

**MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JUNE 30, 2011.**

Meeting called to order at 9:00 a.m. by Chairman Karl Nelson with member Tom Heidenwirth present. Member Ken Oldenburger was absent. Star-Tribune Editor Staci Miller was also present.

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

Board met with Kim Dix, Kesley Businessmen, to hear update on the demolition of the Kesley Cooperative Creamery. County Engineer John Riherd was also present. Dix requested that upon removal of the remaining concrete, the County provide fill dirt and gravel if possible. As Kelsey is an unincorporated area, it was agreed that the County Engineer should work with the Kesley Businessmen on the details of completing the project.

Board met with Public Health Director Jennifer Becker to review Employment Contract. Becker reported that said Contract had been previously approved by the Butler County Board of Health. Moved by Nelson, second by Heidenwirth to approve same. Motion carried.

Board considered the following contracts and agreements:

Contract for Early Childhood Iowa Coordination Services between Together 4 Families & Butler County.

Early Childhood Iowa Contract for Fiscal Agent Services between Together 4 Families & Butler County.

Early Childhood Iowa Compliance Assurances document.

It was moved by Heidenwirth, second by Nelson to approve the above referenced contracts and agreements. Motion carried.

Upon review, it was moved by Nelson, second by Heidenwirth to approve Resolution to Reappropriate as follows:

**RESOLUTION #733  
FY2011 REAPPROPRIATION**

**BE IT RESOLVED** by the Butler County Board of Supervisors to appropriate the following additional amounts to be expended in various categories and the line items of the budget from which they are used for Fiscal Year 2010 – 2011.

Emergency Services - \$1,000 from Court Services

Upon Roll Call the vote thereon was as follows:

**AYES:** Tom Heidenwirth

**NAYS:** None

Karl Nelson

**ABSENT:** Ken Oldenburger

**WHEREUPON** the Resolution was declared duly adopted this 30th day of June 2011.

**ATTEST:** *Holly A. Fokkena*, County Auditor

After review it was moved by Heidenwirth, second by Nelson to adopt Resolution for Fiscal Year 2012 Appropriations as follows:

**APPROPRIATION RESOLUTION #403-12**

**WHEREAS**, it is desired to make appropriations for each of the different officers and departments for the year beginning July 1, 2011, in accordance with section 331.434, subsection 6, Code of Iowa, now therefore

**BE IT RESOLVED** by the Board of Supervisors of Butler County, Iowa as follows:

Section 1. The amount itemized by fund and by department or office on the following schedule are hereby appropriated from the resources of each fund so itemized, to the department or office listed in the first column on the same line of the following schedule.

	General Basic	General Supplemental	Mental Health	Rural Services	Secondary Roads	Misc.	Total
Law Enforcement	924,187	323,202		511,162		7,000	1,765,551
County Attorney	143,650	56,504					200,154
Medical Examiner	35,000						35,000
Emergency Services		85,000		20,575			105,575
Court Services	11,350	8,000					19,350
Public Health	997,001						997,001
Sanitarian	44,205						44,205
Mental Health			28,750,000				28,750,000
Social Services	332,387	54,655					387,042
Conservation	224,035	77,521				861,300	1,162,856
County Environment	30,250			227,161		65,000	322,411
Educational Services	21,000			60,650		200	81,850
Secondary Roads				50,000	7,000,000		7,050,000
Representation Services		185,089		10,125			195,214
Treasurer	230,891	90,752					321,643
Recorder	117,185	55,806				5,000	177,991
Supervisors	103,490	35,265					138,755
Auditor	136,042	53,617					189,659
Information Technology	404,617	24,379					428,996
County Administration	436,378	194,467					630,845
Capitol Projects	100,000						100,000
County Farm	10,000						10,000
Debt Service	38,960					189,050	228,010
<b>TOTAL:</b>	<b>4,340,628</b>	<b>1,244,257</b>	<b>28,750,000</b>	<b>879,673</b>	<b>7,000,000</b>	<b>1,127,550</b>	<b>43,342,108</b>

**Section 2.** Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under section 1, shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective July 1, 2011.

**Section 3.** In accordance with section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amount appropriated pursuant to this resolution.

**Section 4.** If any time during the 2011-2012 budget year the auditor shall ascertain that the available resources of a Fund for that year will be less than said fund's total appropriations, she shall immediately so inform the board and recommend appropriate corrective action.

**Section 5.** The auditor shall establish separate accounts for the appropriations authorized in section 1, each of which account shall indicate the amount of the appropriation, the amount charged thereto and the unencumbered balance. The auditor shall report the status of such accounts to the applicable departments and officers monthly during the 2011-2012 budget year.

