

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JUNE 2, 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.

Board met with Public Health Director Jennifer Becker regarding her request that additional hours be authorized for Environmental Health Specialist Mike Weinberg. Said position was budgeted for 1040 hours in Fiscal Year 2009. However, due to increased work performed during the 2008 disasters, as of May 29, 2009 only 33.5 hours remained to be used. Becker requested that Weinberg be allowed to work 20 hours per week for the remainder of FY09 and stated that there are sufficient monies in the budget to cover the cost. The Board approved the additional hours for FY09. Also discussed was the Time of Transfer Inspection Law going into effect July 1, 2009 and its impact on the county.

Time set for Public Hearing to consider an Inter-fund Loan from General Basic to Butler County Land Acquisition Fund for \$325,000 for repairs to Greene Dam. No taxpayers were present. No written or oral comments were received. Upon the close of the Public Hearing, it was moved by Zimmerman, second by Nelson to approve said loan and consider a Resolution outlining same. Motioned carried.

Board considered Resolution Approving Inter-fund Loan from General Basic to Land Acquisition Fund and authorizing Auditor to transfer said \$325,000. Moved by Nelson, second by Zimmerman to approve said Resolution as follows:

RESOLUTION NO. 670

WHEREAS, it has come to the attention of the Butler County Board of Supervisors that the Butler County Conservation Board does not have sufficient monies available to them to cover the anticipated costs of repairs to the Greene Dam located on the Shell Rock River. And

WHEREAS, it has been determined that a request for reimbursement of the costs of said repairs will be submitted to FEMA, and it is anticipated that FEMA will reimburse the Conservation Board for a large share of said costs, the Butler County Conservation Board may have inadequate funds to cover expenses until such time that FEMA reimbursement is received. And

WHEREAS, the Butler County Board of Supervisors is authorized by Iowa Code Section 331.477 to make an inter-fund loan to the Butler County Conservation Board.

IT IS THEREFORE RESOLVED that the Butler County Board of Supervisors will approve an inter-fund loan to the Butler County Conservation Board in the amount of \$325,000.00.

IT IS FURTHER RESOLVED that said inter-fund loan shall bear no interest and shall be paid in full by the Butler County Conservation Board by the close of Fiscal Year 2010, being June 30, 2010.

IT IS FURTHER RESOLVED that the Butler County Board of Supervisors hereby authorizes the Auditor to prepare an Auditor's Transfer to the Butler County Conservation Land Acquisition Fund in the amount of \$325,000.00 from the Butler County General Basic Fund.

UPON Roll Call the vote thereon was as follows:

AYES:	John Zimmerman	NAYS: None
	Karl Nelson	
	Ken Oldenburger	

WHEREUPON the Resolution was declared duly adopted this 2nd day of June, 2009.

ATTEST: Holly A. Fokkena, County Auditor

Board met with Bob Rindels, Shell Rock, to hear his concerns about emergency vehicles being unable to get to an accident scene recently because of a train blocking the tracks on old Highway 3 near the ethanol plant. He also voiced concerns regarding increased truck traffic on gravel roads in the same area.

Time set for Public Hearing on a Revolving Loan Fund Application by Scott L. Peterson, Jeffery S. Peterson and Anthony J. Charley, dba Custom Fit Foot Orthotics, Parkersburg, Iowa in the amount of \$20,000.00 for five years at five percent interest. No taxpayers were present. No written or oral comments were received. Upon the close of the Public Hearing, it was moved by Nelson, second by Zimmerman to approve a Resolution authorizing said loan as follows:

RESOLUTION NO. 671

WHEREAS, The Butler County Board of Supervisors (hereinafter referred to as **The Board**) has approved a Small Business Loan Plan by Motion on June 2, 2009 to be administered by **The Board** for the purposes of assisting small businesses; and

WHEREAS, Scott L. Peterson, Jeffery S. Peterson and Anthony J. Charley, dba Custom Fit Foot Orthotics, of Parkersburg, Iowa has applied for a small business loan from the Butler County Revolving Loan Fund in the amount of \$20,000.00, and

WHEREAS, the request has been approved by the Butler County Revolving Loan Fund Loan Review Committee.

