

Planning & Zoning Meeting Minutes
1/15/2026
Butler County Courthouse

Present

Planning and Zoning Commission members:

Deb McWhirter

Jane Close

John Backer

Roger Kregel

Absent

Rosemary Willson

Others Present:

Misty Kofron, Zoning Administrator

Tom Hoodjer, Butler County Engineers
office

Mike Gannon, Innovative Groundwater
solutions

Stan Wubbena, Neighboring farm owner

Tom Eckhoff, neighboring farm owner

Jeff Kolb, BGDA

Thomas Machande, BMC Aggregates LC

Sherman Lundy, BMC Aggregates LC

Katie LaBree, BCREC

Wayne Dralle Butler Co Supervisor

Deb McWhirter called the meeting to order.

A motion was made to approve the agenda as presented by Jane Close and was seconded by Roger Kregel. Motion passed.

A motion was made to appoint Deb McWhirter as Chair by Jane Close and was seconded by John Backer. Motion passed. A motion was made to appoint Jane Close as Vice Chair by Roger Kregel and seconded by John Backer. Motion passed.

A motion was made to approve the minutes from the previous meeting dated 10/16/2025, with the addition of Mr. Johnson's first name, by Roger Kregel and was seconded by Jane Close. Motion passed.

Old Business:

None.

Public Hearing:

Chair McWhirter opened the public hearing on a request by BMC Aggregates to rezone 77 acres described as the W ½ SW ¼ of Section 9 Township 91 North, Range 16 West of the 5th P.M. from A-1 to A-2 to expand the quarry known as Oltman Quarry.

Administrator Kofron presented her staff report and stated this request is on behalf of BMC Aggregates to expand Oltman quarry. The quarry is located on Butler Center Rd and intersects Oak Ave, and they are looking to purchase the farm on the East side of the road (Timmer Farm) to expand their quarry operation. Administrator Kofron explained that when considering rezoning requests, the commission needs to take the Butler County Comp Plan goals into consideration

when making their decision. Kofron explained how some aspects of the Comp Plan support the expansion, but they may want to address a few things that are not supported during the meeting including high CSR farm ground and environmental impacts on surrounding well owners.

Sherman Lundy, Geologist for BMC Aggregates, was there on behalf of their request. He explained that the Oltman quarry has been there for 40-45 years and they were originally looking to expand to the West, as they are close to depleting the minable aggregate at this site, but there isn't much aggregate there to mine so now they are in the process of purchasing the property to the East for this expansion now that it has become available. Lundy explained some of the history of the quarry and the previous owners. The quarry operation would be the same operation that they do on the West side of the road now. Lundy explained how overburden is a concern, if it is too thick it becomes problematic to move and the overburden on this new site is low, allowing them to stockpile aggregate and backfill as they go. The second positive is that the rock sequences are the same as they are on the other site, so they expect to get the same quality of rock for roads, ag lime, and construction projects. Lundy went on to explain they will be taking the rock out of the new site and bringing it to the old quarry where it will be crushed, leaving no stockpiles on the new site. They will only be taking out 1-2 acres a year, the remainder will stay in Ag production with a farm tenant already lined up. Lundy also explained how this site gives them access to good transportation and hard surface roads.

Discussion was had regarding some well interference issues that have occurred in surrounding wells because of this quarry operation. Lundy explained that when the original quarry was purchased, it was not disclosed to BMC that there was karsting on the west side, which affected some shallow wells in the area when they pumped down the groundwater to access the rock. BMC worked with the well-owners to rectify the situation. The operation has since been modified to include no extraction in the spring, they wait until late summer when they have the least impact on wells. By December they have enough material for the year, and the pumps will be shut off so the water table can come back up. Lundy expressed that BMC Aggregates are considerate of their neighbors in terms of dealing with any concerns they may have.

Lundy went on to explain that when deciding where to put a quarry, it has to have low overburden amounts to make it cost effective to get to the material. There must also be enough reserves to last 40-50 years to supply the area as they really consider long-term sustainability for the quarry operation. Lundy said that they are aware of the high CSRs on this parcel and he is also the farm manager for the company, has served on the Black Hawk County soil and water commission and conservation committee, and the company is very conscientious about agriculture.

