

## **MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON February 15, 2022.**

Meeting called to order at 9:00 A.M. by Chairman Rusty Eddy with members Tom Heidenwirth and Greg Barnett present. Moved by Barnett, second by Heidenwirth to approve the agenda. All ayes. Motion carried.

Minutes of the previous meeting were read. Motioned by Barnett, second by Heidenwirth to approve the minutes as read. All ayes. Motion carried.

No public comment received.

Misty Day, Planning and Zoning Environmental Health Specialist, discussed septic installations in Kesley that may encroach into roads and alleyways. The county has been receiving many applications as the current grant covers the cost of these septic installations. Eddy mentioned a phone call he received about an individual living outside of Kesley, wondering if he was eligible. Day relayed that Kesley is unincorporated so she looked at it as they have a farm, that would not qualify. John Riherd, County Engineer, commented that he would like a formal approval process for individuals wanting the septic installation, as this would ensure the validity of an application. Supervisor Barnett commented that he would be fine with these septic installations, but would like them to stay within their own lots and not cross over. Day commented that she typically keeps them within the property lines. Day currently has three applications and anticipates homeowners to take advantage of this opportunity with the grant funds available. Riherd discussed the possibility of vacating an alley although it seems there would be enough interested parties to not vacate the alley. Vacating the alley would help with septic installations as it would offer an additional 30 feet to work with. The general consensus was to forego the ten-foot setback, but keep them within the property lines and Day agreed with that decision. Supervisor Eddy made a note to invite any citizens from Kesley who would like to address this with the board.

Auditor Leslie Groen discussed the ARPA funds which will total \$2.8 million. The ARPA Committee met on February 8<sup>th</sup> to review applications from Butler County Public Health, Dumont Telephone, Butler County Conservation, Environmental Health, and Auditor's office. The ARPA Committee reviewed each individual request and made the following recommendations to the Board of Supervisors to approve: \$200,000 to Dumont Telephone for broadband to underserved areas of Butler County, \$1.5 million to Public Health for a new building, and \$150,000 to Butler County Conservation for new shower houses at Camp Comfort and Wunsch Memorial campgrounds. These recommendations would commit \$1.85 million and the committee decided to table decisions on the remaining funds until complete estimates for the Public Health building were received. Ultimately, it is up to the Board to approve the recommendations. Discussions were held regarding new APRA funds final rule which allows opportunity for additional qualifying projects. Groen commented that this is Federal Grant money and the county will need to track exactly how these funds are spent. Sheriff Johnson mentioned that he understands the other projects are priority, although it would be a great help for them to have radio updates with some of the dollars. Riherd mentioned that he did not want to compete for these funds in-house and Groen shared that with the final rule changes we may want to consider new funding requests. Barnett made a motion to approve Resolution #1020, second by Heidenwirth. All ayes. Motion carried.

### **RESOLUTION #1020 TO APPROVE AMERICAN RESCUE PLAN ACT (ARPA) REQUEST FORMS AND THE DISBURSEMENT OF FUNDS**

WHEREAS, ON March 11, 2021 President Biden signed the \$109 trillion-dollar American Rescue Plan Act and;

WHEREAS, Butler County applied for and has received the first of two tranches from the American Rescue Plan Act which, in total, will be \$2,804,606 and;

WHEREAS, the Butler County ARPA Committee and Board of Supervisors have reviewed the Butler County American Rescue Plan Act (ARPA) Funding Project Request forms received prior to December 31, 2021;

WHEREAS, based on the distribution guidelines from the U.S. Department of Treasury, the following committed dollars have been approved for use of the American Rescue Plan Funds:

- Dumont Telephone for Broadband Grant NOFA #7 project (providing broadband to underserved areas of Butler County) for \$200,000
- New Public Health building project for \$1.5 million
- Butler County Conservation new shower houses for \$150,000

THEREFORE, BE IT RESOLVED; The Board of Supervisors of Butler County, State of Iowa, hereby approves of the disbursement of American Rescue Plan Act funds for the projects listed and authorizes the Auditor to make payments for qualified expenses.

Upon Roll Call the vote thereon was as follows:

AYES: Rust Eddy  
Greg Barnett  
Tom Heidenwirth

NAYS: None

WHEREUPON, the Resolution was declared duly adopted this 15<sup>th</sup> day of February, 2022.

Rusty Eddy  
Chairman, Board of Supervisors

ATTEST:  
Leslie Groen  
Leslie Groen, County Auditor

Auditor Groen reviewed the budget amendment figures and explanations and set a date and time for a FY22 Budget Amendment for 9:00 A.M on March 8, 2022.

The board reviewed the pipeline objection letter. Barnett moved to approve the pipeline objection letter, second by Heidenwirth. All ayes. Motion carried.

