

**MINUTES OF THE INFORMAL MEETING OF THE JOHNSON COUNTY
BOARD OF SUPERVISORS:
AUGUST 11, 2011**

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Chairperson Harney called the Johnson County Board of Supervisors to order in the Johnson County Administration Building at 8:07 p.m. Members present were: Pat Harney, Terrence Neuzil, Janelle Rettig, Sally Stutsman, and Rod Sullivan.

**IOWA VALLEY RESOURCE CONSERVATION AND DEVELOPMENT BOARD
MEMBERS TINA ELWOOD GEHRKE AND DAVE PARSONS: UPDATE ON
ACTIVITIES AND FUNDING**

Iowa Valley Resource Conservation and Development (RC&D) President Christina Elwood-Gehrke thanked the Board for being active in Iowa Valley RC&D since 1998. Iowa Valley RC&D Board Member Dave Parsons and Iowa Valley RC&D Project Manager Peter Hoehnle introduced themselves.

Elwood-Gehrke said there are 16 RC&D organizations in Iowa. The Iowa Valley RC&D is comprised of six counties: Tama, Benton, Linn, Johnson, Poweshiek, and Iowa, as well as a representative from the Meskwaki Nation. Iowa Valley RC&D is a non-profit organization that originally started as a United States Department of Agriculture (USDA) program and was federally funded. In April 2011, the funding structure changed and they no longer receive federal funds. Iowa Valley is the third largest among RC&Ds in Iowa per number of staff. The Golden Hills RC&D in western Iowa is the largest and the Northeast Iowa RC&D is the second largest.

Elwood-Gehrke said the RC&Ds in Iowa sought funding from soil and water commissioners and organizations, and boards of supervisors since these organizations began. Iowa Valley RC&D has not requested funding. Parsons said the main reason they have not requested funding is because Iowa Valley RC&D has been very successful in obtaining grants. The Federal funding Iowa Valley RC&D received supported the executive director as well as paid for some equipment and supplies. Every RC&D nationwide lost its Federal funding. Iowa Valley RC&D lost its executive director on a

couple days' notice. The Iowa Valley RC&D Board is now exploring other funding options which other RC&Ds have taken advantage of in the past.

Elwood Gehrke said counties in Northeast Iowa RC&D are very active in providing funding. The same is true with the Golden Rivers, Prairie Rivers, and Iowa Heartland RC&Ds. Due to lack of Federal funding, two RC&Ds are closing. Hoehnle said one of those is Sioux Rivers and the other has not been officially announced. Hoehnle said Iowa Valley RC&D works with local food, tourism, and economic development. The RC&Ds that are in trouble focused more on land management conservation issues.

Elwood-Gehrke said the Iowa Valley RC&D office was previously in Williamsburg, but they are currently located in Amana. The Iowa Valley RC&D Board of Directors consists of two people from each of the six counties, as well as one person from the Meskwaki Nation. Iowa Valley RC&D brought \$200,000 to the local economy in the last six months. The financial plan for the remainder of the year anticipates continued revenue. Iowa Valley RC&D partners with over 100 organizations. The organization's business philosophy has changed with the economy and according to the needs of society since 1998.

Elwood-Gehrke said Iowa Valley RC&D's strategy and mission is built around its employees and the Board of Directors builds their business strategy. She said Hoehnle brought several guidebooks to promote tourism in the counties within Iowa Valley, including a birders guide for birdwatchers, a sportsman's guide for hunters, and a paddler's guide for canoeing. Hoehnle said Conservation Director Harry Graves and Naturalist Bradley Freidhof were heavily involved in the guidebook projects. Iowa Valley RC&D staff is working with the City of Iowa City to get an official Iowa designation for a water trail through northern Johnson County. On August 6, 2011, Iowa Valley RC&D dedicated an official water trail on the Iowa River from Hills to the Mississippi River. It is a big honor. Rettig said she was at the dedication. The route is 72 miles without a dam. That is a little rare. She thinks it will help bring tourism from Iowa City to the Mississippi River.

