

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

Meeting called to order at 9:00 a.m. by Chairman Larry Backer with members Ken Oldenburger and John Zimmerman present. Also present was Supervisor-Elect Karl Nelson.

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

Board met with Linda Miller and Marcie Sharp, Cedar Valley Friends of the Family, to hear program update and agency request for Fiscal Year 2010 funding. Said request will be considered during the upcoming budget process.

Board reviewed the revolving loan to LeRoy M. Klinghammer and Lona J. Klinghammer, dba Klink's Korner Pizza. The last payment received on said loan was received March 2008, with an outstanding balance of \$2,096.70. It was determined that the loan is uncollectable. Moved by Zimmerman, second by Oldenburger to write off said loan effective immediately. Motion carried.

Jim Willis requested his time with the Board be rescheduled due to the unavailability of health insurance quote. Said meeting rescheduled to Friday, January 2, 2009 at 10:30 a.m.

Board considered a Resolution Authorizing the Chairperson to Sign a Quit Claim Deed to Butler County Conservation Board (trail property). Moved by Oldenburger, second by Zimmerman to adopt said Resolution as follows:

**RESOLUTION NO. 656**

RESOLVED: The Butler County, Iowa, Board of Supervisors, of Allison, Iowa, having been presented the following Quit Claim Deed after approval of the Board in Resolution No. 656, and the transfer executed by the Chairperson and attestation by the Auditor, now hereby approves the Quit Claim Deed as executed and presented to the Board for the following property:

See attached Legal Description marked "Exhibit A". This property is subject to terms and conditions of the National Trails System Act, 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29, and to the terms and conditions contained in the decisions served by the Surface Transportation Board in STB Docket #AB-33 (Sub-No. 200X).

**Exhibit "A"**

All that part of the Bristow Subdivision of the Union Pacific Railroad Company (formerly The Mason City and Fort Dodge R.R.) , as now located and operated, extending westerly from said Bristow Subdivision mile post 294.40, to mile post 308.04, located in, over and across the following legal subdivisions of Butler County, Iowa:

Subdivision	Section	Township	Range	Meridian
All	30	92N	16W	5 <sup>th</sup> Principal Meridian
S1/2	25	92N	17W	5 <sup>th</sup> Principal Meridian
All	26	92N	17W	5 <sup>th</sup> Principal Meridian
N1/2	27	92N	17W	5 <sup>th</sup> Principal Meridian
NE1/2	28	92N	17W	5 <sup>th</sup> Principal Meridian
S1/2	21	92N	17W	5 <sup>th</sup> Principal Meridian
All	20	92N	17W	5 <sup>th</sup> Principal Meridian
N1/2	19	92N	17W	5 <sup>th</sup> Principal Meridian
All	24	92N	18W	5 <sup>th</sup> Principal Meridian
SE1/4	23	92N	18W	5 <sup>th</sup> Principal Meridian
All	26	92N	18W	5 <sup>th</sup> Principal Meridian
S1/2	27	92N	18W	5 <sup>th</sup> Principal Meridian
All	27	92N	18W	5 <sup>th</sup> Principal Meridian
S1/2	28	92N	18W	5 <sup>th</sup> Principal Meridian
All	29	92N	18W	5 <sup>th</sup> Principal Meridian
N1/2	30	92N	18W	5 <sup>th</sup> Principal Meridian
SW1/4	19	92N	18W	5 <sup>th</sup> Principal Meridian

UPON Roll Call the vote thereon was as follows:

AYES: John Zimmerman  
Larry Backer  
Ken Oldenburger

NAYS: None

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

ATTEST: Holly A. Fokkena, County Auditor

Time set to open bids for repairs to the Greene Mill Dam on the Shell Rock River in Greene, Iowa. Present were Butler County Conservation Director Steve Brunsma; Conservation Board Member Roy Edeker; Butler County Assistant County Attorney Martin Petersen; Mike Ryan, Howard R. Green Co, Project Engineer; Trish Rose and Larry Clayton, McClain & Co., Inc.; Craig Bartheld, J.F. Brennan; Gary Jasper, Taylor Construction; Roger Arensdorff, Dubuque Barge & Fleeting. Bids (including appropriate bond) were opened as follows:

J.F. Brennan Company, Inc.	\$ 643,020.00
Dubuque Barge & Fleeting	\$ 697,460.00
Taylor Construction, Inc.	\$ 653,390.00
McClain & Co. Inc.	\$ 439,501.80

Mike Ryan, Project Engineer of Howard R. Greene Co., stated that he would review the bids as received and make a recommendation to the Board of Supervisors for the Public Hearing scheduled for Friday, January 2, 2009 at 10:00 a.m.

Moved by Oldenburger, second by Zimmerman to adjourn to **Friday, January 2, 2009** 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 December 23, 2008.