

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON APRIL 7, 2009.

Meeting called to order at 9:00 a.m. by Chairman Ken Oldenburger with member Karl Nelson present. Member John Zimmerman arrived at 9:10 a.m.

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

Board considered Resolution – The Destruction of Noxious Weeds. Moved by Nelson, second by Oldenburger to adopt said Resolution as follows:

**RESOLUTION #385-09
THE DESTRUCTION OF NOXIOUS WEEDS**

To All Property Owners:

BE IT RESOLVED by the Butler County Board of Supervisors: that pursuant to the provisions of Chapter 317, Code of Iowa, it is hereby ordered:

1. That each owner and each person in the possession or control of any lands in Butler County shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in this chapter, at such times in each year and in such manner as shall prevent said weed from blooming or coming to maturity, and shall keep said lands free from such growth of any weeds as shall render the streets or highways adjoining said lands unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed on or before the following dates and as often thereafter as is necessary to prevent seed production.

Group 1 (May 1 to June 5) Leafy Spurge, Perennial Peppergrass, Sour Dock, Smooth Dock, Sheep Sorrell, Musk Thistle, Teasel.

Group 2 (June 1 to June 15) Canada Thistle, Russian Knapweed, Buckthorn, Wild Mustard, Poison Hemlock, Wild Sunflower.

Group 3 (July 1 to July 15) Field Bindweed, Wild Carrot.

Group 4 (July 1 to July 15) Horse Nettle, Perennial Sow Thistle, Quack Grass, Butter-Print, Puncture Vine, Cocklebur, Bull Thistle.

2. That each owner and each person in the possession or control of any lands in Butler County infested with any noxious weeds, including Quack Grass, Thistles of all kinds, Field Bindweed, Horse Nettle, Leafy Spurge, Perennial Peppergrass, Poison Hemlock, Wild Sunflower and Russian Knapweed, shall adopt a program of weed destruction, prescribed by the Weed Commissioner, which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.
3. That if the owners or persons in possession or control of any land in Butler County fail to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including costs of serving notice and other costs, if any, are to be assessed against the real estate.
4. That the County Auditor be and is hereby directed to cause notice of the making and entering of the foregoing order by one publication in each of the newspapers in the County.

UPON Roll Call the vote thereon was as follows:

AYES:	Karl Nelson	NAYS: None
	Ken Oldenburger	
ABSENT	John Zimmerman	

WHEREUPON the Resolution was declared duly adopted this 7th day of April, 2009.

ATTEST: Holly A. Fokkena, County Auditor

Board met with Bob Smeins, Chair of Veteran Affairs Commission, to discuss the Board's level of support for program changes regarding level of staffing.

Board met with County Engineer John Riherd for the following:

- 1) Considered a contract with Heartland Asphalt, Inc. for repair of damage to C-33 from 2008 flooding. Moved by Nelson, second by Zimmerman to approve a contract in the amount of \$41,722.70 with Heartland Asphalt, Inc. of Mason City, Iowa. Motion carried.
- 2) Discussed proposed Policy for Borrow Pits. Final policy will be acted on at a later date.
- 3) Consideration of Resolution for Bridge Weight Restrictions was tabled to allow additional information to be obtained by Engineer.
- 4) Considered Iowa DOT FY10 Secondary Road Construction Program & Budget. After review, it was moved by Zimmerman, second by Nelson to approve said FY10 Construction Program & Budget. Motion carried.

Board met with members of the City of New Hartford Flood Mitigation Team, Gordon Ballhagen, John Anderson, Bert Cantu, Steve Latwesen, and Christine Schipper. Also present were County Engineer John Riherd and Steve Busse, Engineer's Assistant. Discussion was held regarding Ridge Avenue near the intersection with Highway 57. It was reported that water builds up west of the road and undermines the road bed. Members of the Mitigation Team report that Ridge Avenue has now "blown out" three times. Engineer Riherd stressed that Ridge Avenue was designed as a road, not a dike or dam. The Team's major concern is that the road will again blow out and send what they describe as "a wall of water" into the community. Riherd reported that in 2008 the road was reconstructed to pre-flood condition to meet with FEMA regulations for funding. He further indicated that it was his plan during the 2009 construction season to add reinforcement to the road bed as well as relief pipes in key locations to try to equalize the water in a flood situation.

The length of bridge spans was also discussed. The Team stated their concern with the facts that the length of spans on the bridges west of New Hartford decreases the closer you get to the community. They feel the bridges are blocking the flow of the water. Riherd explained he feels the bridges were adequately designed for the flow of water. He did however agree that debris and silt had built up over time and removing it from the area directly up and downstream of the bridge structure could help direct and increase water flow.

