

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON OCTOBER 27, 2009.

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

Also present was Jim Norton, Clarksville, Iowa.

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

Board met with J. D. Schlieman and Bruce Rastetter of Hawkeye Energy Holdings, as well as their attorneys Kathleen Law and Dwayne Vande Krol of Nyemaster, Goode, West, Hansell & O'Brien to hear concerns regarding the classification and taxation of property located in Section 33, Butler Township. Also present were County Engineer John Riherd and Assessor Deb McWhirter.

Bruce Rastetter reported that Hawkeye Shell Rock currently employs 48 persons, that \$176,000,000 was spent building the ethanol plant, and that 34,000,000 bushels of corn have been processed to date which were purchased from 523 farmers.

J. D. Schlieman reviewed the original documents which included Butler County Resolution 581 which states "the County will, pursuant to Iowa Code Section 15.332, exempt from taxation all of the actual value added by the plant improvements that are directly related to the new jobs created by the Project for a period of twenty (20) years beginning with the year the improvements are first assessed for taxation as follows:

Years 1 thru 10	100%
Years 11 – 19	50%
Years 20 and after	0%"

He further presented the definition of "Project" as defined in the Iowa Department of Economic Development High Quality Job Creation Program contract, as well as the Project Description contained in Exhibit C of said contract, which reads as "The project involves land acquisition, site preparation, building construction, acquisition of machinery and equipment, furniture and fixture purchases, and working capital including inventory."

He stated it was Hawkeye's belief that the entire project should be 100% exempt from taxation at this time due to the agreement as stated in Resolution 581 and requested further clarification of the exemption agreement. He further admitted that Hawkeye had failed to take timely action to appeal the assessment through the Assessor's Board of Review, however felt that the Board of Supervisors should abate the 2009/2010 property taxes and return the portion already paid due to a perceived incorrect classification.

Oldenburger stated it was his understanding that the county could only abate their portion of the property taxes in question, that being approximately 35% of the entire property tax bill. The remainder could only be abated with the permission of the other taxing authorities.

Oldenburger suggested that instead of abating property taxes for tax year 2009/2010, Hawkeye instead pay the second half of said property taxes (first half being already paid) with the agreement that the county would place a zero valuation on the property in question for tax year 2010/2011. The Assessor would then reassess the property for the January 2010 valuation (tax year 2011/2012) consistent with the market value of unimproved industrial property in the county.

After a brief discussion, it was stated by J. D. Schlieman and Bruce Rastetter that Oldenburger's proposal was acceptable.

Moved by Zimmerman, second by Nelson to appoint and reaffirm members of the Butler County Compensation Board as follows:

Compensation Board	4-year term	Term Expires
Henry Groeneveld	Treasurer	07/01/2013
Kyle Rice	Sheriff	07/01/2011
Gene Chinander	Recorder	07/01/2013
Jerry Liebold	Supervisors	07/01/2013
Tonya Kregel	Supervisors	07/01/2013
Dale Hansmann	Attorney	07/01/2013
Jeff Kolb	Auditor	07/01/2011

Motion carried.

Board met with Julie Hudson and Kelly Needles, The Energy Group, to hear a presentation on the Iowa Office of Energy Independence "BEST" program. Also present was County Engineer John Riherd. Board agreed to proceed with an energy audit on the courthouse, sheriff's office, resource center and Department of Human Services buildings.

Board met with County Engineer John Riherd to consider purchase of a used 2008 135C John Deere Hydraulic Excavator. Moved by Zimmerman, second by Nelson to approve the purchase of said excavator from Murphy Tractor & Equipment Co, Waterloo, Iowa for a price of \$110,925.00. Motion carried.