Hoehnle said Iowa Valley RC&D manages two scenic bi-ways for the Iowa Department of Transportation (IDOT). That means Iowa Valley RC&D coordinates local committees that provide input into developing projects promoting the development and promotion of scenic bi-way routes through Iowa. One is the Iowa Valley Scenic Bi-way, located from the Meskwaki Settlement to the Amana Colonies. The other is the Lincoln Highway Heritage Bi-way, which runs along Highway 30. Iowa Valley RC&D partnered with the University of Iowa Office of the State Archaeologist. Iowa Valley RC&D is also working with Pathfinders RC&D in southern Iowa on several grants to identify Mormon Trail routes, especially the hand carved trail across Iowa. The trail is not well-marked and there is a lot of support for developing those trails. Developing scenic and historic routes promotes tourism, as well as their guidebook series for natural resource use.

Elwood-Gehrke said Iowa Valley RC&D is a non-profit organization and its employees are for hire. She said Hoehnle holds a doctorate degree and is a historian and author. His passion is within the Lincoln Highway and the Iowa Valley Scenic Bi-way. Hoehnle said Iowa Valley RC&D Local Food Project Associate Jason Grimm coordinates the Iowa Valley Food Cooperative. It is a fairly innovative food cooperative that will be based in Cedar Rapids but serve the entire Corridor area. The Iowa Valley Food Cooperative will involve many small producers to increase local food production and consumption in the region. Also on staff is Geographic Information System (GIS) Technician Jeffrey Teegarden and Program Assistant Lori Schrodemier, a licensed pilot.

Elwood-Gehrke said Iowa Valley RC&D has a vacancy for the executive director position. Parsons said the previous executive director did all the supervisory work for the organization and secured many grants that kept everyone employed. There is enough money to keep Iowa Valley RC&D going through the end of the year, but after that point they will need a full-time staff person dedicated to securing grants.

Sullivan said it does not look like there is going to be any increase to USDA funding any time soon. Hoehnle said the program is still on the books but it is completely zeroed out for the second half of FY11 and will be completely zeroed out in FY12 if a budget is ever passed. There were 366 RC&Ds nationwide, all of which were chartered by the USDA. Fortunately, each RC&D was organized as an independent 501(c)(3) organization so they are able to continue, but they are missing the financial and staff aid. The Elwood-Gehrke said the federal relationship RC&Ds had with local organizations is missing. Iowa Valley RC&D needs someone to help with marketing by spreading the mission of the organization and identifying community needs.

Elwood-Gehrke said Iowa Valley RC&D is opening an Iowa Valley Food Co-op in Cedar Rapids on August 17, 2011. There was a need for organic producers to meet with buyers. There was not an outlet in the Cedar Rapids area. There are great opportunities for this in Iowa City, such as the New Pioneer Co-op. Food can be ordered online. People can meet and learn about producers online as well. However, the Iowa Valley RC&D is not getting funding from this.

Hoehnle said Iowa Valley RC&D administered some programs that helped other business areas such as Happle's Gourmet Foods LLC that is opening soon near Homestead. Iowa Valley RC&D is currently assisting with about 42 active projects. Not all of them are highly remunerative, but all projects are longtime partnerships with various entities.

Elwood-Gehrke said Iowa Valley RC&D hosted the Second Annual Great Iowa Canoe and Kayak Race in Iowa City. Fin and Feather Inc. along with other project partners helped promote the event. Attendance for the event doubled from last year. People came from four different states to Iowa City, and over 62 people participated. This event brought tourism into the community, and the Iowa Valley RC&D directed them to other events in Johnson County and local communities.

Elwood-Gehrke said Iowa Valley RC&D logged over 1,600 volunteer hours in 2010. Volunteers were utilized in the canoe race, an annual local foods dinner, educational events at Bruce more and in West Branch, and community networking. The executive director works on community networking as well. Elwood-Gehrke met with legislators to talk about what is happening in local communities and how the Iowa Valley RC&D benefits six counties.

Elwood-Gehrke said Iowa Valley RC&D outreach can be extensive, but it needs financial help. Iowa received \$1.9 million from the USDA for RC&Ds, and the Iowa Valley RC&D received \$120,000 that went towards operating costs. Elwood-Gehrke said the Iowa Valley RC&D asks the Johnson County Board of Supervisors for an annual fund of \$10,000.00.

