

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MARCH 16, 2010.

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 Connie Rottink, Butler County Wellness, to hear request for permission to schedule annual blood work clinic for county employees covered by health insurance. Board authorized same.

Board met with Robert Kolder, regarding culvert placement on portion of Newell Avenue over the Johnson Creek, Sections 19 & 20, Albion Township. Also present were County Engineer John Riherd, Dale Krohn, Jim Sutton, Prentice Karsjens, Dennis Bartels, Tim Kolder, and Paul Bruns.

Robert Kolder expressed his concerns with the placement of culverts over the existing low water crossing and the building up of the roadway in question. He indicated the changes made recently have caused the roadway to act as a dike, holding water back and causing impacted farmland to stay underwater longer than in the past. He asked who had authorized the changes to the roadway. Riherd gave a detailed timeline of past actions relating to the road in question:

- 1954 - County crew installed (2) 36" diameter metal pipes as an overflow structure.
- 1984 - Board of Supervisors acted to reduce the level of service on the roadway to Level B Service.
- Late 1990's - County removed the overflow structure and installed a cabled concrete at grade crossing (Missouri Crossing) to alleviate future maintenance concerns.
- 2002 - Board of Supervisors acted to reduce the level of service on the roadway to Level C Service.
- 2005 - Board of Supervisors approved rezoning of S1/2 NE ¼ Sec 19 Albion to allow for Croell Redi-Mix to operate a sand pit on said property. Access to the property would be from the north utilizing the Level C Road. Any proposed improvements would require approval of the County Engineer and Croell Redi-Mix would be responsible for paying for any roadway or crossing improvements.
- 2009 - Croell Redi-Mix approached County Engineer with plan for constructing an overflow structure to allow for improved access to sand pit. County Engineer Riherd reviewed the design and approved the construction of an overflow structure consisting of (3) 36" diameter metal pipes with 12" concrete driving surface.

County Engineer Riherd informed those in attendance that the present structure met currently acceptable design guidelines for low water crossings and was consistent with the design of the overflow structure that had existed from 1954 to the late 1990's. Improvements over original overflow structure included an additional 36" diameter metal pipe and a concrete driving surface. Both improvements were added to reduce the risk of problems associated with loss of roadway surfacing and debris accumulation at the inlet. Riherd further reported he had observed the overflow structure at various flow levels and noted that the overflow structure was performing as expected.

Oldenburger added that the City of Parkersburg had made the request that the road be downgraded to a Level C with gates to eliminate traffic. Karsjens inquired as to just who should be cleaning the culverts now in place and Riherd indicated that Croell Redi-Mix is responsible for them. Krohn stated his desire to see the culverts removed. Tim Kolder indicated that almost daily he sees Croell Redi-Mix trucks dumping unused cement along the Level C portion of Newell Avenue. He is concerned that the roadway will be continually built up and create even more of a dike situation. Bartels asked if there had been problems with the "Missouri Crossing" and stated he felt Croell knew the condition of that portion of road prior to purchasing property in the area. Riherd indicated that he was not aware of any problems with the "Missouri Crossing", but did state Croell had been concerned with having trucks drive through water to reach the property.

The general consensus of those in attendance was that historically during flooding incidents the previous structure frequently failed providing relief to the area landowners; that no structure should be in place; that the "Missouri Crossing" was adequate in that it provided access without creating backwater; that the entire area is quite flat and that the farmers in the area need Johnson Creek as low as possible for their field tiles to function properly.

Riherd reported that the overflow structure would not perform as designed if not properly maintained and lack of maintenance would likely lead to an intolerable amount of backwater. He further indicated that after hearing and considering the comments and concerns of the surrounding landowners, he felt the design he approved in 2009 may not have been the appropriate design for this location.

The Board of Supervisors determined that the overflow structure created more backwater than is tolerable, even when performing as designed. The Board of Supervisors instructed Riherd to notify Croell Redi-Mix that the overflow structure is to be removed and the "Missouri Crossing" restored and that a resolution to the issue should be determined in the next sixty days. The Board further indicated that any future crossing improvement requests be brought before the Board of Supervisors for their approval.