Moved by Zimmerman, second by Nelson to authorize the County Auditor to issue checks for the claims on file from September 16, 2009 to October 20, 2009 as follows:

Access Inc.,Mh Exp	6730.36
Aces,Equip Cont-It	3280.33
Adams, Diane Kay,Mlge-Ph	161.24
Agility Recovery Solutions,Disaster Rec-It	250.00
Agvantage Fs,Fuel-Shf/Sr	2138.34
Ahlers & Cooney, P.C.,Prof Fees -Greene Dam	713.62
Airgas North Central,Suply-Sr	112.91
Allan, Richard C.,Twp Exp	20.00
Allen Memorial Hospital,Mh Exp	1760.00
Allen Occupational Health Serv,Test-Sr	660.00
Allen, Deb,Grand Jury	75.40
Alliant Energy,Util -Cc/Sr	125.17
Allied Manatts Group Llc,Rock-Sr	8178.69
Allison Pharmacy,Sup-Jail/Dhs/Mh/Sr/Jntr/Treas/Ph	977.33
Allison, City Of,Util-Sr/Cthse/Res Ctr/Jail/Dhs	185.38
Aplington, City Of,Amb Svc	375.00
Arenholz, Buzz,Maint-Sr	224.00
Bankers Advertising Co.,Misc-Shf Admin	461.01
Bargen Incorporated,Crck Sl-Sr	11654.50
Barnes & Louscher, Dds., Llc,Bd&Care-Jail	90.00
Becker, David,Sfty-Sr	230.00
Bidwell, Katie,Iceoo-Sr	115.50
Bill's Auto Parts,Maint-Cc	82.12
Black Hawk-Grundy,Mh Exp	1047.00
Black Hills Energy,Util-Sr	27.16
Bob Barker Company, Inc.,Bd & Care - Jail	27.02
Bochmann, Bruce,Grand Jury	75.40
Bramer, Martin,Twp Exp	20.00
Briggs Corporation,Med Sup-Ph	519.17
Brouwer, Mary,Sup-Elctn	16.41
Brown Supply Co. Inc.,Suply-Sr	1858.00
Bruns, Scott,Twp Exp	20.00
Business Card,Exp-Jail/Eh/Ph	731.50
Butler Bremer Communications,Tele -Cc	98.70
Butler County Ag Extension,Rd Clrg	35.00
Butler County Ema,Qtrly App & Add'l Funds	26761.50
Butler County Public,Test-Sr	60.00
Butler County R.E.C.,Util -Cc/Sr/Gen Rel	1507.78
Butler County Sheriff,Mh Exp	1275.83
Butler County Solid Waste,Disp Fee-Jail/Cthse/Sr	19040.22
Butler County Treasurer,Exp- Va/Cc	1607.00
Calhoun-Burns & Assoc.,Inspct-Sr	1933.55
Campbell Supply,Suply-Sr	435.22
Carpenter Uniform Company,Unif-Shf Admin	267.13
Casey's General Store,Fuel-Sr	9.60
Ccp Industries Inc.,Suply-Sr	250.60
Cdw-G,Comp Equip-It	331.21
Central Iowa Distr.,Sup-Jntr/Jail/Dhs	1756.05
Cerro Gordo County Sheriff,Bd&Care-Jail	2105.00
Certified Laboratories,Suply-Sr	154.89
Clarksville Lumber Co,Envir Educ-Cc	72.51
Clarksville, City Of,Util -Gen Rel	463.70
Continental Research Corp,Suply-Sr	172.42
Coralville Marriott Hotel &,Sch Of Instr-Atty	265.44
Cordes, Clint,Rent-Gen Rel	190.00
Covenant Clinic,Mh Exp	256.00
Covenant Health Medical Center,Mh Exp	1380.00
Craig, Dawn,Grand Jury	81.00
Croell Redi-Mix, Inc.,K4n10-Sr	3959.00
Debner, Lonna,Mlge - Ph	161.49
Decision Health,Books-Ph	203.95
Denco Corp.,Grout-Sr	4389.20
Dewitt, Cindy,Mlge-Ph	144.19
Dick's Petroleum Co.,Suply-Sr	169.96
Dollar General Charged Sales,Maint-Cc	23.00
Don's Truck Sales,Prts-Sr	105.03