Sullivan said the County just started its budget year in July. Next year's budgeting process begins in about December. Stutsman said the Iowa Valley RC&D operates on the federal fiscal year. Sullivan asked why Iowa Valley RC&D is only requesting \$10,000 when it is actually short \$120,000. Elwood-Gehrke said this is the first time they are asking for money and were not sure how to tread those waters. In order to pay its employees, Iowa Valley RC&D staff is going to all six counties to ask for annual help. If counties would like to contribute more, the Iowa Valley RC&D would certainly accept more.

Neuzil said organizations such as the Iowa Workplace Learning Connection have a regional approach based on population. Neuzil said he would feel more comfortable with a collaborative effort among the six counties. He thinks if a county does not invest, they should not receive the services. A regional approach would be more justifiable for Johnson County taxpayers.

Elwood-Gehrke said the market is much more difficult for grants. More people are applying for grants, and fewer grants are available.

Rettig said Johnson County provides a portion of Grimm's salary. Executive Assistant Andy Johnson said it is \$15,000. Rettig said she thinks the County cannot make up for everything the state and federal governments used to pay for. Rettig wants a more comprehensive look at this before the discussion starts. Rettig is not opposed to offering funding, and she agrees with Sullivan that the Board must be careful to only buy services to benefit Johnson County residents and businesses without subsidizing other counties. Rettig said she is not interested in doing this outside of budget but is interested in entertaining it at budget time.

Sullivan said he thinks it will be helpful to see what \$10,000 would buy if the County funds Iowa Valley RC&D. Parsons said he thinks the \$10,000 represents Johnson County's portion of a part-time executive director's salary.

Parsons asked if the Board sees a way they can make this funding contingent on everybody contributing. There is no way to budget for something like that. Rettig said

the County does that on a couple of occasions. The County does it with libraries. Parsons asked if the Board would be in favor of proceeding under those circumstances. Harney said the Board will look into it, but the County already has to fill the gaps created when the federal government ceased funding in different areas.

Neuzil said he would entertain some discussion outside of the budget cycle for this budget year if he knew five other counties were participating. Stutsman and Sullivan agreed. Sullivan said that would be on the condition of there being better control of direction for Iowa Valley RC&D. Harney said they need to show the residents of Johnson County the benefits of funding this. He is not against providing assistance, but the Board needs to act in the best interests of the county and its taxpayers.

Stutsman she is concerned about saying the County will only contribute if it benefits them specifically. It defeats the purpose of collaboration and regionalization. She thinks there are some projects from which the county receives indirect benefits.

PUBLIC HEALTH DIRECTOR DOUG BEARDSLEY: UPDATED BOARD OF HEALTH REGULATIONS OF HEALTH NUISANCES

Johnson said Public Health Director Doug Beardsley agreed to move this discussion to August 25, 2011.

PLANNING AND ZONING DEPARTMENT: ORDINANCE AMENDING JOHNSON COUNTY ORDINANCE NO. 04-29-10-Z1, THE JOHNSON COUNTY BUILDING CODE, BY EXEMPTING CERTAIN MEMBRANE-COVERED FRAME STRUCTURES

Planning and Zoning Administrator Rick Dvorak said residents in southern Johnson County requested greenhouses be exempt from building codes. When staff first looked at this issue there was not a term for greenhouses, so they are referred to as membrane structures. Planning and Zoning staff prepared a draft and presented it to the Board of Appeals. The Board of Appeals recommended changes to two areas.

Dvorak referred to Section IIA of the ordinance draft. He said the Board of Appeals wants to put a size limit of 6,000 square feet for each membrane structure and states that the membrane structure be located on properties zoned A, AR or R and are used for private, homeowner plant-growing operations, and wholesale plant products. Dvorak read from the ordinance, "Notice of use of this exemption shall be provided in writing to the building official." When this was first discussed, Planning and Zoning staff discussed having an exemption but also requiring the structures meet setback regulations. The Board of Appeals decided the membrane structure builder has to notify Planning and Zoning of their structure. They are not simply exempt. Planning and Zoning staff will find out what zoning class each building is in since each zoning class has a different setback. Staff can use that information to dictate the location of a membrane structure so it meets fire requirements. If the Board agrees with this, Dvorak would like them to take formal action on August 18, 2011.

Harney said if there are required setbacks and builders did not notify Planning and Zoning, the only alternative was to force builders to move their structures. It is easier for this to be done upfront. Dvorak said Planning and Zoning staff will advise the builder but will not inspect the structure unless there are complaints.

