Wednesday, January 24, 2018

The Cass County Board of Supervisors met at 8:30 a.m. with all members present: Gaylord Schelling, chair; Steve Baier, Stephen Green, Frank Waters and Mark Wedemeyer. Agenda upon motion by Waters, 2nd by Baier was approved. Minutes of January 17, 2018 upon motion by Green, 2nd by Wedemeyer were approved.

At about 8:35 a.m. the Board recessed and a public hearing was conducted on proposed Cass County Ordinance No. 36: Operation of ATVs on County Roadway.

Notice of public hearings on the adoption of Ordinance 36 was published in accordance with Iowa Code and this is the time and place for the first hearing at which the Board shall receive oral or written objections from any resident or property owner of the County. Process of adoption: three hearings on three separate dates. Board, in an open meeting, must approve draft after each hearing (amendments allowed) to continue to next hearing; after the third hearing, a final approval and the adoption will be considered.

No written objections or support statements were filed. Persons present all appeared to be in support of legalizing operation of ATVs and Off-road UVs on county roadway. Supervisors reported that they had received both support and objection comment. Safety concerns were main reason for objection. Support reasons included expanding agricultural use permitted routes, give construction and other businesses the same rights as farmers, driving ATVs between garage and recreation areas, allow travel through countryside on ATVs, etc. Request was made that the board consider changing section on UNLAWFUL OPERATION in regard to a maximum speed limit; county attorney agreed that stipulating a maximum was not necessary.

After due discussion and about 9:37 a.m.: Motion by Waters, 2nd by Green: to close the hearing. Carried unanimously.

In regular session. Brief discussion, then motion by Baier, 2nd by Green: to strike the phrase "greater than thirty-five (35) miles per hour or" from SECTION 4(1). Carried unanimously.

Motion by Wedemeyer, 2nd by Baier: to approve Ordinance No. 36 draft, as amended: Operation of ATVs on County Roadway after first hearing.

Carried unanimously.

Meeting adjourned. Next meeting January 31, 2018.

/s/-Gaylord Schelling, Chair Attest: /s/-Dale Sunderman, Auditor