Board met with County Engineer John Riherd for the following:

- 1) Consider Resolution to post load limits on various bridges located in Butler County, Iowa. Moved by Nelson, second by Zimmerman to approve said Resolution as follows:

Resolution #686

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, recent periodic inspections conforming to National Bridge Inspection Standards and Federal Highway Administration rules have been performed, and

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

NOW THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that these structures be posted with the following signs indicating each bridge's respective load limits.

Bridge A22W10 – FHWA # 089260 – located on the west line of Section 22 T93N R15W, Fremont 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.

Bridge K22W20 – FHWA# 087940 – located on the west line of Section 22 T91N R17W, Ripley Twp... Post with "Weight Limit 15 Tons" and "All Vehicles" sign.

Bridge L17W10 – FHWA # 088100 – located on the west line of Section 17 T91N R18W, Madison Twp... Post with "Weight Limit 15 Tons" and "All Vehicles" signs.

Bridge L33N10 – FHWA # 088160 – located on the north line of Section 33 T91N R18W, Madison 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.

Bridge L35W10 – FHWA # 088200 – located on the west line of Section 35 T91N R18W, Madison Twp... Post with "Weight Limit 18Tons" and "All Vehicles" 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:	Ken Oldenburger John Zimmerman Karl Nelson	NAYS: None
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WHEREUPON the Resolution was declared duly adopted this 16th day of March, 2010.

ATTEST: Holly A. Fokkena, County Auditor

- 2) Moved by Zimmerman, second by Nelson to approve a Contract between Butler County, Iowa and Janise Voss to purchase Right of Way located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14-92-16 for \$422.94. Motion carried.
- 3) Moved by Nelson, second by Zimmerman to approve a Contract between Butler County, Iowa and Howard David and Lola Clark to purchase Right of Way located in the NE $\frac{1}{4}$ of Section 14-92-16 for \$1,635.10. Motion carried.
- 4) Moved by Zimmerman, second by Nelson to approve a Contract between Butler County, Iowa and Louise Niehaus and Esther Niehaus to purchase Right of Way located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14-92-16 for \$1,209.10. Motion carried.

Staff Meeting.

After review, it was moved by Zimmerman, second by Nelson to ratify the tentative agreement reached with the International Union of Operating Engineers, Local 234, during mediation held on February 23, 2010. Motion carried.

County's Proposal to International Union of Operating Engineers, Local 234 for Fiscal Year 2011

July 1, 2010

HEALTH INSURANCE

No change to benefits - Retain self-funding level (deductible bought down from \$750.00 to \$250.00) from July 1, 2010 - December 31, 2010
Eliminate self-funding effective January 1, 2011

Plan A	Current Monthly Employee Contribution	Proposed Monthly Employee Contribution	Proposed Annual Increase to Employee	SALARY	Net Annual Salary Increase by Health Insurance Policy Type
Single	\$0.00	\$20.00	\$240.00	2.5 % Increase on base hourly rate of \$17.61 or \$0.44 per hour or \$915.20 annually	\$915.20 - \$240.00 = \$675.20
Emp/Spouse	\$0.00	\$40.00	\$480.00		\$915.20 - \$480.00 = \$435.20
Emp/Children	\$0.00	\$40.00	\$480.00		\$915.20 - \$480.00 = \$435.20
Family	\$0.00	\$60.00	\$720.00		\$915.20 - \$720.00 = \$195.20

Plan B	Current Monthly Employee Contribution	Proposed Monthly Employee Contribution	Proposed Annual Increase to Employee	SALARY	Net Annual Salary Increase by Health Insurance Policy Type
Single	\$20.00	\$40.00	\$240.00	2.5 % Increase on base hourly rate of \$17.61 or \$0.44 per hour or \$915.20 annually	\$915.20 - \$240.00 = \$675.20
Emp/Spouse	\$40.00	\$80.00	\$480.00		\$915.20 - \$480.00 = \$435.20
Emp/Children	\$40.00	\$80.00	\$480.00		\$915.20 - \$480.00 = \$435.20
Family	\$60.00	\$120.00	\$720.00		\$915.20 - \$720.00 = \$195.20