**Section 6.** All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2011.

**UPON Roll Call** the vote thereon was as follows:

**AYES:** Karl Nelson  
Tom Heidenwirth  
**ABSENT:** Ken Oldenburger

**NAYS:** None

**WHEREUPON,** The Resolution was declared duly adopted this 21<sup>st</sup> day of June, 2011.

**ATTEST:** *Holly A. Fokkena*, County Auditor

Moved by Heidenwirth, second by Nelson to set a Public Hearing to hear comments on the Allison Equipment & Maintenance Facility project for Tuesday, July 19, 2011 at 1:45 p.m. Motion carried.

Moved by Nelson, second by Heidenwirth to set a Public Hearing on Ordinance No. 14, Title V – Ordinance Repealing previous ordinances relating to private wells and on-site waste water treatment for Tuesday July 19, 2011 at 10:30 A.M. Motion carried.

Moved by Nelson, second by Heidenwirth to adopt Resolution for Interfund Operating Transfers to Secondary Roads Fund for Fiscal Year 2012, in the amount of \$115,000 from General Basic Fund and \$1,425,000.00 from Rural Services Fund as follows:

**RESOLUTION FOR INTERFUND OPERATING TRANSFER #404-12  
RURAL SERVICES FUNDS TO SECONDARY ROADS FUND**

WHEREAS, it is desired to authorize the auditor to periodically transfer sums from the general basic and rural services basic funds to the secondary road fund during the 2011/2012 budget year, and

WHEREAS, said transfers must be in accordance with section 331.429, Code of Iowa, now therefore;

BE IT RESOLVED by the Board of Supervisors of Butler County, Iowa as follows:

Section 1. The total maximum transfer from the general basic services fund to the secondary road fund for the fiscal year beginning July 1, 2011, shall not exceed the sum of \$115,000. The total maximum transfer from the rural services basic fund to the secondary road fund for the fiscal year beginning July 1, 2011, shall not exceed the sum of \$1,425,000.00.

Section 2. After being notified of the apportionment of current property taxes, mobile home taxes, military service tax credit, or delinquent taxes paid for prior years to the general basic or rural services basic fund, the auditor shall order a transfer from said fund to secondary road fund.

Section 3. The amount of the transfer required by section 2 shall be equal to the apportionment made under section 2, to the general basic or rural services basic fund, respectively, multiplied by the ratio of said fund's total maximum transfer to the secondary road fund, to the sum of said fund's total current property tax levy, total mobile home taxes, total military service tax credits, and total delinquent taxes paid for prior years.

Section 4. Notwithstanding the provisions of section 2 and 3 of this resolution, total transfers to the secondary road fund shall not exceed the amount specified in section 1.

Section 5. Notwithstanding the provisions of section 2 and 3, the amount of any transfer shall not exceed available funds balances in the transferring fund.

Section 6. The auditor is directed to correct her books when said operating transfers are made and to notify the treasurer and the county engineer of the amount of said transfers.

UPON Roll Call the vote thereon was as follows:

AYES: Tom Heidenwirth	NAYS: None
Karl Nelson	
ABSENT: Ken Oldenburger	

WHEREUPON the Resolution was declared duly adopted this 30<sup>th</sup> day of June, 2011.

ATTEST: Holly A. Fokkena, County Auditor

Acknowledged receipt of Manure Management Plan Annual Updates for Henning Finisher Farm; Cutshall Finisher Farm; Kampman Finisher Farm; P262; P263; P264; and Worley Pork LLC.

Board reviewed detailed report showing Secondary Roads expenditures for 220<sup>th</sup> Street & T55 Project. Moved by Heidenwirth, second by Nelson to authorize the County Auditor to transfer \$125,910.00 from Capitol Projects Fund to the Secondary Roads Fund. Motion carried.

Board met with Sheriff Jason Johnson to hear details of upcoming January 1, 2013 deadline for compliance with communications interoperability. He indicated the total costs to become compliant may reach \$100,000 and asked that the Board be aware that funding may be required in the upcoming Fiscal Year. He further indicated that there was money budgeted in Fiscal Year 2011 which would have covered most of the cost but he elected to further research cost saving options and allow that money to remain unspent.

Board considered Resolution Declaring an Official Intent Under Treasury Regulation 1.150-2 to Issue Debt to Reimburse the County for Certain Original Expenditures as follows:

**RESOLUTION #734  
RESOLUTION DECLARING AN OFFICIAL INTENT UNDERTREASURY REGULATION 1.150-2 TO  
ISSUE DEBT TO REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN  
CONNECTION WITH SPECIFIED PROJECTS**

WHEREAS, the County anticipates making cash expenditures for one or more capital improvement projects generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the County reasonably expects to issue debt to reimburse the costs of a Project; and

WHEREAS, the Board believes it is consistent with the County's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the following Project(s), from time to time and in such amounts as this Board determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the County reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the County in the future.

