

**MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON SEPTEMBER 23, 2008.**

Meeting called to order at 9:00 a.m. by Chairman Larry Backer with members Ken Oldenburger and John Zimmerman present.

Minutes of the previous meeting were read and approved as read.

Board met with County Engineer John Riherd to consider quote for a 770D motor grader from Murphy Tractor & Equipment in the amount of \$179,995.00. (For replacement of motor grader destroyed in May tornado.) Moved by Oldenburger, second by Zimmerman to approve said purchase. Motion carried.

Time set for a Public Hearing to consider the Final Plat for Hilltop Addition in Section 30, Butler Township. Steve Busse, Zoning Administrator, was present, as was Jim Norton, Clarksville, and Gerald Becker, Waverly. Busse described the proposed plat of the subdivision. He reported the Board of Health had approved the septic systems and the Planning & Zoning Commission recommended approval by the Board of Supervisors. No written or oral comments were received. Moved by Oldenburger, second by Zimmerman to approve the Resolution approving the Final Plat of Hilltop Addition as follows:

**RESOLUTION NO. 644**

**RESOLUTION APPROVING THE FINAL PLAT OF  
"HILLTOP ADDITION"  
BUTLER COUNTY, IOWA**

WHEREAS, on the 23rd day of September, 2008, at a regular meeting of the Butler County Board of Supervisors, Butler County, Iowa, a final plat of

**HILLTOP ADDITION**

located in Butler County, State of Iowa, was submitted for approval.

WHEREAS, after consideration, the final plat of

**HILLTOP ADDITION  
SOUTHWEST 1/4  
OF SECTION 30-T92N-R15W**

in Butler County, State of Iowa, is found to be approved by unanimous vote.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors of Butler County, Iowa, that said final plat be approved, and the Chairman of the Board of Supervisors and the County Auditor of Butler County, Iowa, are hereby directed to affix their signatures to said Resolution.

UPON Roll Call the vote thereon was as follows:

|              |                        |                   |
|--------------|------------------------|-------------------|
| <b>AYES:</b> | <b>John Zimmerman</b>  | <b>NAYS: None</b> |
|              | <b>Larry Backer</b>    |                   |
|              | <b>Ken Oldenburger</b> |                   |

WHEREUPON the Resolution was declared duly adopted this 23rd day of September, 2008.

ATTEST: Holly A. Fokkena, County Auditor

Time set for a Public Hearing on a Construction Permit Application and Manure Management Plan by Christensen Farms Midwest LLC for the replacement of an existing manure storage tank located in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 5-91-18, Madison Township. Steve Busse, Zoning Administrator, was present as were Jay Gunderson of Christensen Farms and Jim Norton, Clarksville. Busse described the Application and detailed the points in the Master Matrix. He stated that the points taken were adequate for passage. Gunderson explained the existing tank had been damaged due to external force from ground water saturation. No written comments were received. It was moved by Zimmerman, second by Oldenburger to approve the Construction Application and Master Matrix as filed. Motion carried. The Board also discussed with Jay Gunderson that the Board will not ask for a hearing before the Environmental Protection Commission and will waive the 14 day period for making the hearing request.

Time set for a Public Hearing on a Construction Permit Application by Gerben & Julie ten Hoeve for construction of an earthen manure storage basin in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 13-92-15, Butler Township. Steve Busse, Zoning Administrator, was present as was Jim Norton, Clarksville. No written or oral comments were received. Busse described the Application and explained the reason for the earthen basin was due to the separation requirements being less than for a concrete structure. He further reported that points taken on the Master Matrix were adequate for passage. He stated that the DNR had been unable to visit the site prior to the Public Hearing, but was scheduled for later on this date. The Board determined that due to the DNR scheduled site visit, the Public Hearing would not be closed but instead continued to Tuesday, September 30, 2008 at 10:00 A.M.

Duane Miller visited with the Board regarding his concerns with the disposal of dirt from a berm being removed by the County from his property. He recollected that the dirt was to be spread on his property. The matter was addressed in Mr. Miller's absence due to his inability to wait until the County Engineer was available. County Engineer John Riherd later indicated that his notes indicated the County could dispose of the dirt in any way they deemed appropriate, however stated that if Mr. Miller wanted the dirt, the remainder would be spread on his property.

#### **Staff Meeting**

Board acknowledged receipt of Manure Management Plan Annual Update for Hogenkamp Finisher Farm.

Board met with CPC Bob Lincoln to discuss proposed plan to join in a 28E Agreement for a MH&DD County Service Network to provide greater equity of funding for members and add more flexibility in administration by transferring FY08 fund balance and MH/DD property tax dollars to the County Service Network. Said 28E Agreement would be between Butler, Black Hawk, Cerro Gordo, Floyd and Mitchell counties. A Resolution detailing said agreement to be considered on Tuesday, September 30, 2008.

Moved by Zimmerman, second by Oldenburger to adjourn to Tuesday, September 30, 2008 at 9:00 A.M. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on September 23, 2008.