

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON NOVEMBER 24, 2015.

Meeting called to order at 9:00 a.m. by Chairman Tom Heidenwirth with members Rex Ackerman and Rusty Eddy present. Also present were Engineer John Riherd, Sheriff Jason Johnson, Treasurer Vicki Schoneman, Recorder Janice Jacobs, Director of Public Health Jennifer Becker, Michelle Schultz, Assessor's Office, Facilities Manager Bill Miller, John Bascom, Midwest Basement Systems and Fern Myers, Allison, Iowa.

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

Board met with Engineer John Riherd to consider Resolution establishing bridge postings. Following discussion, it was moved by Eddy, second by Ackerman to approve the following:

RESOLUTION #847

WHEREAS, The Butler County Board of Supervisors is empowered under authority of the Code of Iowa to impose weight limitations on highway structures under their jurisdiction, and

WHEREAS, a recent inspection conforming to National Bridge Inspection Standards and Federal Highway Administration rules has been performed, and

WHEREAS, the results of these inspections indicate that the following structures have reduced load carrying capability and will require load restrictions.

NOW THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that this structure is posted with the following signs indicating the bridge's load limits.

Bridge I25W10 – FHWA #087490 – located on the west line of Section 25 T91N R15W, Shell Rock Twp ...
Post with "Weight Limit Truck Series 20T, 33T, 37T" and "All Vehicles" signs

Bridge I28N10 – FHWA #087500 – located on the north line of Section 28 T91N R15W, Shell Rock Twp ...
Post with "Weight Limit Truck Series 23T, 37T, 37T" and "All Vehicles" signs

Bridge J05N10 – FHWA #087610 – located on the north line of Section 5 T91N R16W, Jefferson Twp ...
Post with "Weight Limit Truck Series 22T, 36T, 40T" and "All Vehicles" signs

Bridge O19N10 – FHWA #086880 – located on the north line of Section 19 T90N R16W, Albion Twp ...
Post with "Weight Limit Truck Series 20T, 27T, 26T" and "All Vehicles" signs

Bridge P05T20 – FHWA #086590 – located in Section 5 T90N R15W, Beaver Twp ... Post with "Trucks over 10,000 LBS Yield to Trucks on Bridge", "Warning - Bridge Ahead Safe For One Truck Only", and "All Vehicles Be Prepared to Stop" signs.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed, and that upon successful rehabilitation or replacement, as determined by the County Engineer, the bridge postings shall be removed without further action of this board.

Upon Roll Call the vote thereon was as follows:

AYES: Tom Heidenwirth
Rex Ackerman
Rusty Eddy

NAYS: None

WHEREUPON said Resolution was declared duly adopted this 24th day of November, 2015.

ATTEST: *Lizbeth Williams*, County Auditor

Board considered Resolution establishing holidays for 2016. Moved by Ackerman, second by Heidenwirth to approve the following:

**RESOLUTION #67-16
HOLIDAYS-2016**

BE IT RESOLVED by the Butler County Board of Supervisors that the following holidays be observed by the Butler County Courthouse to conform to the schedule as established by the State and Federal Governments. When the holiday is on a Saturday, it will be observed the day before and when it is on a Sunday, it will be observed the day following:

BUTLER COUNTY COURTHOUSE HOLIDAYS – 2016

- | | | |
|---------------------------|----------|-------------------|
| 1. New Year's Day | Friday | January 1, 2016 |
| 2. Presidents' Day | Monday | February 15, 2016 |
| 3. Good Friday | Friday | March 25, 2016 |
| 4. Memorial Day | Monday | May 30, 2016 |
| 5. Independence Day | Monday | July 4, 2016 |
| 6. Labor Day | Monday | September 5, 2016 |
| 7. Veterans Day | Friday | November 11, 2016 |
| 8. Thanksgiving Day | Thursday | November 24, 2016 |
| 9. Day after Thanksgiving | Friday | November 25, 2016 |
| 10. Christmas Day | Monday | December 26, 2016 |

Upon Roll Call the vote thereon was as follows:

AYES: Rusty Eddy
Rex Ackerman
Tom Heidenwirth

NAYS: None

WHEREUPON said Resolution was declared duly adopted this 24th day of November, 2015.