Doug's Heating & Cooling,Well Plug, Maint-Cc	1001.48
Dowden, Dawson,Va Driver	25.00
Dralle Plbg & Heating,Well Plug	139.00
Dralle Plumbing & Heating,Rprs-Jail/Sr	1134.00
Dralle, Sarah,Mlge-Ph	92.90
Dralle, Wendy,Sch Of Instr-Atty	111.48
Drenkow & Co, Rd,Self Funding	4696.52
Duane's Repair Shop,Car Exp-Shf Invgtn	40.95
Dumont, City Of,Util -Gen Rel	25.00
Eclipse News Review,Public	371.26
Edeker, Mervin,Twp Exp	20.00
Election Systems&Software Inc,City Elctn	3655.91
Electronic Engineering Co.,Tele -Dhs/Ph	97.00
Ellsworth Municipal Hospital,Mh Exp	1250.00
Evans, Kent,Mh Exp	126.82
Exceptional Persons Inc.,Mh Exp	314.52
Faber, Elizabeth,Phep Rca-Ph	6666.66
Farm & Home Publishers,Plt Bks-Sr	405.50
Farm Plan,Prts-Sr/Cc	159.98
Fastenal Company,Suply-Sr	123.17
Fayette County Sheriff,Mh Exp	332.00
Fechts Sinclair Station,Suply-Sr/Unif Ptrl	38.35
Fff Enterprises,Vaccine-Ph	6200.00
Fleshner, Tamara L.,Mlge - Ph	52.75
Force America Inc.,Prts-Sr	86.31
Forry, Bonnie Kay,Mlge - Ph	339.28
Forry, Dan,Sch Of Instr-Cc	160.75
Franken, Bernard,Twp Exp	20.00
Frey, Joyce,Mlge - Ph	270.65
Geiken, Dennis,Twp Exp	20.00
Goodwill Industries,Mh Exp	1508.50
Gov Connection Inc.,Comp Equip-It	144.90
Greene Ambulance Service,Amb Svc	525.00
Greene Recorder, The,Public	327.51
Greene, City Of,Util-Sr/Cc	48.00
Groen, William,Sfty-Sr	300.00
Hansell Ag Repair, Inc.,Equip-Cc	292.00
Harken Lumber,Lmbr-Sr	60.80
Harold's Repair,Car Exp-Shf Admin	25.00
Heckman, John,Van Driver	50.00
Hilton Garden Inn,Sch Of Instr-Atty	89.60
Hinders, Mary Ann,Mlge - Ph	351.25
Holiday Inn,Sch Of Instr -Jail	375.20
Holiday Inn Mason City,Phep Rca-Ph	962.25
Ikon Office Solutions,Equip Cont -It/Elctn/Dhs	6673.18
Imwca,Work Comp-Gb/Sr	12317.00
Inrcog,Prof Fees-Haz Mit	4573.15
Intab, Inc,Sup-Elctn	8.44
Interstate Battery Of,Prts-Sr	484.80
Iowa County Attorneys Assoc,Sch Of Instr- Atty	270.00
Iowa Dnr,Dnr Fees-Eh	150.00
Iowa Dot,Reg Fee-Sr	325.00
Iowa Good Roads Associaton,Reg-Sr	80.00
Iowa Nurses' Assoc.,Sup/Adv-Ph	85.00
Iowa Prison Industries,Signs-Elctn/Sr	523.19
Iowa State Bank,E911 Lease	9735.35
Iowa State University,Reg Fee-Sr	1235.00
Iowa Telecom,Tele -Atty	60.80
Iowa Transit Inc.,Prts-Sr	357.78
Iowa Workforce Development,Unemp	623.00
Isac,Sch Of Instr-Treas/Aud	210.00
J & C Grocery,Sup-Jail/Treas/Ph	1409.10
Jerico Services Inc.,Salt-Sr	10752.00
Jerry Roling Motors Inc.,Prts-Sr	104.74
Johnson, Jeffrey,Grand Jury	72.60
Johnson, Keith,Twp Exp	80.00
Johnson, Mary J.,Mlge - Ph	379.64
Kampman, Dorothea,Mlge - Ph	181.02
Kelm, Robert,Va Driver	75.00
Ken's Repair,Suply-Sr	67.94
Kesley Lumber,Suply-Sr	30.00
Klahsen, John R.,Twp Exp	20.00
Klahsen, William,Twp Exp	20.00