Sullivan said membrane structures are supposed to be a temporary building, which is part of the reason why the Board decided they would exempt it. Such buildings are not supposed to have any kind of foundation.

Dvorak said there were questions regarding the specific use of a membrane structure, but he thinks that was resolved in the ordinance. Rettig said the changes dictate the greenhouses cannot be larger than 6,000 feet and builders have to notify Planning and Zoning in writing that they are building a greenhouse. Then Planning and Zoning staff has the opportunity to inform the builders of setback requirements. Stutsman said she is fine with moving ahead.

Farmer Mervin Ropp said he attended the meeting with the Board of Appeals. Had it not been for Assistant County Attorney Andy Chappell, he does not think he would be before the Board. The meeting was not going well, but the decision was made in his favor. The Board of Appeals went along with the 6,000 square feet requirement because M. Ropp said that is the size of the structure he would like to build. M. Ropp asked why a larger membrane structure would not be acceptable.

Sullivan said the size requirements are not unprecedented. Animal confinement operations are limited to a certain number of livestock. He said he does not know how the Board of Appeals decided on that figure. M. Ropp said he is okay with that size, but once the structure is built, it is not easily changed.

Dvorak said whenever an amendment is made, it impacts the whole county. He thinks this amendment will support local food organizations. That may have played into the decision. Sullivan said he thinks more people are going to use this technology to supplement their income or even as a primary source of income. Dvorak said the County exempts any building under 144 square feet. These are arbitrary numbers and used to be 200 square feet. National building codes decided that.

Rettig asked if the Board toured any facilities larger than 6,000 square feet when they went on their Site Visit. M. Ropp said no. He showed the Board a flyer from Haygrove displaying high tunnels (unheated greenhouses) which he is considering purchasing. Since he cannot build larger than 6,000 square feet, he can put the next tunnel right beside it. Haygrove displays these in multi-bay groupings. These single bays are larger than 6,000 square feet but meet all other membrane-covered frame structure requirements. M. Ropp is looking at single structures that are 28 x 200 feet. That figure is what the Board of Appeals based their 6,000 square feet on.

Norman Yoder said he is a produce farmer and may need a greenhouse in the future. He asked what is the smallest greenhouse Haygrove sells. M. Ropp said the smallest solo one is 28 x 100 feet and he does not know if they would shorten it. He said if changing the maximum size would lengthen the ordinance approval process, then he would just like to leave it as is.

Chappell clarified the process as an amendment to the Johnson County Building Code as opposed to an amendment to the Johnson County Unified Development Ordinance. Unlike changes to the Unified Development Ordinance, a public hearing is not necessary. Three votes are required. Any changes can be made to this proposed ordinance, and they will be considered next week. There are no changes they could suggest that would require the ordinance to be sent back to the Board of Appeals. The Board of Appeals is strictly an advisory body that weighed in on this proposed ordinance. He thinks the description as to how they reached the 6,000 square feet limit is accurate.

Chappell said the Building Code Board of Appeals is made up of tradespeople. It is not their business to know about agriculture exemptions. Their concerns are over buildings of a certain size that do not require a permit and is exempt. When staff came up with the proposal to look at the exemption, they were looking to allow a small agriculture producer on less than 40 acres of land to build the same structure someone with more land can build without a permit. He said his initial assumption was that there was not a size limitation because there are setbacks and other practicalities. The Board of Appeals was more comfortable having some limitations and standards even though there is not a permitting process. The Board can make decisions on the ordinance without having to go back to the Board of Appeals.

Rettig asked M. Ropp the size of one pod. M. Ropp said if the structure is in a multi-bay, it is 24 x 300 square feet. Stutsman said that is 7,200 square feet. Rettig asked if the proposed ordinance increased the size to 7,200 square feet, would that accommodate what most people need. Farmer David Ropp said that would only be one bay. With a multi-bay, there may be 100 acres of covered land. Rettig said each bay is a separate greenhouse. Sullivan repeated the limitations with livestock confinement. It is not uncommon to see structures lined up one next to another. So technically, he could build three 6,000 square-foot structures within ten feet of each other. Rettig said if the common manufacturer size is 7,200 square feet she does not want to force builders to buy from the only company that sells 6,000 square-foot membrane structures.