July 1, 2011

HEALTH INSURANCE No change to benefits

Plan A	Current Monthly Employee Contribution	Proposed Monthly Employee Contribution	Proposed Annual Increase to Employee	SALARY	Net Annual Salary Increase by Health Insurance Policy Type
Single	\$20.00	\$20.00	\$0.00	1.5 % Increase on base hourly rate of \$18.05 or \$0.27 per hour or \$561.60 annually	\$561.60 - \$0 = \$561.60
Emp/Spouse	\$40.00	\$40.00	\$0.00		\$561.60 - \$0 = \$561.60
Emp/Children	\$40.00	\$40.00	\$0.00		\$561.60 - \$0 = \$561.60
Family	\$60.00	\$60.00	\$0.00		\$561.60 - \$0 = \$561.60

Plan B	Current Monthly Employee Contribution	Proposed Monthly Employee Contribution	Proposed Annual Increase to Employee	SALARY	Net Annual Salary Increase by Health Insurance Policy Type
Single	\$40.00	\$40.00	\$0.00	1.5 % Increase on base hourly rate of \$18.05 or \$0.27 per hour or \$561.60 annually	\$561.60 - \$0 = \$561.60
Emp/Spouse	\$80.00	\$80.00	\$0.00		\$561.60 - \$0 = \$561.60
Empl/Children	\$80.00	\$80.00	\$0.00		\$561.60 - \$0 = \$561.60
Family	\$120.00	\$120.00	\$0.00		\$561.60 - \$0 = \$561.60

County's Current Contribution towards Union Employees' Coverage

Plan A	Current Annual County Contribution
Single	\$5,070.96
Emp/Spouse	\$10,385.40
Emp/Children	\$9,599.28
Family	\$15,562.80

Plan B	Current Annual County Contribution
Single	\$5,372.52
Emp/Spouse	\$11,014.32
Empl/Children	\$10,144.32
Family	\$16,504.56

Said tentative agreement was subsequently rejected by the members of Local 234. Discussion ensued with agreement reached to forego fact finding and proceed right to arbitration.

Moved by Nelson, second by Zimmerman to approve Municipal Solid Waste Sanitary Landfill Local Government Guarantee on behalf of Rural Iowa Waste Management Association in an amount not to exceed \$567,490.50. Motion carried.

After review, it was moved by Nelson, second by Zimmerman to approve final draft of Request for Proposals – Risk Management Consulting Services and direct Auditor to proceed with publication of same. Motion carried.

Board considered Contract for Targeted Case Management Services between Butler County, Iowa and the Department of Human Services. Kathy Jordan did not appear. Moved by Nelson, second by Zimmerman to approve same. Motion carried.

Board met with C.P.C. Bob Lincoln to hear program updates.

Moved by Nelson, second by Zimmerman to approve Class C Liquor Licenses with Outdoor and Sunday Sales for Beaver Meadows Golf & Country Club, Round Grove Golf & Country Club and CARD, Inc. Motion carried.

Moved by Zimmerman, second by Nelson to affirm the appointment of Richard Vickers as a rural representative to the Board of Library Trustees of the Town of Greene. Motion carried.

Moved by Zimmerman, second by Nelson to approve Joint Agreement between Butler County, Iowa and City of Shell Rock, Iowa wherein City authorizes County to proceed with establishment of Urban Renewal Area. Motion carried.

Moved by Nelson, second by Zimmerman to approve Agreement to Include Agricultural Land in Urban Renewal Area between Butler County, Iowa and Frank H. Reints, Jeffrey & Michelle Reints, Renning Farms LLC, and John Luebbbers. Motion carried.

Board acknowledged receipt of Manure Management Plan Annual Updates for Barnett Finisher Farm, Asche East Finisher Farm, Frances Finisher Farm, Fink Finisher Farm, PHD Site 1, PHD Site 2, Noelck Swine Farm LLC, F087 and Noelck Pork.

Board reviewed and approved claims on file with the County Auditor from March 3, 2010 to March 16, 2010.

Moved by Zimmerman, second by Nelson to adjourn to Tuesday, March 23, 2010 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 March 16, 2010.