All those in attendance agreed that several relatively small changes could be made to potentially lessen future problems, however nothing could be built or engineered to guarantee problems would be alleviated in total.

Board reviewed Quarterly Reports of the Auditor, Recorder and Sheriff and ordered placed on file.

Board acknowledged Manure Management Plan Annual Updates for Fink Finisher Farm; Frances Finisher Farm; Barnett Finisher Farm; Asche East Finisher Farm; PHD Site 2; PHD Site 1; Noelck Swine Farms LLC; and Noelck Pork.

Moved by Nelson, second by Zimmerman to authorize the County Auditor to issue checks for the claims on file as follows:

Access Inc., Mh Exp	6,033.12
Aces, Licensing/Equip-It	5,354.12
Agility Recovery Solutions, Comp Equip-It	250.00
Ahlers & Cooney, P.C., Prof Fees -Cthse	3,097.93
Airgas North Central, Sfty/Suply-Sr	93.71
Allan, Richard C., Twp Exp	40.00
Alliant Energy, Util-Gen Rel	200.00
Allied Manatts Group Llc, Rock-Sr	274.68
Allison Pharmacy, Maint-Jail	395.77
Allison Pharmacy, Mh Exp	286.50
Allison, City Of, Util-Sr	62.77
Allison, City Of, Util -Cthse	52.86
Allison, City Of, Util -Jail	30.18
Allison, City Of, Util -Res Ctr	25.15
Allison, City Of, Util -Dhs	23.74
Aplington, City Of, Amb Svc	225.00
Aplington, City Of, Util -Gen Rel	330.81
Averill, Mary, Peo-Nh	114.57
Barco Products Company, Floor Mats-Cthse	1,500.08
Bdi, Prts-Sr	167.44
Billbrey Insurance Services, Ins-Sr	6.00
Black Hawk County Auditor, Autopsy	175.00
Briggs Corporation, Med Sup-Ph	288.04
Brookes Publishing Co., Ofc Sup-Pat	166.88
Brouwer, Mary, Sch Of Instr-Elctns	57.54
Business Card, Sch Of Instr-Shf Admin	342.87
Butler County Clerk Of, Court Costs-Atty	50.00
Butler County Emergency, Qtrly Approp -Fy09	5,875.00
Butler County Engineer, Snow Rmvl-Cthse	65.11
Butler County Engineer, Car Exp-Cthse	38.87
Butler County Fair Board, Approp -Fy09	20,000.00
Butler County Public, Test-Sr	20.00
Butler County R.E.C., Util -Gen Rel	400.00
Butler County R.E.C., Lghts-Sr	80.00
Carpenter Uniform Company, Unif-Cont Law	12.78
Ccp Industries Inc., Suply-Sr	115.07
Cdw-G, Comp Equip-It	814.79
Cdw-G, Misc- Shf Admin	43.53
Charles City Family Health Ctr, Med Exmr	100.00
Childserve Childcare Center, Mh Exp	476.28
Debner, Lonna, MIge - Ph	165.44
Denny's Business Forms Plus, Ofc Sup-Cthse	531.82
Dept. Of Human Services-Enhanc, Cashier, Mh Exp	76,368.75
Dewitt, Cindy, MIge-Ph	195.93
Don's Truck Sales, Prts/Lbr-Sr	3,437.07
Dralle Plumbing & Heating, Rprs-Cthse	69.00