NOW, THEREFORE **The Board** approves the loan request subject to the terms and conditions as follows:

1. That a loan of \$20,000.00 be approved for Scott L. Peterson, Jeffery S. Peterson and Anthony J. Charley, dba Custom Fit Foot Orthotics, of Parkersburg, Iowa, subject to proof of additional financing

from a lead bank and proof of at least ten percent (10%) owner equity into the project.

- 2. That the interest rate should be fixed at five percent (5%) per annum.
- 3. That the loan shall be repaid into the Revolving Loan Fund inclusive of all interest realized thereon according to the schedule:

Term The term of the note should be five years.

Payments Monthly payments of interest and principal.

- 4. That Scott L. Peterson, Jeffery S. Peterson and Anthony J. Charley, dba Custom Fit Foot Orthotics, of Parkersburg, Iowa, enter into a Loan Agreement with Butler County.
- 5. Penalties for late payment:
 - 1. After delinquency of five (5) days, the borrower shall be charged a late penalty the greater of \$25.00 or one and one-half percent (1.5%) per month of the payment due.
 - 2. After ten (10) days, the borrower will be notified by certified mail. A meeting will be set up between **The Board** and the borrower to determine the degree of the problem and the steps needed for payment compliance.
 - 3. Non-payment after sixty (60) days following the meeting between **The Board** and borrower will cause Butler County to initiate foreclosure procedures unless a satisfactory repayment schedule is negotiated.

This loan shall be secured by a mortgage on the property.
UPON Roll Call the vote thereon was as follows:

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

WHEREUPON the Resolution was declared duly adopted this 2nd day of June, 2009.

ATTEST: Holly A. Fokkena, County Auditor

Board met with Gary Stephenson to hear presentation on 1934 Special Edition Constitutional Lithograph.

Board met with Veteran Affairs Commission Member Bernard Franken and Director Steve Ulrichs to hear request to expand office hours from 20 per week to 28 hours per week in Fiscal Year 2010. Franken indicated that he was present as a representative of the Commission and further stated he felt the Commission supported increased hours. Nelson requested that the Commission formally vote on said matter at its next meeting and report the outcome of such vote to the Board and that upon said report the Board would take action on the request.

Board met with County Engineer John Riherd to consider a contract with Peterson Contractors, Inc. of Reinbeck, Iowa for replacement of a box culvert 2.6 miles north of Austinville at a cost of \$117,626.00. Moved by Zimmerman, second by Nelson to approve said contact and bond. Motion carried.

Board considered a Road Closure Resolution for 140th St 1 mile east of Packard for a bridge replacement project. Moved by Nelson, second by Zimmerman to approve said Resolution as follows:

Construction Road Closure Resolution # 672

WHEREAS, The Butler County Board of Supervisors is empowered under authority of the Code of Iowa to close roads or highways under their jurisdiction when necessary for construction, and

WHEREAS, a bridge replacement project, BROS-C012(68)--5F-12, requires that 140th Street from Range Road east 1 mile to Ridge Avenue also known at the north line of Section 26 Dayton Township, be closed to all traffic, and

NOW THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that the above described road be closed and proper signs be erected for the duration of the construction project as determined by the County Engineer.

BE IT FURTHER RESOLVED that upon completion of the construction work, as determined by the County Engineer, the road shall be opened to the traveling public without further action of this board.

UPON Roll Call the vote thereon was as follows:

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

WHEREUPON the Resolution was declared duly adopted this 2nd day of June, 2009.

ATTEST: Holly A. Fokkena, County Auditor

Moved by Nelson, second by Zimmerman to set a Public Hearing on a request by Schneider's Milling Inc to rezone parcel located in NE¼ of Section 5-92-15 for Tuesday, June 23, 2009 at 10:00 a.m. Motion carried.