Riherd discussed a resolution authorizing the County Engineer to electronically sign contract documents for the Project STBG-SWAP-C012 (121)—FG-12. Eddy made a motion to approve Resolution #1021, second by Barnett. All ayes. Motion carried.

**RESOLUTION #1021**

WHEREAS, a construction project, STBG-SWAP-C012(121)--FG-12, to rehabilitate and resurface County Route T47 (Sinclair Ave) from Hwy 57 to Hwy 3 has been designed, let to bid and contract awarded by the Butler County Board of Supervisors; and

WHEREAS, the Iowa Department of Transportation (DOT) requires certain functions related to the administration of contracts for construction let through the DOT be completed electronically through the Doc Express and Appia services, provided by InfoTech, Inc; and

NOW THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, John Riherd, the County Engineer for Butler County, Iowa be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Passed and Approved this 15th day of February, 2022.

Rusty Eddy  
Rusty Eddy, Chairman  
Butler County Board of Supervisors

ATTEST: Leslie Groen  
Leslie Groen  
Butler County Auditor

The board considered a resolution to amend 2022 County Five Year Program. This would allow authorization to let in the current year. Heidenwirth made a motion to approve Resolution #1022, second by Barnett. All ayes. Motion carried.

**RESOLUTION #1022**  
**2022 County Five Year Program Amendment 1**  
**Butler County Secondary Roads**

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year Program and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan.

The Board of Supervisors of Butler County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2022), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following projects shall be MODIFIED as follows:

Project Number Project ID	Name Description of Work	AADT Length Bridge ID	Type of Work Fund	Modifications	Total
L-C012(H14N10)--73 -12 H14N10 21505	On 180 ST, Over STREAM, from YaleAve W 400 feet toBridge	20 0.000 miles 88340	320 Bridges Local	added 80,000 Local dollars to 2022  removed 80,000 Local dollars from 2023	\$80,000
BHS-SWAP-C012(P05T10)--FC-12 P05T1020207	On T55, Over WEST FORK CEDAR RIVER, from 280th Street South 2600 Feet to Bridge	730 0.000 miles 86580	320 Bridges SWAP	removed 250,000 SWAP dollars from 2022  added 250,000 SWAP dollars to 2023	\$250,000
BRS-SWAP-C012(113)--FF-12 P05T2030990	On T55, Over OVERFLOW W FORK CEDAR RIV, from 280th Street South 1800 Feet to Bridge	730 0.000 miles 86590	320 Bridges SWAP	removed 1,250,000 SWAP dollars from2022  added 1,250,000 SWAP dollars to 2023	\$1,250,000
Fund		Accomplishment Year			
		Previous Amount	New Amount	Net Change	
Local	\$935,000	\$1,015,000	\$80,000		
Farm-to-Market	\$2,200,000	\$2,200,000	\$0		
Special	\$0	\$0	\$0		
SWAP	\$2,500,000	\$1,000,000	-\$1,500,000		
Federal Aid	\$0	\$0	\$0		
<b>Totals</b>	<b>\$5,635,000</b>	<b>\$4,215,000</b>	<b>-\$1,420,000</b>		

Recommended  
*John Riherd* 02/15/22  
County Engineer Date

Approved  
*Rusty Eddy* 02/15/22  
Chair Board of Supervisors Date

Attested

I, Leslie Groen, Auditor in and for Butler County, Iowa, do hereby certify the above and foregoing to be a true and exact copy of a resolution passed and approved by the Board of Supervisors of Butler County, Iowa, at its meeting held on the 15th day of February, 2022.

*Leslie Groen* 02/15/22  
County Auditor Date

The next item was to discuss and consider making an amendment to 2022 Iowa DOT Butler County Secondary Roads Budget. Riherd commented that the weather permitted to complete more projects last year, which in turn increased their costs as projects scheduled for the next year were finished early. The objective of this amendment is to reallocate the dollars in order to show these changes on the budget. Heidenwirth made a motion to approve the amendment, second by Eddy. All ayes. Motion carried.

Barnett made a motion to approve an application for a Class C Liquor License with Outdoor and Sunday Services for Beaver Meadows Golf and Country Club, Parkersburg, IA, second by Heidenwirth. All ayes. Motion carried.

Heidenwirth made a motion to approve an application for a Class C Liquor License with Outdoor and Sunday Services for Round Grove Golf and Country Club, Greene, IA, second by Eddy. All ayes. Motion carried.

Motioned by Barnett, second by Heidenwirth to approve claims. All ayes. Motion carried.

Motioned by Barnett, second by Heidenwirth to adjourn the regular meeting at 9:55 A.M. to February 22, 2022 at 9:00 A.M. All ayes. 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 February 15, 2022.

Attest: \_\_\_\_\_  
Butler County Auditor

\_\_\_\_\_  
Chairman of the Board of Supervisors