Dralle Plumbing & Heating, Rprs-Jail	48.00
Dralle, Sarah, Mlge-Ph	174.76
Drenkow & Co, Rd, Self Funding	5,309.68
Dumont, City Of, Util-Sr	235.80
Dunn, Julie, Rent-Pat	400.00
Eclipse News Review, Bd Proc- Supv	542.85
Eclipse News Review, Mh Exp	61.37
Eclipse News Review, Ofc Not-Zon	7.92
Election Systems & Software In, Ballot Prog/Layout- N.H.	2,146.34
Electronic Engineering Co., Tele -Dhs	13.00
Evenflo Company Inc., Cps-Ph	768.67
Fastenal Company, Suply-Sr	101.21
Fleshner, Tamara L., Sch Of Instr/Misc- Ph	276.29
Fokkena, Habbo, Rent-Gen Rel	200.00
Fokkena, Holly, Sch Of Instr-Aud/Cthse	94.08
Force America Inc., Prts-Sr	36.18
Forensics Source, Misc-Shf Invgtm	101.94
Forry, Bonnie Kay, Mlge - Ph	358.43
Franklin County Home Care Svcs, Cont Svcs-Ph	175.00
Frey, Joyce, Mlge - Ph	280.56
Goeke & Rasmussen, Mh Exp	323.96
Goeke & Rasmussen, Lgl Rep	128.92
Greene Recorder, The, Public	687.38
Greene Recorder, The, Ofc Not-Cthse	286.00
Greene Recorder, The, Public-Eh/Ph	25.26
Greene Recorder, The, Ofc Not-Zon	23.14
Greene, City Of, Util-Sr	24.00
Hinders, Mary Ann, Mlge - Ph	342.68
Holiday Inn, Sch Of Instr -Pat	164.00
Holiday Inn, Exp-Sr	77.00
Holiday Inn, Sch Of Instr -Comm Coord	41.00
Huisman Automotive, Prts/Lbr-Sr	822.50
Ia Dept Of Justice, Seized Property	56.00
Ikon Office Solutions, Equip Cont -It/Elctns	2,651.60
Ikon Office Solutions, Equip Cont-Dhs	207.07
Inforad Inc, Equip Cont-It	29.00
Inrcog, Prof Fees-Feb 09	71.18
Interstate Battery Of, Prts-Sr	187.90
Interstate Battery Of, Car Exp-Cthse	84.95
Iowa Alliance In Home Care, Sch Of Instr-Ph	25.00
Iowa County Attorneys Assoc, Sch Of Instr-Atty	270.00
Iowa Health Physicians, Bd&Care-Jail	234.00
Iowa Prison Industries, Jntr Sup-Jail	159.04
Iowa State Bank, E911 Lease Pmt	9,735.35
Iowa Telecom, Tele -Atty	59.91
Jaquis, Maurine, Peo-Nh	110.37
Jerry Roling Motors Inc., Prt-Sr	25.74
Johnson Plumbing & Htg., Suply-Sr	12.50
Johnson Sanitary Products Inc, Suply-Sr	117.90
Johnson, Mary J., Mlge - Ph	403.24
Kampman, Dorothea, Mlge - Ph	204.54
Kannegieter, Krista, Misc -Shf Invgtm	280.00
Karsjens, Prentice, Twp Exp	60.00
Klahsen, John R., Twp Exp	40.00
Klahsen, William, Twp Exp	40.00
Koop Jr., Meinard, Peo-Nh	68.88
Koop, Bonnie M., Peo -Nh	68.88
Kraft, Vera, Flu Shot Reimb	25.00
Kruse, Harlan, Twp Exp	40.00
Larrabee Center Inc., Mh Exp	4,290.62
Lebeck, Shawna, Mlge-Comm Coord	745.53
Magnall, Nancy, Misc-Comm Coord	40.00
Mail Services, Llc, Sup-Treas/Cthse	457.28
Majewski's Tire Service, Tires-Sr	2,209.27
Mason City Clinic, Mh Exp	1,150.00
Matt Parrott & Sons Co., Rec Fund	124.05
Mercy Medical Center, Mh Exp	8,775.00
Mid-America Publishing Corp., Public	1,181.19
Mid-America Publishing Corp., Mh Exp	130.60
Mid-America Publishing Corp., Ofc Not-Zon	18.56
Midamerican Energy, Util -Cthse	2,932.56
Midamerican Energy, Util-Sr	1,621.04
Midamerican Energy, Util -Dhs	322.42

