

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JUNE 15, 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 County Engineer John Riherd to consider Employment Contract for the period of July 1, 2010 through June 30, 2013. Moved by Nelson, second by Zimmerman to approve said Employment Contract. Motion carried.

Time set for a Public Hearing on a Revolving Loan Fund application by Steve Maricle, dba The Cooler, Shell Rock, Iowa. No taxpayers were present. No written or oral comments were received. At the close of the Public Hearing, it was moved by Nelson, second by Zimmerman to adopt Resolution as follows:

RESOLUTION NO. 699

WHEREAS, The Butler County Board of Supervisors (hereinafter referred to as **The Board**) has approved a Small Business Loan Plan by Motion on June 15, 2010 to be administered by **The Board** for the purposes of assisting small businesses; and

WHEREAS, Steve Maricle, dba The Cooler, of Shell Rock, Iowa has applied for a small business loan from the Butler County Revolving Loan Fund in the amount of \$14,000.00, 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 \$14,000.00 be approved for Steve Maricle, dba The Cooler, 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 Steve Maricle, dba The Cooler, 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 blanket security on the business assets and a personal guarantee.

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 15th day of June, 2010.

ATTEST: Holly A. Fokkena, County Auditor

Time set for a Public Hearing on a Revolving Loan Fund application by Karen J. Miller, dba K & S Grocery, Clarksville, Iowa. No taxpayers were present. No written or oral comments were received. At the close of the Public Hearing, it was moved by Zimmerman, second by Nelson to adopt Resolution as follows:

RESOLUTION NO. 700

WHEREAS, The Butler County Board of Supervisors (hereinafter referred to as **The Board**) has approved a Small Business Loan Plan by Motion on June 15, 2010 to be administered by **The Board** for the purposes of assisting small businesses; and

WHEREAS, Karen J. Miller, dba K & S Grocery, of Clarksville, Iowa has applied for a small business loan from the Butler County Revolving Loan Fund in the amount of \$15,000.00, 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 \$15,000.00 be approved for Karen J. Miller, dba K & S Grocery, 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 J. Miller, dba K & S Grocery, 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 blanket security on business assets and a personal guarantee.

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 15th day of June, 2010.

ATTEST: Holly A. Fokkena, County Auditor

Time set for a Public Hearing on a Revolving Loan Fund application by Lisa Trees, dba Sweet Trees Ice Cream Parlor & Café, Clarksville, Iowa. No taxpayers were present. No written or oral comments were received. At the close of the Public Hearing, it was moved by Nelson, second by Zimmerman to adopt Resolution as follows:

RESOLUTION NO. 701

WHEREAS, The Butler County Board of Supervisors (hereinafter referred to as **The Board**) has approved a Small Business Loan Plan by Motion on June 15, 2010 to be administered by **The Board** for the purposes of assisting small businesses; and

WHEREAS, Lisa Trees, dba Sweet Trees Ice Cream Parlor & Café, Clarksville, Iowa has applied for a small business loan from the Butler County Revolving Loan Fund in the amount of \$5,000.00, 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 \$5,000.00 be approved for Lisa Trees, dba Sweet Trees Ice Cream Parlor & Café, 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 Lisa Trees, dba Sweet Trees Ice Cream Parlor & Café, 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 mortgage on the property located at 1203 S Main St, Clarksville, Iowa.

UPON Roll Call the vote thereon was as follows:

AYES:	Karl Nelson	NAYS: None
	Ken Oldenburger	
	John Zimmerman	

WHEREUPON the Resolution was declared duly adopted this 15th day of June, 2010.

ATTEST: Holly A. Fokkena, County Auditor

Board discussed the need for temporary part-time help to assist with special courthouse projects, grounds maintenance and document imaging. The Board authorized the Auditor to utilize recently retired Maintenance Supervisor as needed for grounds maintenance and special projects. Board further authorized the Auditor or Elections Deputy to utilize trained election employees to perform scanning of old election documents not to exceed 8 hours per week until project can be completed.

Board reviewed correspondence from Attorney Eric Boehlert regarding the preliminary steps for setting public hearings on proposed sale of bonds for 220th Street Reconstruction project. County Engineer John Riherd and Assessor Deb McWhirter were present. It was agreed that Attorney Boehlert should proceed with preparation of documents necessary to hold public hearings on July 27, 2010.

Mike Campbell, Campbell-Mellema Insurance, did not appear due to renewal documents being unavailable.

Board reviewed and approved claims on file with the County Auditor from June 2, 2010 to June 15, 2010.

Board canvassed the votes cast of the Primary Election held on June 8, 2010. Tom Heidenwirth was present. Returns for the Federal and State races are available for review at www.butlercoiowa.org or in the office of the County Auditor. Following are the parties' nominations for the County offices:

	<u>Republican</u>	<u>Democratic</u>
Board of Supervisors, District 2	Tom Heidenwirth	No Candidate
Board of Supervisors, District 3	Ken Oldenburger	No Candidate
County Treasurer	Louise Squires	No Candidate
County Recorder	Janice K. Jacobs	No Candidate
County Attorney	Greg Lievens	No Candidate

Supervisor Nelson excused himself at 12:00 p.m.

Board met with C.P.C. Bob Lincoln regarding the following matters:

- 1) requested minor remodeling of the Butler County Resource Center and reviewed proposals to upgrade the telephone system. Board authorized the minor remodeling at the County's expense. Party responsible for the costs of the telephone system is yet to be determined.
- 2) requested the ability to transfer minor furniture and equipment between County Social Services member counties as needed. Moved by Zimmerman, second by Oldenburger to allow such transfers of minor furniture and equipment as approved by the County Auditor. Motion carried.
- 3) reported to the Board on the proposed Regional Mental Health Assessment Center and the status of the County Services Network.
- 4) shared with the Board a request by the United Way of North Iowa for occasional use of office space at the Resource Center. The Board requested information on what Butler County agencies are being served by their organization before approving the request.

Board acknowledged receipt of Manure Management Plan Annual Updates for Kampman Finisher Farm; Cutshall Finisher Farm; and Henning Finisher Farm.

Board acknowledged receipt of a Request for a Recount of the District 2, Butler County Supervisor race filed by John Zimmerman. Board ordered the Butler County Auditor and Commissioner of Elections Holly A. Fokkena to proceed with the steps necessary to facilitate the request.

Moved by Zimmerman, second by Oldenburger to adjourn to Tuesday, June 22, 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 June 15, 2010.