Board acknowledged receipt of Manure Management Plan Annual Updates for Newburg Pork, Inc., Grant Kampman, Jeff Lindell, Allison Finisher Farm and Reeser Finisher Farm.

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

Adams, Diane Kay, Mlge - Ph	25.62
Agility Recovery Solutions, Comp Equip - It	250.00
Airgas North Central, Sfty-Sr	46.44
Allison Pharmacy, Mh Exp	380.50
Allsteel, Furnishings/Eoc	3,440.52
American Institutional Supply, Bd & Care - Jail	204.20
Bmc Aggregates L.C., Rock-Sr	23,354.52
Briggs Corporation, Med Sup-Ph	151.94
Brocka, Bobbi, Cps - Ph	60.00
Butler County Public, Test-Sr	160.00
Butler County R.E.C., Lghts-Sr	80.00
Butler County Sheriff, Mh Exp	765.73
Butler County Solid, Disp Fee - Jail	23.00
Campbell Supply, Tool-Sr	206.22
Central Iowa Distr., Sup - Jntr	185.85
Crestview Apartments, Rent - Gen Rel	190.00
Custom Fit Foot Orthotics L.L., Rev Loan	20,000.00
Debner, Lonna, Mlge - Ph	187.61
Delta Gloves, Sup - Jail	156.80
Dept. Of Human Services-Icf/Mr, Cashier, Mh Exp	5,564.97
Dewitt, Cindy, Mlge-Ph	183.29
Don's Truck Sales, Prts-Sr	222.19
Dralle Plumbing & Heating, Repairs/Boiler Maint - Cthse	967.00
Dralle, Sarah, Mlge-Ph	65.81
Drenkow & Co, Rd, Self Funding	1,494.19
Duane's Repair Shop, Car Exp - Unif Ptrl	50.00
Dumont Telephone Co., Tele - Dhs	232.53
Dumont Telephone Co., Rprs - Jail	79.00
Dunakey & Klatt P.C., Mh Exp	171.00
Dunn, Julie, Rent - Pat	400.00
Eclipse News Review, Magistrate Publ	25.90
Electronic Engineering Co., 2-Way-Sr	14.00
Evans, Kent, Mh Exp	93.60
Farmers Cooperatvie Co., Rd Clrg	210.00
Fastenal Company, Suply-Sr	109.81
Federal Publishing, Osha-Sr	278.50
First Insurance Services, Mh Exp	716.00
Fleshner, Tamara L., Mlge - Ph	13.02
Fokkena, Holly, Reimb Mlge - Dis Rcvry Wkshop	98.70
Forry, Bonnie Kay, Mlge - Ph	350.78
Frey, Joyce, Mlge - Ph	294.42
Gierke-Robinson Co., Sfty-Sr	21.10
Goeke & Rasmussen, Mh Exp	670.70
Goodwill Industries, Mh Exp	91.50
Gov Connection Inc., Comp Equip - It	100.50
Greene Recorder, The, Magistrate Publ	20.81
Henricks, Cindy, Cps - Ph	60.00
Hinders, Mary Ann, Mlge - Ph	341.63
Holschlag, Jodi, Cps - Ph	60.00
Ikon Office Solutions, Comp Prog/Equip- It	3,145.95
Imwca, Wkmn Comp -Gb	7,797.60
Inrcog, Prof Fees - April 09	68.23
Interstate Battery Of, Prts-Sr	78.95
Iowa County Attorneys Assoc, Sch Of Instr - Atty	60.00
Iowa Telecom, Tele - Atty	60.31
Isac, Sch Of Instr - Treas	35.00
Iscta, Sup - Treas Auto	31.21
Johnson, Mary J., Mlge/Reimb - Ph	357.69
Kampman, Dorothea, Mlge - Ph	337.26
Kaplan Learning Company, Trng Sup - Pat	143.18
Karen's Print Rite, Ofc Sup - Pat	365.00
Keystone Laboratories, Maint - Cc	153.00
Kluiter Auto Repair, Prts/Lbr-Sr	103.17
Lutheran Services, Youth Shltr	237.16
Magnall, Nancy, Misc - Comm Coord	40.00
Mail Services, Llc, Sup/Pstg - Treas	548.73

