

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MAY 5, 2009.

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

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

Jennifer Becker, Public Health Director, was unavailable. Matter to be rescheduled.

Board considered a Resolution to approve Municipal Solid Waste Sanitary Landfill Local Government Guarantee. Moved by Nelson, second by Oldenburger to adopt said Resolution as follows:

**RESOLUTION # 669
MUNICIPAL SOLID WASTE SANITARY LANDFILL LOCAL GOVERNMENT GUARANTEE**

Guarantee made this 5th day of May, 2009 by Butler County, Iowa, herein referred to as "Guarantor", which is a county organized under the laws of the State of Iowa. This guarantee is made by the Guarantor on behalf of the Rural Iowa Waste Management Association to the Iowa Department of Natural Resources, herein referred to as "IDNR", in an amount not to exceed two hundred eighty two thousand, two hundred ninety five dollars (\$282,295.00) lawful money of the United States.

WHEREAS, Section 455B.306 of the Code of Iowa requires financial assurance instruments for all sanitary disposal projects; and

WHEREAS, the Rural Iowa Waste Management Association has applied to the IDNR to operate a sanitary disposal project located within the State of Iowa, and is required pursuant to IAC 567 Chapter 113.14 to maintain financial assurance for closure and/or postclosure care in connection therewith; and

WHEREAS, IAC 567 Chapter 113.14(6)"h" provides for the "Local Government Guarantee" mechanism to be an acceptable financial assurance instrument, and Guarantor meets or exceeds the financial test criteria and agrees to comply with the requirements of said subrule; and

WHEREAS, the Rural Iowa Waste Management Association owns and/or operates the following municipal solid waste sanitary landfill facility covered by this Guarantee:

IDNR SDP Permit # 42-SDP-01-72P
Rural Iowa Sanitary Landfill
20488 M Avenue
Eldora, IA 50627
Closure Cost to be assured: \$99,313.50
Postclosure Cost to be assured: \$182,981.50

WHEREAS, the Guarantor guarantees to IDNR that in the event that the Rural Iowa Waste Management Association fails to perform closure and/or postclosure care of the above facility in accordance with the approved plan or other permit requirements, whenever required to do so, the Guarantor shall either perform closure and/or postclosure care, pay a third party to perform closure and/or postclosure care, establish a fully funded secured trust fund as specified in IAC 567 Chapter 113.14(6)"a", or establish an alternate financial assurance instrument in the name of the Rural Iowa Waste Management Agency in the amount of the current closure and/or postclosure cost estimate, as required by Chapter 113.14(6).

WHEREAS, the Guarantor agrees to remain bound under this Guarantee for as long as the Rural Iowa Waste Management Association must comply with the applicable financial assurance requirements of Chapter 113, except when the Guarantor provides written notice, by certified mail, of intent to terminate Guarantee, at least 120 days prior to the date said Guarantee is to be terminated. When such notice is provided, the Rural Iowa Waste Management Association shall, within 90 days, provide IDNR proof of alternate financial assurance or the IDNR shall call upon the Local Government Guarantee.

WHEREAS, the Guarantor expressly waives notice of acceptance of this Guarantee by the Rural Iowa Waste Management Agency or by IDNR. Guarantor also expressly waives notice of amendments or modifications of the site closure plan and of amendments or modifications of the facility permit(s).

IN WITNESS THEREOF, the Guarantor executes this Local Government Guarantee under their respective hand and seal, this 5th day of May, 2009.

Upon Roll Call the vote thereon was as follows:

AYES: Karl Nelson and Ken Oldenburger
NAYS: None
ABSTAIN: John Zimmerman

WHEREUPON the Resolution was declared duly adopted this 5th day of May, 2009
Board reviewed correspondence from American Red Cross Interim Director Paige A. Thomas informing the Board of their desire to terminate the rental agreement for office space located in the courthouse.