Midamerican Energy, Util -Jail	286.48
Midamerican Energy, Util -Res Ctr	223.52
Midamerican Energy, Util -Gen Rel	251.00
Miller Building Supplies, Suply-Sr	80.82
Miller, James, Twp Exp	60.00
Miller-Clark, Betty, Mlge-Ph	157.08
Myers-Cox Co., Bd&Care-Jail	442.10
Myers-Cox Co., Sup-Jntr	11.23
Napa Auto Parts (P'burg), Prts-Sr	332.59
Napa Auto Parts (P'burg), Car Exp-Cthse	33.84
Nelsen, Dorothy, Mlge - Ph	72.24
Nolte, William W., Twp Exp	40.00
Norbys Farm Fleet, Suply-Sr	22.37
North D.D.S. P.C., George F., Bd&Care-Jail	146.00
North Iowa Vocational Center I, Mh Exp	195.70
North Star Community Services, Mh Exp	1,153.76
Office Depot Inc., Ofc Sup-Dhs	501.02
Office Depot Inc., Ofc Sup-Atty	58.43
Office Depot Inc., Ofc Sup-Elctns	12.80
Oldenburger, Keith, Twp Exp	60.00
Oldenburger, Shane, Misc-Shf Ingtn	420.00
Oltmann, James, Twp Exp	60.00
Paetec, Tele-Sr	21.73
Paetec, Tele -Dhs	783.89
Pathways DbA Cedar Valley, Mh Exp	6,965.00
Pathways DbA Cedar Valley, Prof Fees-Mar 09	2,500.00
Penning, Sidney L., Twp Exp	40.00
Petroblend Corp., Oil/Suply-Sr	3,046.85
Pioneer Telephone, Tele -Atty	5.76
Pitney Bowes Inc., Pstg Rental-Dhs	300.00
Powerplan, Prts-Sr	903.42
Prairie Land Coop, Suply-Sr	340.80
Prairie View, Mh Exp	7,359.80
Principal Life Ins Company, Misc Reimb-Ph	560.00
Qwest, Tele -Atty	50.13
Reedsburg Hardware Co., Chains-Sr	864.25
Regional Transit Commission, Mh Exp	393.00
Rileys Inc., Ofc Sup-Cthse	540.00
Rileys Inc., Ofc Sup-It	105.48
Rileys Inc., Ofc Sup-Rec	10.00
Roose, Holly, Mlge-Ph	55.02
Roose, Karolyn, Mlge - Ph	281.61
Rops, Dennis, Sfty-Sr	300.00
Saul, James, Peo -Nh	109.95
Schmidt, Larry & Karla, Rent-Gen Rel	160.00
Schumacher Elev. Co., Maint-Cthse	184.61
Schumacher Elev. Co., Misc Rpr-Dhs	140.75
Schurman, Curtis K., Twp Exp	40.00
Scroggin, Deborah, Mlge-Ph	239.82
Severs, Ella, Peo -Nh	145.03
Shell Rock Family Health, Autopsy	129.27
Shell Rock, City Of, Util-Sr	20.55
Sidwell Company, The, Equip Cont-It	600.00
Simon, Dan, Twp Exp	60.00
Smith, Marlene, Misc Refund	115.00
Snap-On Tools Corp., Tool-Sr	127.87
Star Graphics, Ofc Sup-Shf Admin	60.00
Star Graphics, Sup-Rec	30.00
Stirling, Jeff, Rent-Gen Rel	165.00
Superior Lamp & Supply, Suply-Sr	478.35
Taylor Construction Inc., N22w-Sr	57,618.00
The Pride Group, Mh Exp	698.28
Theis, Kevin J, Transcript	15.20
Thorne Metal Works, Tool-Sr	2,893.84
Tjabring, Thola, Mlge - Ph	270.82
Tony's Tire & Exhaust, Car Exp-Unif Ptrl	234.25
Treasurer, State Of Iowa, Detention	4,013.04
Trepp, Sara R., Tele-It	39.95
U.S. Cellular, Tele -Ph	252.37
U.S. Cellular, Tele -Va/Ema	43.70
U.S. Cellular, Tele -Pat	110.48
U.S. Cellular, Tele -Shf Comm	194.12
U.S. Post Office, Pstg -Elctns	354.00

United Healthcare Plan Of, Ins	3,949.65
Universal Communications, Internet	261.53
Universal Communications, Phones-Sr	259.26
Universal Communications, Internet	176.96
Universal Communications, Tele -Rec	119.07
Universal Communications, Tele -Aud	48.19
Universal Communications, Tele -Cthse	77.98
Universal Communications, Tele -Supv	39.39
Universal Communications, Tele -Va	39.39
Veridian Credit Union, Exp-Sr	655.17
Viet, Carole, Mlge-Ph	278.12
Visa, Sch Of Instr-Va	21.39
Wallbaum, Joe Wm., Twp Exp	40.00
Weinberg, Mike, Mlge-Eh	96.35
Wellsburg Ag, Fuel	2,237.58
Wellsburg Ag, Mh Exp	55.94
West Group Payment Ctr., Law Lbry	290.40
Western Reserve Dist Inc, Cps-Ph	576.02
Winter Equipment Company, Inc., Blades-Sr	8,713.50
Ziegler Inc., Prts-Sr	1,041.36

Motion carried.

Moved by Zimmerman, second by Nelson to adjourn to Thursday, April 9, 2009 at 10:00 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 April 7, 2009.