

**THE MINUTES OF THE ALLAMAKEE COUNTY BOARD OF SUPERVISORS
MONDAY, NOVEMBER 16, 2009**

Board met as preadjourned. Board members present Kuhse, Campbell and Burke. All members voting "AYE" unless noted.

09.336-Motion by Campbell and second by Kuhse to approve agenda and minutes of November 9, 2009. Motion carried.

Present at the meeting were Frank Gaines, Bob Malli, Brian Ridenour, Mary Jane White, John Smola, Tom Blake, Doug Mullen, Ray Wagner, Deb Winke, Jeanie Carroll, Jim Wellendorf, and John O'Hara.

During public comment time Campbell asked the Auditor to get a ball park figure on the dollars it would save the county if each employee take five furlough days. Kuhse questioned the Bluffland Advisory Committee and if they were to have posted an agenda & kept minutes.

09.337-Motion by Campbell and second by Kuhse to appoint Winneshiek County Attorney's Office as special prosecutor for upcoming case. Motion carried.

09.338-Motion by Kuhse and second by Campbell to approve Tax Abatement for Susan Diane Stone \$60.00 and for Ernie A Engan \$10.00. Motion carried.

Brian Ridenour gave update on the Great River Rd project. Campbell asked Ridenour to bring in the 5yr plan so they could go thru that again at the meeting of the 30th.

09.339-Motion by Kuhse and second by Campbell to approve and sign the Federal Aid Agreement for the Yellow River Bridge replacement project. Motion carried.

Ridenour also has an agreement for State Aid for the Mississippi River Bike Trail for the Board to sign, but after discussion decided to table at this time.

There has been presentations and discussions over the past few weeks on the IRS compliant 457(b) plan needed for the Employee Retirement Plan. There is no cost to the county for this service and was determined no advantage to change companies at this point. Can look at this again for next year, maybe send a vote out to the employees.

09.340-Motion by Campbell and second by Kuhse to appoint Jason Knox, Allen Knox Associates, as the agent for the Employee Retirement 457(b) Plan. Burke voted no. Motion carried.

Many comments and questions were brought up by those attending the third and final reading of the Zoning Ordinance and Subdivision Regulations Amendments. Some of them included timber harvesting part of ag exemption, who will police the ordinance & regulations, what is the purpose of the ordinance, interpretation of the rules, and the 22' access.

09.341-MOTION TO MEMORIALIZE THIRD READING AND VOTE FOR PASSAGE OF AMENDED ALLAMAKEE COUNTY ZONING ORDINANCE AND SUBDIVISION REGULATIONS
The Board held a Public Hearing on the Amended Allamakee County Zoning Ordinance and Subdivision Regulations on October 26, 2009. The Board is advised by the County Attorney that the errata noted in the minutes of that public hearing have been corrected and additional errata of certain section part designations and spelling errata have been further corrected in the attached Text for Reading of

November 16, 2009, and all amended areas have been underlined. The Board has been advised that Iowa Code Section 331.302 requires that an unpublished proposed ordinance shall be considered (read) and voted on for passage at two meetings of the Board prior to the meeting at which the ordinance is finally passed, unless this requirement is suspended by a recorded vote of not less than a majority of the supervisors. This ordinance was first considered (read) and passed by the Board on November 2, 2009, and again on November 9, 2009. Based on the foregoing, it was moved by Campbell and second by Kuhse that the Board considers (reads) and votes for passage for a third time the attached Text for Reading of November 16, 2009, to be the Amended Allamakee County Zoning Ordinance and Subdivision Regulations in accordance with Iowa Code Section 331.302.

09.342-MOTION TO REPEAL THE JUNE 4, 2008 ALLAMAKEE COUNTY ZONING ORDINANCE AND SUBDIVISION REGULATIONS It was moved by Campbell and second by Kuhse that the Allamakee County Board of Supervisors pursuant to Iowa Code Section 331.302(4), hereby repeals the June 4, 2008 Allamakee County Zoning Ordinance and Subdivision Regulations, effective November 25, 2009.

09.343-RESOLUTION APPROVING ADOPTION OF AMENDED ALLAMAKEE COUNTY ZONING ORDINANCE AND SUBDIVISION REGULATIONS

WHEREAS, the Board of Supervisors of Allamakee County, Iowa deems it necessary to: 1) Prevent and lessen congestion in the streets and highways; 2) Secure safety from fire, flood, panic and other dangers; 3) Protect the public health and general welfare; 4) Provide adequate light and air; 5) Prevent the overcrowding of land; 6) Avoid undue concentration of population; 7) Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and 8) Conserve the value of buildings and encourage the most appropriate use of land throughout the county, all in accordance with a comprehensive plan; 9) Make a good faith effort to comply with Iowa code Section 331.302 in repealing the June 4, 2008 Allamakee County Zoning Ordinance and Subdivision Regulations as of November 25, 2009, and provide for the passage, adoption and publication of the Amended Allamakee County Zoning Ordinance and Subdivision Regulations. NOW, THEREFORE BE IT RESOLVED AND ORDAINED BY THE BOARD OF SUPERVISORS OF ALLAMAKEE COUNTY, IOWA that the amended Allamakee County Zoning Ordinance and Subdivision Regulations text of November 16, 2009 should be and is hereby approved and adopted and that said Zoning Ordinance and Subdivision Regulations shall be in force and effect from and after publication on November 26, 2009 as provided by law. It was moved by Campbell and seconded by Kuhse to accept and approve the foregoing Resolution Approving Adoption of Amended Allamakee County zoning Ordinance and Subdivision Regulations passed today on November 16, 2009. Ayes-3; Nays-0. Lennie Burke, Chairperson Attest: Pam Benjegerdes, Auditor

Under other matters, John Smola updated the Board on the training session held by Planning & Zoning Commission . The official Allamakee County website (www.co.allamakee.ia.us) was also discussed and asked Smola to please use this to post agendas, minutes, and official information.

Board adjourned to meet on Monday, November 23, 2009 at 8:45 a.m. Allamakee County Board of Supervisors. Lennie Burke, Chairperson ATTEST: Pam Benjegerdes, Auditor