Kruse, Harlan,Twp Exp	20.00
Landers, Priscilla,Grand Jury	74.00
Larrabee Center Inc.,Mh Exp	3888.75
Lawler & Swanson P.L.C.,Mh Exp	550.00
Legal Directory Publ.,Books-Atty	109.50
Magnall, Nancy,Misc-Comm Coord	152.76
Mail Services, Llc,Sup-Treas Auto	424.95
Majewski's Tire Service,Tires-Sr/Shf	1316.96
Marzen, Larry,Twp Exp	20.00
Mason City Clinic,Mh Exp	1120.00
Mastercard,It/Pat Exp	214.93
Matthew Bender & Co.,Books-Atty/Va	401.24
Mccarter Csr, John L.,Depos - Atty	274.19
Mcroberts Implement,Prts-Sr	40.77
Mental Health Center Of North,Mh Exp	51.84
Mercy Medical Center,Mh Exp	6230.00
Metal Culverts Inc.,Culvt-Sr	10270.58
Metropolitan Transit Authority,Mh Exp	204.12
Mid-America Publishing Corp.,Public	680.70
Midamerican Energy,Util -Cc/Jail/Cthse/Sr/Gr/Res Ctr/Dhs	4476.77
Midwest Answering Service,Equip Cont-Ph	66.50
Miller Building Supplies,Suply-Sr	196.47
Miller, Bruce,Grand Jury	75.40
Miller, Rick,Grand Jury	75.40
Miller-Clark, Betty,Mlge-Ph	191.94
Murphy Tractor Mxa 80-9100,Prts-Sr	2500.00
Myers-Cox Co.,Bd&Care-Jail	486.12
Naco,Dues-Cy2010	400.00
Napa Auto Parts,Tool-Sr	278.46
Nelsen, Dorothy,Mlge - Ph	156.11
New Hartford Lions,Concrete (Nh)-Elctns	2479.55
Niemann Const. Co., Paul,Rock-Sr	8383.62
Nolte, William W.,Twp Exp	20.00
North American Salt Company,Salt-Sr	16283.67
North Iowa Area,Sch Of Instr-Ph	30.00
North Iowa Juvenile,Yth Det	1120.00
North Iowa Vocational Center I,Mh Exp	160.68
North Star Community Services,Mh Exp	990.50
Northern Iowa Constr.,Brdg Suply-Sr	1755.00
O'brien Service & Towing,Car Exp-Unif Ptrl	494.06
Oden Enterprises Inc.,Brdg Suply-Sr	10786.36
Office Depot Inc,Ofc Sup-Dhs/Cthse/Ph/Cthse/Elctn/Treas	1461.28
Office Elements,Ofc Sup -Shf Admin/Sr	118.25
Oldenburger, Ken,Mlge-Supv	244.86
Oltmann, James,Twp Exp	20.00
Paetec,Tele -Dhs/Sr/Cc/Cthse	1121.29
Parkersburg Lumber,Suply-Sr	150.75
Parkersburg, City Of,Amb Svc	75.00
Pathways Dba Cedar Valley,Mh Exp	14375.50
Penning, Sidney L.,Twp Exp	20.00
Peterson Contractors, Inc.,A12w/O19n-Sr	40000.00
Peterson, Eldon,Va Driver	50.00
Petroblend Corp.,Suply-Sr	1118.33
Pioneer Telephone,Tele -Atty	5.94
Pitney Bowes Inc.,Pstge-Dhs	300.00
Powerplan,Prts/Lbr-Sr	4925.26
Prairie View,Mh Exp	3643.01
Primary Systems,Misc-Jail	124.65
Qwest,Tele -Pat/Atty	107.70
Radio Communication Systems,Rprs-Shf Comm	1043.39
Ramsey Badre,Cont Svcs-Admin-Ph	5925.00
Redneck Inc.,Prts-Sr	502.47
Regional Transit Commission,Mh Exp	569.74
Rexco Equipment Inc.,Prts-Sr	170.21
Rileys Inc.,Sup-Cc/Cthse/It/Rec	3806.84
Ron's Auto Salvage,Car Exp-Cthse	25.00
Roose, Karolyn,Mlge - Ph	257.00
Rottink, Calvin,Twp Exp	20.00
Schipper, George C.,Exp-Sr	53.49
Schrage, Shari,Mlge - Pat	245.08
Schuck Enterprises,Rent-Gen Rel	385.00
Schumacher Elev. Co.,Maint-Cthse/Dhs	509.97
Scroggin, Deborah,Mlge-Ph	205.80