Mike Gannon, with Innovative Groundwater Solutions LLC, explained that he did an extensive study on the well interference issues caused by this quarry back when he worked for the Iowa Geological Survey. Gannon reported that there aren't any areas in Iowa like this site where the groundwater behaves so uniquely. Due to the karst geology, there are caverns, caves, sink holes, voids and pathways that make the ground water sometimes move very fast like a river and at other times very slow, and that is the challenge that they are up against with this site. Gannon discussed the wells that had to be replaced or were otherwise impacted due to well interference issues and further stated that he works with many companies, and BMC is by far one of the most responsible and responded very quickly to the well interference issues. BMC also asked him to do a model to help predict what dewatering the quarry does to the neighboring wells while also continually monitoring wells within a certain proximity to the quarry. Gannon reported that as soon as they turn their pumps on at the quarry, they see a 10-15ft draw down in the wells they are monitoring

but as soon as the pumps are turned off, the wells recover quickly and drought conditions did play a factor in the past interference issues. Gannon thinks they will see the same drawdown/recharge with this expansion to the East. Gannon further explained that when the quarry shuts off the pumps, he goes out and takes measurements and the water levels in the wells recover about 7-10 feet within a week, and depending on the location of the well, by spring the water level will be 30 feet higher, showing the dynamics of this system.

Commissioner Roger Kregel asked if it will be the same pumps used as across the road and Lundy confirmed that the operation will be the same as across the road. Kregel inquired about the cost, if any, that the well owners had endured for their well to be lowered or re-drilled. Lundy explained that some of the wells were shallow-100ft wells that were 40 to 50 plus years old, and Gannon agreed that the wells were at their life capacity, so it was a good deal for them to get a new well. Administrator Kofron clarified that the DNR factored in the drought conditions in figuring out what minimum percentage the quarry was liable to pay towards these well interference issues, but BMC worked out settlements directly with the well owners. Stan Wubbena explained that when they started having well problems, he paid to have his well worked on since it was an old well that needed improvements, but BMC did pay for over half of his renovation. Chair Deb McWhirter asked if these problems just pop up or do you start to lose pressure when the wells start going dry and it was determined that it does happen quickly - you lose suction and the pumps start pumping up sand and gravel. Discussion continued concerning the water drawdown and the preventative measures that BMC takes to not affect the neighboring wells, and how they continue to monitor the wells every month. Discussion was had regarding how many years they will get out of this quarry and Lundy responded that they are looking at a minimum of 45 years. Stan Wubbena was wondering what improvements will be made.

Maryanne Toll, Trustee, participated by phone and expressed concerns about what the rezoning would do to the Mark I Toll farms. Maryanne stated that the Mark Toll Trust has been farming in Butler County since 1857. Her first concern is that the setback distance from the expansion to the Toll farm property line be at least 150 feet to prevent erosion or other damage to the Toll land which is actively farmed by DeGroot. Maryanne further stated they do not want any machinery, person or waste to touch the Toll Farm soil in any way. Her second concern is the impact to both surface and ground water, especially since Butler County has had a lot of drought in recent years as well as the amount of water that is dumped from the quarry dewatering into the small creek making the water level higher which impacts the Toll farm that is to the South. Maryanne is opposed to them trying to put any culverts under Butler Center Rd and she is opposed to them diverting water in any way causing a lack of access to their property. Third, Maryanne is concerned about waste products being put into the quarry, there is evidence of this happening in the past. Maryanne feels this expansion could negatively affect the sale of their land in the future and she would like to go on record by saying that the Mark I Toll Trust strongly opposes the expansion of this quarry and the rezoning of this land.

Administrator Kofron listed the setbacks from the ordinance, confirming that the setback to the quarry excavation wall to her property line is 150 ft. Kofron further stated that if the rezone were approved, BMC also needs to get a special exception permit from the Board of Adjustment who can place stipulations and address concerns more specifically. Lundy addressed the concerns that the Toll Trustee and stated that they are highly regulated by the DNR in regard to protecting the quarry excavation from groundwater contamination, prohibiting the dumping of garbage and refuse, as well as regulations in regard to their water dewatering and discharge.

Administrator Kofron read a letter from the County Engineer, John Riherd, in support of the quarry expansion stating that the County does purchase a third of its rock from this quarry site with it being centrally located, with easy access to our road network. This quarry provides high quality rock to the County and the public and it is an economic advantage for the taxpayers of Butler County to have this resource where it is at. Tom Hooder was present on behalf of the County Engineer and wanted to add that having access to this quarry location is helpful in the work they do and keeping costs down by not having to travel so far for material. Hoodjer added that not all rock is created equal and the quality from this quarry has always been very good.

