

STORY COUNTY PLANNING AND DEVELOPMENT
STORY COUNTY ADMINISTRATION
900 6TH STREET
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"Commitment, Vision, Balance"

**MINUTES
STORY COUNTY
PLANNING AND ZONING COMMISSION**

AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING WWW.STORYCOUNTYIOWA.GOV

DATE: June 3, 2020	Kathy Mens (Phone)	2022
	PJ McBride (Phone)	2021
CALL TO ORDER: 4:01 PM	Doug Moore (Phone)	2020
PLACE: Public Meeting Room	Cheryl Moss (Phone)	2020
Administration Building	*Absent (Due to House File 2512)	
	Marvin Smith*	
	Jonathan Sherwood*	
	Gina McAndrews*	

Jerry Moore stated he was assisting with starting the meeting due to House File 2512, which was signed by the Governor June 1, 2020 and has impacted the Story County Planning and Zoning Commission and Board of Adjustment members. The law requires Planning and Zoning Commission and Board of Adjustment members to be eligible electors and reside in the area regulated by the county zoning ordinance. As of June 1, 2020 the positions of those members not residing in the unincorporated area of the County are vacant. Moore stated staff is sorry about this situation and communication by phone and email had been provided to the members communicating this change and staff appreciates the work done by the three members this new law affects.

Special Note: Due to recommendations to limit gatherings to no more than ten (10) people in order to help slow the spread of the COVID-19 virus, public access to the meeting was provided via conference call to listen and participate in the meeting. Planning and Zoning Commission members were present by conference call.

STAFF PRESENT: Jerry Moore, Director (phone); Amelia Schoeneman, Planner (phone); Stephanie Jones, Recording Secretary

PUBLIC PRESENT:

APPROVAL OF AGENDA Motion by Mens, Second by McBride to approve agenda with moving item 7.1 before 6.1.

Voting Aye: Moss, McBride, D. Moore, Mens

Voting Nay: None

Absent: None

Not Voting: None

J. Moore stated that due to HF 2512 a new Chair and Vice Chair would need to be elected. D. Moore asked if the County Attorney is on the call to advise on HF 2512 for clarity. D. Moore was concerned that the interpretation of the bill could be wrong. D. Moore said he talked to two legislators and believes that the law affects only Johnson County. J. Moore stated that he reached out to the County Attorney's Office and that he obtained communication from a representative with the Iowa State Association of Counties and several COZO officials who concurred that HF2512 impacts all County Planning and Zoning Commissioners and Board of Adjustment members in the state who do not reside in the unincorporated area of the county and vacancies went into effect June 1, 2020.

MOTION: To table all agenda items until after receiving clarity from the County Attorney so that the meeting can be held with a full board.

Motion: D. Moore

Second: McBride

Discussion: Linda Murken stated that one of the items on the agenda tonight is the three Conditional Use Permits for the public safety system. Murken stated that as a StoryComm Board Member she would like the Commission to act on the item tonight as timing is an issue. With further delays, it could hurt the public safety system. Murken stated she is not an attorney but has read the law and it obviously applies to all counties. Lauris Olson stated the meeting is a joint meeting and offered to attempt reaching the County Attorney's Office by phone.

Marvin Smith was on the call and stated that he read the changes and he would like to recommend that an acting Chair be appointed today and a permanent Chair be put off until after clarification is rendered.

J. Moore encouraged the commissioners to proceed with the meeting and staff would continue to reach out to the County Attorney's Office regarding their interpretation of HF2512.

Cheryl Moss stated that due diligence has been done and she is fine with not electing a Chair or Vice Chair, and only having a temporary Chair for this meeting. Moss feels that waiting for another meeting where the attorney can be present is only going to slow down the process and not change the outcome.

Cathy Mens asked when the new law was passed and when notification was made to the Commissioners. J. Moore stated that he found out about HF2512 on June 2, 2020, and he had been making contact with individuals the last two days for clarification of the new law and has received many responses from county zoning officials.

Stephanie Jones asked the board if they would be willing to have a special meeting the following Wednesday allowing time for staff to receive clarification from the County Attorney's Office. The Commissioners agreed that would be ok, although Moss stated again that she did not feel there would be a different outcome.

McBride withdrew her second to the motion made by D. Moore. D. Moore stated he would like

his original to still stand with the addition of rescheduling for as soon as the following Wednesday, June 10, 2020.

Additional discussion took place about the bill and whether or not to proceed with the agenda. D. Moore left the meeting call and there was no longer a quorum.

J. Moore stated that the meeting will be rescheduled and asked if anyone has questions. Moss stated that she understands how difficult this has been and the due diligence that has already occurred prior to the meeting. McBride asked for clarification as to when the law went into affect and when the Commission was notified since there was not a notification given until right before the meeting. Discussion took place as to when individuals would be available to reschedule the meeting and replacing commissioners. There was consensus among the commissioners to reschedule the meeting Wednesday, June 10, 2020

ADJOURNMENT: 4:33 PM

Cheryl Moss
Approval of Minutes

P2C Chair / 7/27/20
Title and Date