Majewski's Tire Service, Tires-Sr	1,750.52
Marshall County Sheriff, Serve Notice	46.00
Mason City Business, Maint Cont - Pat	395.00
Mason City Business, Equip Cont - Ph	155.00
Mason City Clinic, Mh Exp	325.00
Mcclain & Co., Inc., Greene Dam Rprs - Cc	275,120.08
Mid-America Publishing Corp., Magistrate Publ	43.04
Midamerican Energy, Util - Gen Rel	67.67
Midamerican Energy, Util-Sr	109.03
Midwestern Culvert Ltd, Clvt-Sr	18,170.38
Miller-Clark, Betty, Mlge-Ph	181.86
Moe, Bridget, Cps - Ph	60.00
Murphy Tractor Mxa 80-9100, Equip-Sr	70,591.00
Myers, Eldon, Rent - Gen Rel	165.00
Myers-Cox Co., Bd&Care-Jail	171.63
Nelsen, Dorothy, Mlge - Ph	234.02
Niemann Const. Co., Paul, Rock-Sr	94,397.99
North Iowa Juvenile, Youth Detention	480.00
North Star Community Services, Mh Exp	1,335.78
Office Depot Inc, Ofc Sup - Dhs	116.08
Oriental Trading Company, Sup - Pat	88.90
Ovel Forest Products, Inc, Lmbr-Sr	13,867.52
Paetec, Tele - Dhs	719.63
Paetec, Mh Exp	12.88
Paetec, Tele-Sr	18.40
Parkersburg, City Of, Util - Gen Rel	125.35
Pathways DbA Cedar Valley, Mh Exp	10,807.82
Petroblend Corp., Oil/Suply-Sr	162.30
Pitney Bowes Inc., Pstg - Dhs	20.56
Poppens, Brenda, Cps - Ph	60.00
Prairie View, Mh Exp	8,414.84
Qwest, Tele - Pat	56.35
Qwest, Tele - Atty	51.71
Radio Communication Systems, Comp Prog - It	541.25
Radio Communication Systems, Car Exp - Shf Admin	300.00
Roose, Karolyn, Mlge - Ph	224.11
Ryal, Jeremy, Cps - Ph	60.00
Schickel, Candila, Mh Exp	48.00
Schumacher Elev. Co., Maint/Repairs - Cthse/Dhs	325.36
Scroggin, Deborah, Mlge-Ph	268.80
Servicemaster Of Waverly, Misc Rpr - Dhs	637.00
Shell Rock Family Health, Med Exmr	35.00
Sidwell Company, The, Equip Cont - It	600.00
Squires, Louise E., Sch Of Instr - Treas	130.38
Sult Electric, Park Rprs - Cc	2,299.47
Tjabring, Thola, Mlge - Ph	325.54
Traeger, Andrea, Misc - Comm Coord	40.00
Treasurer, State Of Iowa, Mh Exp	21,967.20
Trepp, Sara R., Reimb Tele - It	39.95
U.S. Cellular, Tele - Bt - Ph	293.51
U.S. Cellular, Tele-Sr	67.70
U.S. Cellular, Tele - Pat	115.51
U.S. Postal Service, Pstg - Cthse	4,000.00
United Healthcare Plan Of, Ins	3,949.65
Veridian Credit Union, Exp-Sr	553.65
Vickers Law Office, Mh Exp	87.50
Viet, Carole, Mlge - Ph	338.27
Wal Mart Community, Misc - Cc	80.62
Webqa, Inc., Comp Prog - It	600.00
Weinberg, Mike, Mlge/Sup - Eh	76.15
West Group Payment Ctr., Law Lbry	50.00
Zee Medical Services, Suply-Sr	22.40

Motion carried.

Moved by Zimmerman, second by Nelson to adjourn to Tuesday, June 9, 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 June 2, 2009.