

Amana Colonies Land Use District
Minutes of the Regular Meeting
October 17, 2022 - 7:00 p.m.
Amana Colonies Land Use District office – 4304 220th Trail Amana
And via Zoom

- I. Call Meeting to Order. Amana Colonies Land Use District Board of Trustees President Joe Parcell called the regular meeting of the Board of Trustees to order at 7:00 p.m. Present in person: Parcell, Tyler Stockman, Norine Magee, and Moses de los Santos. Peter Hoehnle arrived in person approximately 7:30 PM. Bruce Trumpold attended the meeting via Zoom.
- II. Set Agenda. Moses de los Santos made a motion to modify the agenda so that the results of the Special Election for Trustees which was held Tuesday, October 4th could be voted on and the new Board member who was present (Norine Magee) could recite her Oath of Office. Second by Stockman. Motion carried unanimously. Structure of these minutes now reflect that change.
 - a. Discussion/Action: Certify Special Election results – results of the Special Election were that Norine Magee was voted in and accepted a 12-month term. Lynn Trumpold was a write-in candidate and he accepted a position for a 36-month term. Moses de los Santos made a motion to accept the results of the Special Election as presented. Second by Stockman. Motion carried unanimously.
 - b. Discussion/Action: Oath of Office for new Board member(s) – Norine Magee read the ACLUD Oath of Office out loud to those in attendance. It should be noted that even though Lynn Trumpold has accepted the position, he was unable to participate in the meeting that evening.
 - c. Discussion/Action: Election of Board of Trustees Officers – Stockman made a motion to table the choosing of officers until the next meeting when all seven Trustees are in attendance. Second by de los Santos. Motion carried unanimously.
- III. Review/Approve September Meeting Minutes. Motion to approve the September 12, 2022 Meeting Minutes by Stockman, second by Magee. Motion carried unanimously.
- IV. Welcome visitors and allow citizens to speak on items not on the agenda. No one spoke.
- V. Discussion/Action on the following permit applications in a Historic Preservation District:
 - a. 2022-095. Les and Linda Ackerman / 207 220th Trail South Amana / HP-C. Replace six upstairs and six downstairs 1960s vintage wooden windows with double hung vinyl. Upstairs – Quantity four 28” x 33” will be 6/6, quantity two 28” x 53” will be 9/6. Downstairs – Quantity five 28” x 53” will be 9/6, quantity one 28” x 45” will be 6/6. After discussion motion by de los Santos to approve the application as presented, second by Magee. Motion carried unanimously. A Certificate of Approval was generated. It should be noted that Les Ackerman was present at the meeting.

- b. 2022-101. Susan Matrise / 2601 and 2515 J St Middle Amana / HP-R. The application requests a permit for complete demolition of the fire-damaged property at 2601 and 2515 J St Middle Amana. This is a result of the conclusion reached by a Structural Engineer's inspection in September that the building is not structurally sound. The ultimate intent of the owners is to rebuild the structure as a copy of the original. In attendance at the meeting via Zoom was Joshua Kuperman, P.E., the Structural Engineer from VJ Engineering in Coralville who inspected the property in both January and September of 2022. To paraphrase his comments, he indicated that his inspection was much more thorough in September due to dealing with both frozen water from Fire Department as well as snow covering a good deal of the burned-out structure in January. He also expanded on two primary reasons that he could not recommend trying to re-use the remaining structure, that being that there were no frost-protected footings under the building, and the remaining vertical walls were "wavy" and not well supported or re-useable. Also, a summary finding by a contractor familiar with renovating post and beam construction buildings was read. That individual is Alvin Bontrager from Fairbanks, IA. He came to Middle Amana and inspected the building and also concluded that it was not structurally sound for re-use.

