

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON APRIL 22, 2014.

Meeting called to order at 9:00 a.m. by Chairman Rex Ackerman with members Tom Heidenwirth and Mark V. Reiher present. Also present was Fern Myers, Allison, Iowa.

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

Board met with Emergency Management Coordinator Mitch Nordmeyer to consider Resolutions for Multi-Jurisdictional Hazard Mitigation Plan update. After discussion it was moved by Reiher, second by Heidenwirth to approve the following:

RESOLUTION #801

A RESOLUTION OF THE BUTLER COUNTY, IOWA BOARD OF SUPERVISORS, AUTHORIZING THE CHAIR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE IOWA NORTHLAND REGIONAL COUNCIL OF GOVERNMENTS FOR CREATING A MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE THROUGH THE HAZARD MITIGATION GRANT PROGRAM (HMGP).

WHEREAS, Butler County is a member in good standing with the Iowa Northland Regional Council of Governments (INRCOG), and

WHEREAS, Board of Supervisors of Butler County has directed the INRCOG to prepare an application through the Iowa Homeland Security Emergency Management Division (IHSEMD) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program (HMGP), and

WHEREAS, INRCOG has the expertise to provide the planning and administrative services being sought by the grant application,

NOW THEREFORE, the Butler County, Iowa Board of Supervisors directs its Chair to sign a Memorandum of Understanding with INRCOG to provide planning and grant administration services to the City should the grant funds be awarded.

UPON roll call the vote thereon was as follows:

AYES: Mark V. Reiher NAYS: None
Rex Ackerman
Tom Heidenwirth

Passed and approved this 22nd day of April, 2014.

ATTEST: *Lizbeth Williams*, County Auditor

Board considered Resolution committing local match funds to secure potential grant funding. Moved by Reiher, second by Heidenwirth to approve the following:

RESOLUTION #802

A RESOLUTION OF THE BUTLER COUNTY, IOWA BOARD OF SUPERVISORS COMMITTING LOCAL MATCH FUNDS NECESSARY TO SECURE POTENTIAL GRANT FUNDING MADE AVAILABLE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY THROUGH THE IOWA HOMELAND SECURITY EMERGENCY MANAGEMENT DIVISION.

WHEREAS, Butler County {hereinafter called "the Subgrantee"}, has made application through the Iowa Homeland Security Emergency Management Division {IHSEMD} to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program {HMGP}, in the amount of \$40,000.00 for the total project cost of developing a local multi-jurisdictional hazard mitigation plan update, of which \$6,000.00, or 15%, is the local cash or in-kind match;

WHEREAS, the Subgrantee recognizes the fact that the federal share cannot exceed 75%; the state share cannot exceed 10%; and the local non-federal share must be at least 15% of the total grant amount where, if prepared to mitigation standards as outlined by the Federal Emergency Management Agency's Hazard Mitigation Grant Program {HMGP} can be met entirely by in-kind services.

NOW THEREFORE, it is hereby resolved by the Butler County, Iowa Board of Supervisors that the Subgrantee agrees to provide and make available \$6,000.00 {six thousand dollars} of local monies to be used to meet the 15% cash or in-kind match requirement for this mitigation grant application.

UPON roll call the vote thereon was as follows:

AYES: Tom Heidenwirth NAYS: None
Mark V. Reiher
Rex Ackerman

Passed and approved this 22nd day of April, 2015.

ATTEST: *Lizbeth Williams*, County Auditor

Board considered Resolution authorizing Mitch Nordmeyer as representative for preparation and administration of plan update. Moved by Ackerman, second by Reiher to approve the following:

RESOLUTION #803

A RESOLUTION OF THE BUTLER COUNTY, IOWA BOARD OF SUPERVISORS AUTHORIZING MITCH NORDMEYER OF THE IOWA NORTHLAND REGIONAL COUNCIL OF GOVERNMENTS AND CHAIR AS THE APPLICANT'S AUTHORIZED REPRESENTATIVES FOR ALL MATTERS PERTAINING TO THE PREPARATION AND ADMINISTRATION OF A MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE. EITHER OF THESE INDIVIDUALS CAN SIGN ON BEHALF OF THE COUNTY.

