

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON OCTOBER 11, 2011.

Meeting called to order at 9:00 a.m. by Chairman Karl Nelson with members Mark Reiher and Tom Heidenwirth present.

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

Board met with County Engineer John Riherd to hear details of Resolution to Amend the FY12 DOT 5-Year Construction Program wherein projects were realigned, but no monetary changes were made. Moved by Heidenwirth, second by Reiher to adopt said Resolution.

RESOLUTION #744

**Resolution to Amend the Iowa DOT FY 2012
5 Year Secondary Roads Construction Program for Butler County**

BE IT RESOLVED: That the Board of Supervisors of Butler County, Iowa, initiates and recommends that the FY 2012 - 5 Year Secondary Roads Construction Program be amended and the following projects be created, changed, advanced, delayed or cancelled as shown;

Project Number	Type of Work	Change Made	Accomplishment Year Impact (\$1000s)		
			Previous Amount	New Amount	Net Change
L-F11W--73-12	Bridge Rehab	Advance from 1 st Priority Year	0	25	25
L-E12W30--73-12	Bridge Rehab	Advance from 1 st Priority Year	0	40	40
L-E12W10--73-12	Bridge Rehab	Advance from 4 th Priority Year	0	40	40
L-C26W10--73-12	Bridge Rehab	Advance from 4 th Priority Year	0	25	25
L-E12W40--73-12	Bridge Rehab	New Project	0	40	40
L-E12W20--73-12	Bridge Rehab	New Project	0	40	40
L-E14T10--73-12	Bridge Rehab	New Project	0	40	40
LFM-SC(12)--7X-12	Seal Coat	Reduce Budgeted Amount - Project Complete	90	70	(20)
LFM-SC(13)--7X-12	Seal Coat	Reduce Budgeted Amount - Project Complete	90	70	(20)
L-E7W10--7X-12	Bridge Rehab	Reduce Budgeted Amount - Project Complete	75	50	(25)
L-O12W--73-12	Culvert Replacement	Delay to 1 st Priority Year	75	0	(75)
L-N6W--73-12	Culvert Replacement	Delay to 1 st Priority Year	75	0	(75)
L-H32W--73-12	Culvert Replacement	Cancel - Completed with T55/220 th Project	35	0	(35)
Totals			440	440	0

BE IT FURTHER RESOLVED: That the Board of Supervisors of Butler County, Iowa, that this amended construction program be submitted to and approved by the Iowa Department of Transportation (Iowa DOT). Upon Roll Call the vote thereon was as follows:

AYES: Mark Reiher
Karl Nelson
Tom Heidenwirth
NAYS: None

WHEREUPON the Resolution was declared duly adopted this 11th day of October, 2011.

ATTEST: *Holly A. Fokkena*, County Auditor

Board approved claims as submitted.

Board Member Reiher introduced the following Resolution entitled "RESOLUTION DIRECTING SALE OF \$1,530,000 GENERAL OBLIGATION BONDS, SERIES 2011" and moved its adoption. Board Member Heidenwirth seconded the motion to adopt. The roll was called and the vote was,

AYES: Tom Heidenwirth
Mark Reiher
Karl Nelson
NAYS: None

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION DIRECTING THE SALE OF \$1,530,000 GENERAL OBLIGATION BONDS, SERIES 2011

WHEREAS, pursuant to notice as required by law, bids have been received at public sale for General Obligation Bonds, Series 2011, in the principal amount of \$1,530,000, and the best bid received is determined to be the following:

Name & Address of Bidder: Bankers' Bank, Madison, Wisconsin
True Interest Rate: 1.2959 %
True Interest Cost: \$82,104.00

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

Section 1. That the bid for the bonds as above set out is hereby determined to be the best and most favorable bid received and, the bonds are hereby awarded based on the bid.

Section 2. That the statement of information for bond bidders and the form of contract for the sale of the bonds are hereby approved and the Chairperson and Auditor are authorized to execute the same on behalf of the County.

Section 3. That the notice of the sale of the bonds heretofore given and all acts of the County Treasurer and other officials done in furtherance of the sale of the bonds are hereby ratified and approved.

Passed and approved this 11th day of October, 2011.

Board reviewed Quarterly Report of the Recorder and ordered it placed on file.

Moved by Reiher, second by Heidenwirth to approve Service Agreement between Iowa Department of Public Health and Butler County to allow for reimbursement of expenses incurred for Medical Examiner Investigator training. Motion carried.

Board held a Public Hearing on a Revolving Loan Fund Application by Keith Hinders, dba Doc's Restaurant & Lounge, Clarksville, Iowa. No taxpayers were present and no written or oral comments were received. Upon the close of the Public Hearing it was moved by Heidenwirth, second by Reiher to adopt Resolution.

RESOLUTION #745

WHEREAS, The Butler County Board of Supervisors (hereinafter referred to as **The Board**) has approved a Small Business Loan Plan by Motion on October 11, 2011 to be administered by **The Board** for the purposes of assisting small businesses; and

WHEREAS, Keith Hinders, dba Doc's Restaurant & Lounge, 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 Keith Hinders, dba Doc's Restaurant & Lounge, 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 Keith Hinders, dba Doc's Restaurant & Lounge, 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 Agreement on the business assets and a Personal Guarantee.

UPON Roll Call the vote thereon was as follows:

AYES: Karl Nelson NAYS: None
Tom Heidenwirth
Mark Reiher

WHEREUPON the Resolution was declared duly adopted this 11th day of October, 2011.

ATTEST: *Holly A. Fokkena*, County Auditor

The Board was unable to travel to the Butler County Farm to view cemetery due to crop not being harvested yet.

Moved by Reiher, second by Heidenwirth to adjourn to Tuesday, October 18, 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 October 11, 2011.