Section 4. That the total estimated costs of the Project(s), the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project(s) and the estimated dates of completion of the Project(s) are reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost*</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
Equipment Storage Facility	Butler County Secondary Road Fund	\$1,418,586	\$1,418,586	March 30, 2012

See Attached Exhibit A for breakdown of costs included in Total Estimated Cost

Section 5. That the County reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service.

Section 6. That this Resolution be maintained by the County Auditor in an Official Intent File maintained in the office of the Auditor and available at all times for public inspection, subject to such revisions as may be necessary.

UPON Roll Call the vote thereon was as follows:

AYES: Tom Heidenwirth  
 Karl Nelson  
 NAYS: None  
 ABSENT: Ken Oldenburger

WHEREUPON, The Resolution was declared duly adopted this 30<sup>st</sup> day of June, 2011.

ATTEST: *Holly A. Fokkena*, County Auditor

**Exhibit A**  
**Breakdown of Estimated Costs for Equipment Storage Facility**

Construction of Building	
Contract to be awarded	\$1,250,000
Professional Fees and Services	
Accord Architecture	\$ 81,250
Submittal Exchange	\$ 2,336
Terracon	\$ 7,500
Butler County Engineer's Office	\$ 7,500
Building Demolition (Labor & Equipment)	
Butler County Secondary Road Department	\$ 15,000
Preliminary Site Grading (Labor, Equipment & Materials)	
Butler County Secondary Road Department	\$ 25,000
Utility Connections (Water, Sewer, Gas & Electric)	
Contracts to be awarded	\$ 15,000
Finish Site Grading (Labor, Equipment & Materials)	
Contracts to be awarded	\$ 15,000
	\$ 1,418,586

