

# MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MAY 10, 2011.

Meeting called to order at 9:00 a.m. by Chairman Karl Nelson with members Ken Oldenburger and Tom Heidenwirth present. Also present was Staci Miller, Editor Butler County Tribune Journal.

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

Board met with County Engineer John Riherd to consider the following:

- 1) Right of Way Contract between Butler County, Iowa and Derek J. Kramer for .65 acres and 17 rods of fence located in Section 32, Butler Township for \$5,074.00. Moved by Oldenburger, second by Heidenwirth to approve same. Motion carried.
- 2) Right of Way Contract between Butler County, Iowa and Frances Johnson for .82 acres located in Section 31, Butler Township for \$5,740.00. Moved by Oldenburger, second by Heidenwirth to approve same. Motion carried.
- 3) Right of Way Contract between Butler County, Iowa and James T. Johnson for .95 acres located in Section 5, Shell Rock Township for \$6650.00. Moved by Heidenwirth, second by Oldenburger to approve same. Motion carried.
- 4) Right of Way Contract between Butler County, Iowa and John & Marietta Kramer for 1.52 acres and 77 rods of fence located in Section 32, Butler Township for \$12,334.00. Moved by Oldenburger, second by Heidenwirth to approve same. Motion carried.
- 5) Right of Way Contract between Butler County, Iowa and Kenneth H. Willson for .54 acres located in Section 5, Shell Rock Township for \$3,780.00. Moved by Oldenburger, second by Heidenwirth to approve same. Motion carried.
- 6) Right of Way Contract between Butler County, Iowa and Albert Reents Testamentary Trust for .14 acres located in Section 31, Butler Township for \$980.00. Moved by Oldenburger, second by Heidenwirth to approve same. Motion carried.

Board reviewed proposed Contract between Butler County, Iowa and Accord Architecture for design and oversight of Allison Equipment Shed project at a cost of 6.5% of the construction costs. Moved by Heidenwirth, second by Nelson to approve said Contract.

Upon Roll the vote thereon was as follows:

AYES: Tom Heidenwirth  
Karl Nelson

NAYS: Ken Oldenburger

Board approved claims as submitted.

Board held a Public Hearing on Ordinance to recodify the Butler County Code of Ordinances, Title 1, No. 2a. No taxpayers were present. No written or oral comments were received. Upon the close of the Public Hearing, it was moved by Heidenwirth, second by Oldenburger to approve the 1<sup>st</sup> reading of said Ordinance. Motion carried. It was further moved by Oldenburger, second by Heidenwirth to suspend the rules and waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings and adopt Ordinance Title 1, No. 2a, Code of Ordinances in effect for Butler County, Iowa, Revised May 10, 2011.

Upon Roll the vote thereon was as follows:

AYES: Tom Heidenwirth  
Karl Nelson  
Ken Oldenburger

NAYS: None

Said Ordinance was declared adopted this 10<sup>th</sup> day of May, 2011.

Board met with Mike Ryan, HR Green, Inc. to hear update on status of repairs to the Greene Mill Dam. Also present were Conservation Director Steve Brunσμα, County Engineer John Riherd, and Emergency Management Coordinator Mitch Nordmeyer. Ryan reported that the Federal Energy Regulatory Commission (FERC) was last updated in November 2010 in which completion of the project was suggested to be done with grouted rip rap. FERC had at that time questioned the durability of grouted rip rap. Ryan stated he further researched the use of grouted rip rap and indicated he still felt it was the most acceptable option available. He indicated he felt the options were: 1) to do nothing and close out the contract, 2) complete the project with grouted rip rap, or 3) construct additional dam apron at considerable cost.

Ryan further indicated that he and Engineer Riherd agree that whatever completion plan is utilized, a schedule outlining future monitoring and possible upkeep should be developed. The Board requested Ryan follow up on a reply to recent correspondence between himself and FERC. Riherd indicated he planned to contact Iowa Homeland Security to request another extension in case work cannot be completed by November 2011 due again to continued high water.

After discussion, it was moved by Oldenburger, second by Heidenwirth to appoint the following members to the Temporary Redistricting Commission.

Larry Backer (R) 420 N Main Street, Clarksville, Iowa 50619  
Patrick Vickers (D) 505 E Iowa Street, Greene, Iowa 50636  
Amy Swanson (D) 1312 Wemple Street, Parkersburg, Iowa 50665

Motion carried. It was further moved by Oldenburger, second by Heidenwirth to establish a per diem rate of \$50.00 per half day for work performed by said Commission. Motion carried.

Moved by Nelson, second by Oldenburger to set a Public Hearing on proposed minor subdivision request by Gerald Hobson for property located in Section 35, Butler Township, for Tuesday, May 24, 2011 at 9:30 a.m. Motion carried.

**Moved by Heidenwirth, second by Oldenburger to adjourn to Tuesday, May 17, 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 May 10, 2011.**