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

ACES, EQUIP CONT - IT	1,246.00
ACES, COMP EQUIP - IT	983.00
AGILITY RECOVERY SOLUTIONS, COMP EQUIP - IT	250.00
AGVANTAGE FS, FUEL-SR	10,903.16

AHLERS & COONEY, P.C., PROF FEES	2,071.50
AIRGAS NORTH CENTRAL, SFTY-SR	49.67
ALLISON PHARMACY, MH EXP	92.40
ASPRO, PTCH-SR	557.46
BREMER CO COMMUNITY BASED SVCS, MH EXP	1,853.07
BRINKMAN, GALEN, TWP EXP	80.00
BUSINESS CARD, SCH OF INSTR - SHF ADMIN	326.91
BUTLER CENTER CEMETERY, GRAVE MAINT - VA	24.00
BUTLER COUNTY ENGINEER, SNW RMVL - CTHSE	116.62
BUTLER COUNTY TREASURER, PSTG - DHS	152.35
CALHOUN-BURNS & ASSOC., INSPT-SR	4,104.00
CDW-G, COMP EQUIP-IT	30.95
CENTRAL IOWA DISTR., OFC SUP - DHS	241.45
CHARLES CITY FAMILY HEALTH CTR, MED EXMR	50.00
CLARK, JESSICA, MLGE-PH	350.32
CONTINENTAL RESEARCH CORP, SUPPLY-SR	182.06
CONTROL SERVICE, RPRS - CTSHE	337.50
COOPER MOTOR COMPANY, CAR EXP - SHF ADMIN	37.20
COVENANT HEALTH MEDICAL CENTER, MH EXP	1,124.00
CRESTVIEW APARTMENTS, RENT - GEN REL	165.00
DEBNER, LONNA, MLGE - PH	132.64
DEPT. OF HUMAN SERVICES, CASHIER, MH EXP	59,175.33
DEWITT, CINDY, MLGE-PH	217.48
DON'S TRUCK SALES, PRTS/LBR-SR	2,296.43
DOWDEN, DAWSON, VOL DRIVER - VA	50.00
DRALLE, SARAH, MLGE-PH	128.52
DRENKOW & CO, RD, SELF FUNDING/SR/ADMIN FEE	2,111.78
EIKLENBORG SALVAGE INC., PRTS-SR	125.00
ELECTRONIC ENGINEERING CO., EQUIP CONT - IT	42.00
ELECTRONIC ENGINEERING CO., TELE - DHS	13.00
EVANS, KENT, MH EXP	43.20
EXCEPTIONAL PERSONS INC., MH EXP	120.00
FIRST INSURANCE SERVICES, MH EXP	12,169.00
FLESHNER, TAMARA L., MLGE - PH	95.76
FOKKENA, HABBO, RENT - GEN REL	140.00
FORRY, BONNIE KAY, MLGE - PH	304.33
FREY, JOYCE, MLGE - PH	340.24
HAWKEYE COMMUNITY, SCH OF INSTR - CONT LAW	170.00
HECKMAN, JOHN, VOL DRIVER - VA	100.00
HINDERS, MARY ANN, MLGE - PH	281.65
IKON OFFICE SOLUTIONS, OFC SUP - IT	936.59
INRCOG, PROF FEES - MAR09	211.17
IOWA DOT, MANL-SR	32.00
IOWA HEALTH PHYSICIANS, BD & CARE - JAIL	387.00
IOWA LEAGUE OF CITIES, FEE-SR	100.00
IOWA PRISON INDUSTRIES, OFC SUP - DHS	467.50
IOWA TELECOM, TELE - ATTY	60.31
ISAC, SCH OF INSTR - AUD	35.00
ISACA, SCH OF INSTR - ELCTNS	130.00
J & C GROCERY, WELLNESS	58.45
JAMAR TECHNOLOGIES INC., PRTS-SR	171.78
JOHNSON, MARY J., MLGE - PH	349.57
KELM, ROBERT, VOL DRIVER - VA	100.00
KLUITER AUTO REPAIR, PRTS/LBR-SR	198.11
LIEVENS, GREGORY, REIMB - MLGE/SCH OF INSTR - ATTY	447.33
MAJEWSKI'S TIRE SERVICE, TIRE-SR	785.54
MASON CITY CLINIC, MH EXP	375.00
MED MEDIA, EMS - PH	650.00
MENTAL HEALTH CENTER OF NORTH, MH EXP	103.68
MERCY MEDICAL CENTER, MH EXP	265.00
MIDAMERICAN ENERGY, UTIL - GEN REL	429.00
MIDAMERICAN ENERGY, UTIL-SR	197.10
MILLER-CLARK, BETTY, MLGE-PH	183.54
MYERS-COX CO., BD&CARE-JAIL	109.40
NELSEN, DOROTHY, MLGE - PH	120.83
OFFICE DEPOT INC., OFC SUP-DHS	255.38
OFFICE OF AUDITOR OF STATE, PROF FEES - FY08 AUDIT	30,983.02
OLD REPUBLIC SURETY GROUP, BOND-AUD/DPTY AUD/TREAS	1,060.00
PAETEC, TELE - DHS	1,026.85
PAETEC, MH EXP	13.11
PAETEC, TELE-SR	30.30
PATHWAYS BEHAVIORAL SVCS, MH EXP	5,000.00