**Wage Publication Report for FY2011**

**Reported Earnings: Gross**

Adams, Diane	6,655.11	Gomez, Carol	31,908.37	Oldenburger, Shane	49,851.87
Adelmund, Bryan	37,994.61	Groen, William	39,961.24	Pepples, Sarah	389.88
Allan, Steven	9,860.50	Gulick, Norman	315.00	Petersen, Martin	44,466.00
Angstman, Patricia	150.00	Harms, Duane	580.00	Peterson, Dwight	37,906.94
Aswegan, Bryon	300.00	Heidenwirth, Tom	13,038.96	Peterson, Matthew	25,821.97
Backer, Tim	33,024.96	Henricks, Debra	6,847.90	Rewerts, James	40,058.85
Backer, William	300.00	Hinders, Mary	22,086.20	Rieken, Jason	12,983.65
Bangasser, Mark	38,484.09	Hippen, Timothy	38,139.08	Riherd, John	90,000.00
Bass, Lane	51,510.53	Hoodjer, Scott	32,960.09	Roose, Holly	24,500.68
Bass, Larry	26,431.62	Hoodjer, Thomas	45,779.41	Roose, Karolyn	10,562.95
Becker, David	45,485.52	Jacobs, Jacob	37,700.57	Rops, Dennis	50,777.80
Becker, Jennifer	57,243.04	Jacobs, Janice	41,254.92	Rottink, Connie	32,086.92
Becker, Joan	300.00	Joebgen, Timothy	26,905.41	Schipper, David	38,849.83
Behnke, Ryan	37,936.23	Johnson, Diane	30,484.80	Schmadeke, Steven	53,145.04
Bettenga, Harris	39,157.73	Johnson, Jason	59,484.00	Schmitz, Lisa	300.00
Bidwell, Katie	28,898.88	Johnson, Jeremiah	812.51	Schoneman, Shane	39,026.44
Bills, Debra	38,396.50	Johnson, Mary	47,397.64	Schoneman, Vicki	36,782.97
Bohlen, Danny	37,890.19	Junker, Denise	48,768.24	Schrage, Chase	39,748.49
Boomgarden, Bobbi	2,457.50	Kampman, Dorothea	46,926.54	Schrage, Mark	150.00
Brouwer, Mary	37,074.00	Koenen, Nicholas	32,047.80	Schrage, Shari	33,523.18
Brunsma, Steven	45,885.00	Koop, Angela	150.00	Seehusen, Russell	38,389.35
Busse, Steven	61,593.91	Kraft, Brittni	1,768.00	Shultz, Michele	36,784.92
Carroll, Francis	39,579.55	Kramer, Mark	38,213.84	Siems, Kendall	2,708.38
Cassmann, Dennis	300.00	Krusey, Eileen	150.00	Siems, Maria	30,199.79
Christiansen, Daniel	37,940.75	Lammers, Michael	49,405.77	Smeins, Robert	420.00
Clark, Daniel	34,482.96	Landers, Wyatt	5,517.00	Smith, Kendall	46,056.73
Codner, William	150.00	Lebeck, Shawna	49,036.15	Spratt, Scott	37,860.98
Crawford, Larry	28,164.93	Leerhoff, Ronnie	300.00	Squires, Louise	45,967.92
Dann, Kathy	38,521.80	Lewis, Jeff	39,432.02	Stanbrough, Amy	8,202.55
Debner, Lonna	31,741.43	Lewis, Rashelle	25,989.96	Stancliffe, Julia	150.00
Debower, Cheryl	24,136.90	Lievens, Gregory	52,312.92	Steere, Calvin	35,878.41
Degroote, Jennifer	38,199.60	Lubben, Curt	50,280.83	Swarts, Rick	38,497.63
Devries, Carolyn	300.00	Martin, Steven	45,008.46	Tjabring, Thola	18,181.21
Devries, Vernon	49,671.96	Mcwhirter, David	300.00	Trees, Justin	55,176.77
Dewitt, Cynthia	43,017.06	Mcwhirter, Deborah	54,999.96	Trees, Rosemary	38,501.04
Dralle, Donis	22,539.09	Menken, Reid	3,224.25	Trepp, Sara	45,967.92
Dralle, Sarah	871.85	Mennen, Dennis	300.00	Truax, Beverly	38,852.95
Dralle, Wendy	29,419.92	Meyne, Fred	300.00	Uhlenhopp, Jon	40,347.38
Eberle, Kathleen	3,485.28	Miller, Billy	627.00	Ulrichs, Steve	25,734.00
Eberline, David	300.00	Miller, Sharlene	36,774.00	Vandenberg, Tracie	20,714.47
Etjen, Craig	38,964.02	Miller-clark, Betty	18,668.11	Vickers, Richard	210.00
Fehlberg, Amy	38,517.33	Minnier, Richard	1,172.50	Viet, Carole	10,590.84
Feldman, Donald	300.00	Nelsen, Dorothy	51,790.88	Viet, De wayne	32,843.93
Fleshner, Tamara	40,422.39	Nelson, Angela	1,988.79	Voss, Karla	36,784.92
Fokkena, Holly	47,002.92	Nelson, Karl	26,077.92	Wangsness, Debra	31,283.11
Forry, Bonnie	25,199.08	Neuhaus, Henry	150.00	Wedeking, Derek	3,613.50
Forry, Chester	38,814.20	Neuhaus, Ryan	150.00	Wedeking, Matthew	725.00
Franken, Bernard	385.00	Nevenhoven, Kenneth	40,185.56	Weinberg, Michael	18,674.40
Franken, Craig	22,919.46	Nevenhoven, Michael	32,043.30	Wiegmann, Cory	30,812.45
Freese, Angela	23,034.96	Nicolaus, Roxanne	33,556.92	Wiegmann, Eldo	3,230.00
Fresemann, Collin	49,863.32	Nielsen, Terin	805.30	Williams, Lizbeth	11,424.00
Frevert, Craig	40,470.00	Nieman, Andrea	3,465.00	Winterberg, Kiley	53,180.62
Frye, Debra	40,096.45	Nordmeyer, Mitchell	35,199.96	Zimmerman, John	13,038.96
Gansen, Joyce	18,112.41	Oldenburger, Kenneth	26,077.92	Total Wages:	4,330,977.13
Geelhoed, Roxann	5,964.00	Oldenburger, Michele	300.00		

Board reviewed Sworn Statement in Proof of Loss for Allison Equipment & Maintenance Facility received from ICAP. Moved by Heidenwirth, second by Nelson to approve and sign same. Motion carried.

Board met with members of the New Hartford Sign Committee. Present representing the Committee were Terry Thompson, John Anderson, Bill Close and Joe Simon. Also present was County Engineer John Riherd. John Anderson reported that the City of New Hartford wishes to erect a City sign and that they would like to place it east of The Curve. He indicated he believed the property in question was owned by the County and he requested permission to place said sign on the property. Terry Thompson further requested the County provide fill dirt to elevate the location to eliminate potential water problems. County Engineer Riherd indicated he did not believe the County owned the property in question and further does not believe it appropriate for his department to be involved in a city project such as this. The Board recommended the City of New Hartford pursue a title search be completed by their city attorney to determine ownership of the property in question.

Board approved claims as submitted.

Moved by Nelson, second by Heidenwirth to adjourn to Tuesday, July 5, 2011 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 30, 2011.