Administrator Kofron stated that, overall, the project was supported by the Comp Plan in that it is an existing quarry operation that is compatible with surrounding land uses; there is an economic development and transportation need for the aggregate as it is high quality aggregate centralized in the County; and it will ensure that the quarry operation will continue to operate for 40-50 more years. A few goals that are not compatible with this expansion include the CSR valuation and its impact on the groundwater resources in that area. The average CSR for this parcel is 86.68 so the approval of this expansion is taking prime farm ground out of production. The Commission needs to balance the goal of preserving prime farm ground with the need for the aggregate.

Lundy addressed the CSR concerns and explained that they have limited places to go to get the rock material and it just happens this area has good rock that is close to the surface, and close to their other operation. Lundy is asking the Commission to consider the resources under the surface and not just at the surface. Discussion was had regarding what would happen to the quarry once they were done mining and whether it could be farmed again. Lundy stated when you're taking 40-50 feet of rock out and 20 feet of overburden, you can't fill that back up to make it farmable again. What they have done in the past is go to the County Conservation Boards and work with them to turn the land back to the Conservation Board where they can set up islands for wildlife and create recreation ponds. Lundy explained that until that point, all pits must be bermed to prevent farm run off from going into the quarry and once an area is mined, they put back the sub soil, then the topsoil, and then they plant several types of grass.

Administrator Kofron did contact Conservation Director, Matt Wilken, and he sees potential value in conservation taking over when the quarry is done but wondered if there should be a contract in place since it is so many years out. Lundy stated that an official agreement would be hard to do since that period is so far out and none of the same people will be around when that reclamation period happens, it's best to let those who are around decide what to do with it when the time comes.

Commissioner Jane Close asked if an acre or acre and a half will come out of production every year and Lundy confirmed that it was dependent on projects and needs, but 1-2 acres every year is accurate. Lundy stated that they are going to start mining in the SW corner and it will take a long time before there are noticeable changes.

A motion was made to close the public hearing by Jane Close and was seconded by Roger Kregel. Hearing closed.

The commission considered land use, CSRs and BMC Aggregates' consideration of their neighbors.

A motion was made to approve the request to rezone by Roger Kregel and was seconded by John Backer. Motion passed.

Next step is the supervisors' meeting then tentatively a Board of Adjustment on Feb 24th at 7:30 a.m.

New Business:

The Zoning Commission reviewed BLP East Addition preliminary Plat located in SW ¼ of section 34 Butler Township.

Administrator Kofron presented her staff report stating this is a Preliminary Plat that was presented to the commission in July 2024, which was rezoned right before this Plat was submitted. Now they are ready to move forward with their development and since it has been over a year, we must restart the process. Proposed Lot 1 is going to be developed first and with it only being 25 it does trigger a subdivision plat with the other parcels in the area. Lot 2 is 120 + acres and may be developed in a 2nd phase plat down the future. Jeff Kolb stated that they didn't want to pigeonhole perspective buyers, so Lot 2 hasn't been platted out to allow buyers some options on lot size and there are areas of this Lot that are in the flood plain and won't be developed.

Administrator Kofron wanted to address the storm sewer easement, and that the County requires a different setback than what is on the plat. On the plat the easement is 20ft wide and the county requires 30ft so that will need to be corrected

A motion was made to approve BLP East Addition Preliminary Plat by Roger Kregel and was seconded by Jane Close. Motion passed.

Administrator Kofron brought up some hobby businesses that have popped up in recent years including Dirt Daughters, 17742 Oak Ave; MCC Barnwood Creations, 26967 – 180th St; and Zahner's Country Store, 12105 Terrace Ave as they now have signage and Facebook posts advertising their businesses which has brought them to her attention. Kofron stated that they should have gotten a home occupation/industry permit according to our Zoning Ordinance which technically requires them to come before the Zoning Commission for approval but she feels these businesses are low-impact and asked the Commission if they were ok with her just issuing their permits and only bringing them before the Commission in the event she received complaints and needs to revoke the permit. The Commission agreed that this could be handled internally by the Zoning office. Kofron also brought up The County Cottage, 12105 Terrace Ave, which is similar to Zahner's Country Store, but she has been operating since 2010 so Kofron feels that at this point, this would just become a grandfathered business since she's been in operation for so long.

Next meeting will be February 12th at 1:30

A motion to adjourn was made by Roger and was seconded by John. Motion passed.

Misty Kofron, Planning and Zoning Administrator