ATTEST: *Lizbeth Williams*, County Auditor

Board considered Resolution setting date and time for a public hearing on the proposition of the application of excess bonds proceeds. Following discussion, it was moved by Heidenwirth, second by Ackerman to set the date as December 8, 2015 at 9:30 by approving the following:

RESOLUTION #848

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE APPLICATION OF EXCESS BOND PROCEEDS AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the County of Butler, Iowa, should apply excess bond proceeds of the \$1,600,000 Taxable General Obligation Urban Renewal Bonds, Series 2013, issued for the following purpose:

costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Area, as amended, including costs associated with natural gas pipeline improvements, an essential county urban renewal project;

to include the following additional essential corporate urban renewal purpose:

costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Area, as amended, including costs associated with funding a development agreement with Butler County Development Corporation; and

WHEREAS, before said excess bond proceeds may be applied in that manner it is necessary to comply with the provisions of the Code of Iowa, and to publish a notice of the proposal to apply such excess bond proceeds and of the time and place of the meeting at which the Board proposes to take action for the application of the excess bond proceeds to the expanded purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUTLER COUNTY IN THE STATE OF IOWA:

Section 1. That this Board meet in the Board Room, County Courthouse, 428 - 6th Street, Allison, Iowa, at 9:00 A.M., on the 8th day of December, 2015, for the purpose of taking action on the matter of providing for the expenditure of not to exceed \$142,553 of the proceeds of the Taxable General Obligation Urban Renewal Bonds, Series 2013, dated September 4, 2013, which were originally issued for the following purpose:

costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Area, as amended, including costs associated with natural gas pipeline improvements, an essential county urban renewal project;

to include the following additional essential corporate urban renewal purpose:

costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Area, as amended, including costs associated with funding a development agreement with Butler County Development Corporation.

Section 2. That the County Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County, said publication to be not less than four (4) nor more than twenty (20) clear days before the date of said public meeting on the use of said excess bond proceeds.

Section 3. The notice of the proposed action shall be in substantially the following form:
NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF BUTLER COUNTY, IOWA, ON THE MATTER OF THE PROPOSED APPLICATION OF EXCESS BOND PROCEEDS OF SAID COUNTY, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Butler County in the State of Iowa, will hold a public hearing on the 8th day of December, 2015, at 9:30 o'clock A.M., in the Board Room, County Courthouse, 428 - 6th Street, Allison, Iowa, at which meeting the Board proposes to take additional action for the application of not to exceed \$142,553 of the bond proceeds of the Taxable General Obligation Urban Renewal Bonds, Series 2013, dated September 4, 2013, which were originally issued for the following purpose:

costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Area, as amended, including costs associated with natural gas pipeline improvements, an essential county urban renewal project;

to include the following additional essential corporate urban renewal purpose:

costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Area, as amended, including costs associated with funding a development agreement with Butler County Development Corporation;

At the above meeting the Board shall receive oral or written objections from any resident or property owner of said County, to the above action. After all objections have been received and considered, the Board will at this meeting or at any adjournment thereof, take additional action to authorize the use of the excess bond proceeds, or will abandon the proposal.

This notice is given by order of the Board of Supervisors of Butler County in the State of Iowa, as provided by Sections 331.301(5) and 331.443 of the Code of Iowa.

Upon Roll Call the vote thereon was as follows:

AYES: Rex Ackerman	NAYS: None
Tom Heidenwirth	
Rusty Eddy	

WHEREUPON said Resolution was declared duly adopted this 24th day of November, 2015.

ATTEST: *Lizbeth Williams*, County Auditor

Board met with John Bascom, Midwest Basement Systems to further discuss the water abatement project details. Work will likely take place mid-January.

Board approved claims as submitted.

Board acknowledged receipt of Manure Management Plan Annual Updates for Freedom Farm Finisher Farm; Marton/Parker Finisher Farm; Luebbers Finisher Farm; Hosch Finisher Farm; Steere East Finisher Farm; Asche West Finisher Farm and Allan Finisher Farm.

Moved by Eddy, second by Ackerman to adjourn the meeting at 10:30 A.M. to Thursday, December 3, 2015 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 November 24, 2015.