

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON SEPTEMBER 20, 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 Heidenwirth, second by Barnett to approve the minutes as read. All ayes. Motion carried.

A question was presented to the board asking about the compensation commission and if the pipeline goes to eminent domain, how might that be handled. Barnett explained that to his understanding there are individuals pulled from five different groups within the County's Compensation Commission in Eminent Domain. If it goes to court, a judge will appoint out of this pool of individuals. Eddy also commented that he received a phone call from the landowner next to the McDivitt's junkyard. He was pleased by the progress made by Mr. McDivitt and appreciates his efforts.

The board received sealed bids for Butler County farm leases. The board opened one bid regarding the 19 acres in NW1/4 NE1/4 of Section 1, Jackson Township. The one bid was received from Steve Henning for \$150/acre. Barnett made a motion to award the bid to Steve Henning, second by Eddy. All ayes. Motion carried. The board opened five sealed bids regarding the 281 acres in Sections 27 and 33 of Jackson Township. After a brief bidding process, the final bid had been reached and Barnett motioned to award the bid to John Wessels for \$505/acre, second by Eddy. All ayes. Motion carried.

Board reviewed the updated Memorandum of Agreement between Iowa DOT and Butler County. Treasurer, Roxie Nicolaus explained that the agreement had not been updated since 2018 and needed some minor changes to be cleaned up. Moved by Heidenwirth, second by Barnett to approve the updates. All ayes. Motion carried.

Susie Jacobs, Engineers Office Manager, discussed holding a Flu Shot Clinic in October. This is for full time employees and families on county insurance. Eddy motioned to allow employees to receive flu shots in October, second by Heidenwirth. All ayes. Motion carried.

Misty Day, Planning and Zoning Administrator, discussed zoning ordinance updates. Day met with the Butler County/Grundy County Citizens Against Turbines to implement some updates which Day shared. The public meeting process was updated to include private expense covering an easement that need to be negotiated. The setbacks were updated to include all property lines at 1,640 feet from turbines. Day commented that this setback will be very difficult to meet and there is some room to negotiate if property owners are in favor of having a turbine built within that setback. The decommission plan has moved from 1 year to 6 months if parameters are not met. An escrow account will be set up for decommissioning costs and this will be reviewed every three years. Additional changes regarding legality issues were updated as well. An official public hearing will be held in October to recommend the new updates, and Day is targeting November to have this completed.

Board discussed a carbon pipeline resolution. David Kuehner, County Attorney, mentioned that this may need to go through the zoning department. Day commented that guidance was received during ISAC meetings that zoning should not be involved at this point. Kuehner indicated that the law says the Iowa Utility Board has the authority in the matter. Barnett stated that he is for doing anything within their power to stop the pipeline. Eddy commented that everybody he has spoken to is not in favor of it. Day believes that the Emergency Management Director should be brought into the conversation as well.

Board considered ARPA Committee Project recommendations. Leslie Groen, Auditor, explained that the initial ARPA funds had more strings attached to how the money could be used. It was later stipulated that the funds could be used for a broader scope. Groen outlined how the funds have been allocated and that \$74,000 is remaining from the initial balance. Barnett moved to approve the allocation of funds with Resolution 1044, second by Heidenwirth. Roll call taken. All ayes. Motion carried and Resolution 1044 was approved as follows:

RESOLUTION #1044

TO APPROVE AMERICAN RESCUE PLAN ACT (ARPA) DISBURSEMENT OF FUNDS

WHEREAS, in March 2021, the federal government established the American Rescue Plan Act of 2021 (ARPA) which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide state, local and Tribal governments with the resources needed to respond to the pandemic and its economic effects; and

WHEREAS, Butler County applied for and has received \$2,804,606 from the American Rescue Plan Act 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 at that time, the following committed dollars were approved on February 15, 2022, 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, a new Public Health building project for \$1.5 million, and Butler County Conservation new shower houses for \$150,000.

WHEREAS, on January 6, 2022, the Treasury issued a final rule for the SLFRF program which took effect on April 1, 2022. The final rule included a standard allowance for revenue loss of up to \$10,000,000, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation.

WHEREAS, on April 19th, 2022, the Butler County Board of Supervisors elected to use the standard allowance for identifying revenue loss for its total SLFRF. Recipients that select the standard allowance may use that amount for government services, with streamlined reporting requirements.

WHEREAS, based on the standard allowance for identifying revenue loss for our total SLRFR allocation for government services, the Butler County ARPA Committee and Board of Supervisors have identified and committed American Rescue Plan Funds for the following:

- Courthouse parking lots and driveways - Repaving and updates for \$600,000
- Courthouse HVAC updates for \$180,000
- E911 Tower land purchase for \$100,000

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 amounts listed and authorizes the Auditor to make payments for qualified expenses.

Upon Roll Call the vote thereon was as follows:

AYES: Tom Heidenwirth
Rusty Eddy
Greg Barnett

NAYS: None

WHEREUPON, the Resolution was declared duly adopted this 20th day of September, 2022.

Rusty Eddy
Chairman, Board of Supervisors

ATTEST:
Leslie Groen, County Auditor

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

Motioned by Heidenwirth, second by Eddy to adjourn the regular meeting at 9:36 A.M. to September 27, 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 September 20, 2022.

Attest: Leslie Groen
Butler County Auditor

Rusty Eddy
Chairman of the Board of Supervisors