WHEREAS, Butler County wishes to have a multi-jurisdictional hazard mitigation plan update prepared; WHEREAS, it is necessary for the County to designate an Authorized Representative for purposes of pursuing funds, securing funds, and administering the corresponding and essential paperwork associated with such a project;

WHEREAS, Butler County has agreed to the Intergovernmental Cooperative Agreement creating the Iowa Northland Regional Council of Governments and is a member in good standing;

NOW THEREFORE, it is hereby resolved by the Butler County, Iowa Board of Supervisors that Mitch Nordmeyer, EMA Coordinator, or the Chair of the Board of Supervisors, are hereby authorized to execute on behalf of Butler County, this planning grant and to file it with the Iowa Homeland Security Emergency Management Division (IHSEMD) for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288, as amended), the Code of Iowa (Chapter 29C), or the National Flood Insurance Act of 1968 (Sections 1366 and 1367).

UPON roll call the vote thereon was as follows:

AYES: Rex Ackerman NAYS: None
 Tom Heidenwirth
 Mark V. Reiher

Passed and approved this 22nd day of April, 2014.

ATTEST: *Lizbeth Williams*, County Auditor

Board held Public Hearing on Reappropriation of Funds for Fiscal Year 2013-2014. Auditor reported no written or oral comments received. Upon the close of the Public Hearing, it was moved by Ackerman, second by Reiher to approve Resolution to Reappropriate as follows:

**RESOLUTION #804
FY 2014 REAPPROPRIATION**

BE IT RESOLVED by the Butler County Board of Supervisors to appropriate the following amount to be expended in various categories and the line items of the budget from which they are used for Fiscal Year 2013 – 2014.

Mental Health MR & DD - \$3,702,109 of amendment

UPON Roll Call the vote thereon was as follows:

AYES: Mark V. Reiher
 Tom Heidenwirth
 Rex Ackerman

WHEREUPON, The Resolution was declared duly adopted this 22nd day of April, 2014.

ATTEST: *Lizbeth Williams*, County Auditor

Board held Public Hearing on Revolving Loan Fund application of James and Cheryl Willson dba James and Cheryl Willson Insurance, Shell Rock, Iowa. Present were Engineer John Riherd, Economic Development Director Jeff Kolb and Fern Myers, Allison, Iowa. Auditor reported no written or oral comments received. Upon the close of the Public Hearing it was moved by Ackerman, second by Reiher to approve the following:

RESOLUTION #805

WHEREAS, The Butler County Board of Supervisors (hereinafter referred to as **The Board**) has approved a Small Business Loan Plan by Motion on April 22, 2014 to be administered by **The Board** for the purposes of assisting small businesses; and

WHEREAS, James and Cheryl Willson, of Shell Rock, Iowa has applied for a small business loan from the Butler County Revolving Loan Fund in the amount of \$10,000.00, 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 \$10,000.00 be approved for James and Cheryl Willson, of Shell Rock, 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 James and Cheryl Willson, of Shell Rock, 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.
6. This loan shall be secured by a Personal Guarantee.

UPON Roll Call the vote thereon was as follows:

AYES: Tom Heidenwirth
Mark V. Reiher
Rex Ackerman

NAYS: None

Passed and approved this 22nd day of April, 2014.

ATTEST: *Lizbeth Williams*, County Auditor

Board held Public Hearing on Revolving Loan Fund application of Karen Miller dba K & S Grocery, Clarksville, Iowa. Present were Engineer John Riherd, Economic Development Director Jeff Kolb and Fern Myers, Allison, Iowa. Auditor reported no written or oral comments received. Upon the close of the Public Hearing it was moved by Heidenwirth, second by Reiher to approve the following:

RESOLUTION #806

WHEREAS, The Butler County Board of Supervisors (hereinafter referred to as **The Board**) has approved a Small Business Loan Plan by Motion on April 22, 2014 to be administered by **The Board** for the purposes of assisting small businesses; and

WHEREAS, Karen Miller of Clarksville, Iowa has applied for a small business loan from the Butler County Revolving Loan Fund in the amount of \$10,000.00, 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 \$10,000.00 be approved for Karen Miller of Clarksville, 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 Karen Miller of Clarksville, 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.

6. This loan shall be secured by a Personal Guarantee.

UPON Roll Call the vote thereon was as follows:

AYES: Rex Ackerman

Mark V. Reiher

Tom Heidenwirth

NAYS: None

Passed and approved this 22nd day of April, 2014

ATTEST: *Lizbeth Williams*, County Auditor

Board reviewed request from International Union of Operating Engineers, Local 234 for a meeting pertaining to employee grievance. Time and date will be set upon coordination of schedules.

Board approved claims as submitted.

Chairman Ackerman adjourned the meeting at 10:38 A.M. to Tuesday, April 29, 2014 at 9:00 A.M.

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 22, 2014.