Bruce Trumpold was gone on vacation the week of the meeting, however he sent through an e-mail on 10/17/22 expressing his opinion of the situation. Trustee Peter Hoehnle requested that this text be entered into the meeting record. It is as follows:

Because I am traveling and intend to Zoom in, and my internet/cell service may leave something to be desired, I wanted to pass along this e-mail I sent to Richard and Joe regarding the demolition permit in Middle Amana. I put this together after attending via Zoom the HPC meeting where, after some questions, it was recommended for demolition. I am sending this to you now so you may see my opinion in case my Zoom is less than hoped for. In regard to the application, pending more information tonight, my opinion is the following:

ACLU's responsibility is preservation...not rebuilding to "look" like a preserved building.

The property owner, after purchasing the property in this case, is responsible for mitigating further damage...that was not done.

The burden of proof is on the property owner to make the case for demolition. You can see in my e-mail what further steps I believe should be taken. Note that HPC recommended the engineer be present at the Trustee meeting – I do not see that indicated on the agenda.

There are numerous examples of severely damaged/deteriorated properties in Amana being restored.

If ACLUD approves this demolition, we are once again sending the message that if you let a property deteriorate far enough, you will receive a demolition permit.

Pending additional information regarding the ability to repair the existing building, I would suggest at the least we again table the application and request mitigation to be done and further study.

It is noted by the Administrator that this was Mr. Trumpold's opinion before the Trustees meeting occurred. After discussion a motion was made by Stockman that a SHPO Historic Architect should inspect the site next. After their findings are available, a date for a Public Hearing should then be established. Second by Magee. Parcell abstained from the vote. Motion carried. It should be noted that Susan Matrise was present at the meeting.

- c. 2022-102. Mark and Andrea Farrier / 4415 F St Amana / HP-R. Replace quantity four existing windows measuring 28" x 57". Two on the first story and two on the second story. Windows will all be 9/6. After discussion motion by de los Santos to approve the application, second by Stockman. Hoehnle was a nay vote. Motion carried. A Certificate of Approval was generated. It should be noted that Andrea Farrier was present at the meeting via Zoom.

VI. Other Business.

- a. Discussion/Action: Discussion/Action: Chickens, Ducks and Geese Ordinance. The ordinance as created by the HPC was reviewed and discussed. Motion by de los Santos to establish a date and time for a Public Hearing for the first reading of the new ordinance verbiage. Second by Hoehnle. The motion passed unanimously. It was suggested that the Certified Local Government (CLG) representative should be allowed to review the ordinance changes as well.
- b. Discussion/Action: The ACLUD/ACCVB Agreement. The Administrator had written the Agreement and read it to the assembled group. Other than a few minor suggestions and corrections the Agreement looked good to the group. Moses de los Santos made a motion to accept the Agreement pending discussed changes. Second by Magee. Trumpold abstained. Motion carried. Intent is to get document signed by BOT and ACCCV representatives and have active by November 1, 2022.

VII. Review/Approve October Disbursements Report. Motion to approve by Hoehnle, second by Stockman. Motion carried unanimously.

VIII. Review/Approve September Treasurer's Report. Motion to approve by Hoehnle, second by Magee. Motion carried unanimously.

IX. President's Report. No report issued.

- X. Administrator's Report. 1) Administrator provided data regarding application activity in September. 2) September Hotel/Motel Taxes Pledged Document attached. Trumpold noted that the HP Grant that was issued several years ago to Amana Sites Foundation (gutters) may still be an active issue, and I should contact Kayleigh Myers the Amana Sites Administrator to get a status.

- XI. Adjourn. There was a motion to adjourn the meeting by Magee, second by Stockman. Motion carried unanimously. The meeting was adjourned at 9:10 p.m.

Joe Parcell, ACLUD BOT President

Richard Budde, Administrator and Clerk

The Amana Colonies Land Use District Board of Trustees was established and its members duly elected in accordance with the provisions of Chapter 303, Code of Iowa, subsections 303.41 through 303.68. All activities of the Board of Trustees in exercising its corporate authority including the election of officers, meetings and public hearings, expenditure of funds, appointment of Boards and employees are public records, and are in accordance with the provisions of Chapter 303, Code of Iowa.

All Amana Colonies Land Use District Board of Trustees meetings are open to the public and the public is encouraged to attend the meetings.