Neuzil said the question is whether the ordinance should have a size limit. Rettig said there was no size limit initially. She does not mind having a size limit but wants it to be a common size. Stutsman said she thinks there needs to be a size limit. Sullivan said this is new territory for the County, and it can always be changed, but it might not be bad to start with some limitation.

Rettig asked M. Ropp what size he would like to have in the ordinance. M. Ropp said he does not want to further delay the ordinance. Stutsman said that will not delay the process, it will happen next week. Harney said he feels differently about the size

limitations. If someone owns two or three acres, they should not be putting a huge structure on that property. There has to be some kind of limit. M. Ropp said that is already accounted for by setbacks.

M. Ropp showed the Board a flyer from Haygrove advertising a sale on the solo high tunnels and M. Ropp said he told them he is not going to buy until he is certain what will be allowed. Stutsman said as a Board member, she does not make decisions based on sales or people's personal business decisions, but rather on what is in the best interest of all County residents.

Rettig said she does not mind going to 7,500 square feet. She asked if that would accommodate the common size of membrane structures. M. Ropp said that would help. Dvorak said there are limitations. Only a certain percentage of a person's land can be covered in these. If a structure is attached or within ten feet of another structure, it is considered part of that structure and setback regulations must be met. Membrane structures are more flammable than a normal structure would be. Rettig said she does not think a greenhouse's setbacks from another greenhouse matters as much as a setback from a residence.

Sullivan said he thinks this is new territory and worth starting at the 6,000 square-foot limitation. He prefers to go with what the Board of Appeals passed and change it later if necessary.

Neuzil said he thinks the limit should be set at the size of what the standard materials are, 7,500. Stutsman said they could go with 7,200 square feet. Neuzil, Sullivan, and Rettig said they agree with 7,200 square feet. Rettig said this ordinance should be passed as quickly as possible, so the structures can be built before snow falls, and crops could be grown in February.

HUMAN RESOURCES ADMINISTRATOR LORA SHRAMEK: PROCESS TO FILL FACILITIES MANAGER VACANCY

Human Resources (HR) Administrator Lora Shramek passed out a draft timeline for the recruitment of a new Facilities Manager. She said they can advertise for this position beginning August 12, 2011 through September 2, 2011. Stutsman asked if the dates to review applications are for Board review or HR review. Shramek said that is Board review and the schedule allows for three days. This is a compressed timeline.

Board members discussed their availability and agreed the first round of interviews would be scheduled for September 12th. Rettig asked if the second round of interviews would be scheduled for September 29th and possibly last into the evening hours. Neuzil said yes. Shramek said the top candidate will be determined on October 3rd or 4th, after a thorough background check, and Shramek expects to offer the position by October 5th. The new Facilities Manager would start work as early as October 24th.

Shramek asked if the Board talked about a transitional plan. Rettig said no. Neuzil said there will probably be some discussion at the Work Session scheduled for August 15th.

Shramek said minimum qualifications listed in the job description are a high school diploma and five years of experience. If there is any interest in changing that requirement, it may affect the compensation. Sullivan said Stutsman said they are not interested in changing those minimum qualifications. Board members agreed to begin advertising tomorrow.

REPORTS AND INQUIRIES FROM EXECUTIVE ASSISTANT ANDY JOHNSON

Johnson said the Board has a Work Session Meeting scheduled for August 15, 2011 at 9:00 a.m. with Auditor Tom Slockett and Auditor's Office staff regarding the redistricting process. At that meeting they will also discuss the hiring process for the Facilities Manager position. A Department Head Meeting is scheduled for August 16th at 1:30 p.m., a Strategic Planning Meeting is scheduled for August 17th at 8:30 a.m., a Secondary Roads tour is scheduled for 11:30 a.m., and a Joint Meeting with the Conservation Board is scheduled for 6:30 p.m. at F.W. Kent Park. A Formal and Informal Meeting is scheduled for August 18th at 9:00 a.m. Stutsman said she will not be able to attend the Department Head Meeting scheduled for August 16th.

Adjourned at 9:21 p.m.

Attest: Tom Slockett, Auditor
By Nancy Tomkovicz, Recording Secretary