Secretary Of State,Misc-Shf Admin	30.00
Severs, Ella,Peo -Sch Elctn	102.74
Shell Rock Family Health,Med Exmr	176.43
Shell Rock, City Of,Util-Sr	21.30
Shield Technology Corp,Equip-Shf Comm	650.00
Sidwell Company, The,Licensing-It	900.00
Siems, Maria,Mlge - Pat	54.60
Signs & Designs,Maint-Cc	140.00
Spargrove, Dominic,Rent-Va	175.00
St. Lukes Center For, Occupational Health,Test-Sr	72.00
Stanbrough, Amy,Sch Of Instr-Aud	71.40
Sult Electric,Bt-Ph	540.00
Taylor Physical Therapy,Cont Svc - Ph	1520.00
Taylor, Michael J,Ct Costs	2532.50
Tenenbaum's Jewelry,Ct Costs-Atty	30.00
Test America,Test-Sr	75.60
The Pride Group,Mh Exp	716.98
Theis, Kevin J,Trans- Atty	22.40
Therapeutic Advantage, Plc,Cont Svcs-Ph	154.00
Timmer, Tyanne,Mlge - Pat	281.96
Tjabring, Thola,Mlge - Ph	280.06
Toner Place,Ofc Sup-Dhs	171.50
Tony's Tire & Exhaust,Car Exp-Shf Invgtm	62.20
Traeger, Andrea,Misc- Comm Coord	85.74
Treasurer, State Of Iowa,Sch Of Instr-Jail	560.00
Trees, Rosemary,Iceoo-Sr	115.50
Trepp, Sara R.,Disaster Rec/Tele-It	119.75
U.S. Cellular,Tele -Shf/Va/Pat/Ph/Sr/Cc/Dhs/Va	2230.32
U.S. Post Office,Box Rent-Fy10	532.00
United Healthcare Plan Of,Ins	3949.65
Universal Comm, Tele	1878.27
Veterans Information Service,Books-Va	200.00
Vickers Law Office,Mh Exp	187.45
Viet, Carole,Mlge-Ph	234.15
Visionshare, Inc.,Equip Cont-Ph	200.00
Vogel Traffic Services,Rd Paint-Sr	41410.95
Wal Mart Community,Sup-Cc/Jntr	204.81
Wallbaum, Joe Wm.,Twp Exp	20.00
Walton, Jennifer,Misc- Comm Coord	155.88
Waste Management Of,Disp Fee -Dhs/Cc	103.11
Waverly Newspapers, The,Maint Supv Ad	54.64
Weber, Paul,Va Driver	50.00
Webqa, Inc.,Comp Prgms-It	450.00
Wedeking Sr., Joe,Rent-Gen Rel	165.00
Weinberg, Mike,Mlge-Eh	141.79
Wellsburg Ag,Fuel-Shf/Sr/Cc	15719.17
Wessels, Ronald,Twp Exp	20.00
West Group Payment Ctr.,Law Lbry	3736.00
Wilson, Richard,Va Driver	325.00
Zee Medical Services,Suply-Sr	120.77
Ziegler Inc.,Prts-Sr	602.80
Zurbriggen, Ryan,Misc- Comm Coord	70.14

Motion carried.

Moved by Nelson, second by Zimmerman to adjourn to Tuesday, November 3, 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 October 27, 2009.