth (1/4) of a mile from another family home.

A home for person with disabilities, an elder group home, or a home or community-based services waiver recipient residence shall be regulated the same as a family home, as specified by Chapter 335, Code of Iowa (or as amended).

- Article 6.28, Other Exceptions to Yard Requirements, shall be amended as follows:  
Add the following new Section 6.28(E):

D. Any lake lot that abuts an unimproved public right-of-way that has lake access shall be treated as an interior lot for the purposes of yard requirements and shall not be considered a corner lot.

- Article 9.2, Principal Permitted Uses, shall be amended as follows:

Repeal Section 9.2(B) and replace with the following:

B. Family Homes, Homes for Persons with Disabilities, or Elder Group Homes in compliance with Chapter 335, Code of Iowa (or as amended)

Add the following new Section 9.2(F):

F. Home and community-based services waiver recipient residence in compliance with Chapter 335, Code of Iowa (or as amended)

NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that Ordinance No. 15 is hereby amended, and that this Amendment shall be

in full force and effect from and after its passage. Motion passed unanimously.

Latham moved with Callanan seconding, to waive the second and third considerations of the Amendments to Zoning Ordinance No. 15. Motion passed unanimously.

County Engineer Billings completed his update.

Chairman Watts presented retiring Treasurer Pat Wright a Certificate of Appreciation for her 45 years of service to Cerro Gordo County.

Latham moved with Callanan seconding, to adjourn at 10:20 a.m. 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 Chris Watts  
Board of Supervisors

ATTEST:

Adam V. Wedmore, Auditor  
Cerro Gordo County