PATHWAYS DBA CEDAR VALLEY, MH EXP	2,987.00
PETERSON, ELDON, VOL DRIVER - VA	50.00
PETROBLEND CORP., OIL/SLVNT-SR	1,834.80
POCKET PRESS, INC, MISC - SHF ADMIN	212.25
POWERPLAN, PRTS/LABOR-SR	1,708.10
QWEST, TELE - ATTY	52.15
RAGSDALE AUTO REBUILDERS, CAR EXP - CONT LAW	205.92
REGIONAL TRANSIT COMMISSION, MH EXP	423.00
ROOSE, HOLLY, MLGE - PH	13.44
ROOSE, KAROLYN, MLGE - PH	329.41
SCHUCK ENTERPRISES, RENT - GEN REL	145.00
SCROGGIN, DEBORAH, MLGE-PH	225.96
SHELL ROCK FORD SALES, PRTS-SR	82.56
SIDWELL COMPANY, THE, EQUIP CONT - IT	600.00
SIECHS PHARMACY, MH EXP	86.00
SPARGROVE, DOMINIC, RENT ASST - VA	175.00
STAR GRAPHICS, OFC SUP - REC MNGT	37.50
STAYBRIDGE SUITES, TRNG - PAT	252.08
THE PRIDE GROUP, MH EXP	850.08
TJABRING, THOLA, MLGE - PH	255.65
TREPP, SARA R., REIMB TELE - IT	39.95
U.S. CELLULAR, TELE-SR	303.92
U.S. POST OFFICE, PSTG - DHS	400.00
U.S. POSTAL SERVICE, PSTG - DHS	2,200.00
UIHC AMBULATORY CARE PHARMACY, MH EXP	25.00
UNITED HEALTHCARE PLAN OF, INS	3,949.65
VERIDIAN CREDIT UNION, EXP-SR	28.57
VIET, CAROLE, MLGE - PH	335.79
WEINBERG, MIKE, MLGE - EH	284.17
WEST GROUP PAYMENT CTR., LAW LBRY	1,391.50
WILSON, RICHARD, VOL DRIVER - VA	175.00

Motion carried.

Acknowledged receipt of Manure Management Plan Annual Update for Eberline.

Board met with John Riherd, County Engineer, on the following:

Final action on Secondary Road Rock quotes received April 28, 2009. After discussion, it was moved by Nelson, second by Zimmerman to approve quotes as follows: Allied Construction – Fremont, Dayton, Coldwater, Bennezette, Pittsford, West Point, Butler and Madison Townships. Niemann Construction – Jackson and Ripley Townships. Motion carried.

Final action on Seal Coating bids received April 28, 2009. Upon recommendation by Riherd, it was moved by Nelson, second by Zimmerman to approve the low bid of \$104,145.05 by Heartland Asphalt, Mason City, Iowa. Motion carried.

Board considered a contract with Mathy Construction, Onalaska, WI for paving of T25 beginning at Hwy 3 south to Hwy 57 in the amount of \$1,991,331.34. Moved by Zimmerman, second by Nelson to approve said contract and bond. Motion carried.

Board considered a contract with Taylor Construction, New Vienna, Iowa for a bridge replacement located on 140th Street approximately 1.2 miles east of Packard in the amount of \$460, 246.77. Moved by Nelson, second by Zimmerman to approve said contract and bond. Motion carried.

Board considered Detour Agreement for Hwy 14 through Parkersburg (May 11 – 18) – traffic will use C55 and T47. Moved by Zimmerman, second by Nelson to approve same. Motion carried.

Board met with Pat Derdzinski, Butler County Extension Director, and Roger Kregel, Butler County Development. Derdzinski explained the recent ISU Restructuring Plan, the recent announcement by ISU that all local Director positions will be eliminated, and the impact it will have on the county.

Moved by Zimmerman, second by Nelson to adjourn to Tuesday, May 12, 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 May 5, 2009.