

**MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JANUARY 8, 2019.**

Meeting called to order at 9:00 a.m. by Chairman Rusty Eddy with members Greg Barnett and Tom Heidenwirth present. Also present were Engineer John Riherd, R.S. Sexton, Rockwell City, Iowa, Jim Luebbers, Aplington, Iowa, Emergency Management Coordinator Chris Showalter, Environmental Health Specialist Misty Kroeze and Bethany Carson, Mid-America Publishing.

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

Board held a public hearing on the new Construction Permit Application by NYG Line Farms, LLC in section 31 of Bennezette Township. Present were Engineer John Riherd, R.S. Sexton, Rockwell City, Iowa, Jim Luebbers, Aplington, Iowa, Emergency Management Coordinator Chris Showalter, Environmental Health Specialist Misty Kroeze, Assessor Michele Shultz, Sheriff Jason Johnson, Recorder Janice Jacobs and Bethany Carson, Mid-America Publishing. Auditor reported no written or oral comments received. At the close of the public hearing, it was moved by Barnett, second by Heidenwirth to approve. All ayes. Motion carried.

Board reviewed Quarterly Reports of Auditor, Recorder and Sheriff and ordered placed on file.

Moved by Eddy, second by Heidenwirth to approve the following:

**RESOLUTION # 917**

**RESOLUTION TO REVISE BUTLER COUNTY  
2019 FIVE YEAR ROAD PROGRAM**

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Construction 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 2019), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following approved Priority Year projects shall be **ADVANCED** to the Program's Accomplishment year:

Project Number Local ID TPMS #	Project Location Description of work	AADT Length NBIS #	Type Work Fund basis	Prior FY	Accomplishment Year (\$1000's of dollars)		
						New amount	Net change
FM-C012(106)--55-12 T24 Bristow TPMS ID: 34429	On T24, from Hwy 3 north & east 6.3 Miles to C23 CIPR w/3" HMA	280 6.3 MI	HMA Paving FM	2020		\$1350	\$1350
FM-C012(107)--55-12 T47 Thin lift TPMS ID: 34430	On T47, from C33 north 8.2 Miles to Floyd County Line Mill & Thin lift overlay	360 8.164	HMA Paving FM	2020		\$650	\$650
<b>Totals</b>						<b>\$2000</b>	<b>\$2000</b>

The following approved Priority Year projects shall be **ADDED** to the Program's Accomplishment year:

Project Number Local ID TPMS #	Project Location Description of work	AADT Length NBIS #	Type Work Fund basis		Accomplishment Year (\$1000's of dollars)		
						New amount	
FM-C012(108)--55-12 C23 Thin lift TPMS ID: 38535	On C23, from Hwy 14 East 4 Miles to T47 Mill & Thin lift overlay	190 3.953	HMA Paving FM			\$325	
FM-C012(110)--55-12 T24 Thin lift TPMS ID: 38536	On T24, from C23 North 4 Miles to C13 Mill & Thin lift overlay	120 3.893	HMA Paving FM			\$325	
<b>Totals</b>						<b>\$650</b>	

The following **PRE-EXISTING** Accomplishment Year projects shall be **MODIFIED** as follows:

Project Number Local ID TPMS #	Project Location Description of work	AADT Length NBIS #	Type Work Fund basis	Modification(s) applied	Accomplishment Year (\$1000's of dollars)		
					Previous Amount	New amount	Net change
FM-C012(109)--55-12 T64 Thin lift	On T64, from Hwy 188 north 4.1 Miles to Floyd County Line	630 4.1 MI	HMA Paving FM	Changed FM funding amount by 75,000 dollars	\$250	\$325	\$75

TPMS ID: 34431	Mill & Thin lift overlay			Changed Project Number / Type of Work Changed location attributes			
LFM-C55--7X-12 Reilly Road Shoulders TPMS ID: 35041	On C55, from Hwy 14 east 3 Miles to T47 Construct 8' Shoulders	320 2.953	Shoulders LOCAL	Moved to FY20	\$300	\$0	\$-300
LFM-(T47)--7X-12 Sinclair South Shoulders TPMS ID: 35103	On T47, from Hwy 57 north 4 Miles to C55 Construct 8' shoulders	550 4.015	Shoulders LOCAL	Moved to FY20	\$300	\$0	\$-300
FM-C012(xx)--55-12 FM Rock Resurfacing TPMS ID: 37167	On various Farm to Market rock roads throughout county		Granular FM	Moved to FY20	\$300	\$0	\$-300
<b>Totals</b>					<b>\$1150</b>	<b>\$325</b>	<b>\$-825</b>

Fund ID	Accomplishment year (\$1000's of dollars)		
	Previous Amount	New Amount	Net Change
Local Funds	\$1,525	\$925	\$-600
Farm to Market Funds	\$550	\$2,975	\$2,425
Special Funds	\$0	\$0	\$0
Federal Aid Funds	\$80	\$80	\$0
SWAP Funds	\$450	\$450	\$0
Total construction cost (All funds)	\$2,605	\$4,430	\$1,825
Local 020 Construction cost totals (Local Funds + BROS-8J FA funds)	\$1,605	\$1,005	\$-600

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 8<sup>th</sup> day of January 2019

ATTEST: *Lizbeth Williams*, County Auditor

Board met with members of Butler County Soil and Water Conservation District Lawrence Green, Jim Lindaman, Tammy Brocka, Scott Bruns and C. Reints for a program update and funding request for FY20. Also present was Director of Public Health Jennifer Becker. Funding level will be determined at budget time.

Board met with members of the Butler County Librarians Association Deb Eisentrager, Dumont Library, Kristen Clark, Clarksville Library, Patty Hummel, Allison Library, Cynthia Siemons, Greene Library, Gloria Schiller, Parkersburg Library and Julie Folken, Aplington, Library for a program update and funding request for FY20. Libraries will receive, by contract, \$80,000 split evenly among the eight Butler County libraries.

Board discussed possible changes to the Public Health/Environmental Health/Zoning areas of the basement. No changes will be made. Also present was Information Technology Director Sara Trepp.

Ordinance Amending the Official Zoning Map passed December 4, 2018 is as follows:

**ORDINANCE TITLE VI, No. 15**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH  
IS CONSIDERED PART OF BUTLER COUNTY, IOWA ZONING  
ORDINANCE (ORDINANCE NO. Title VI, No. 15, ADOPTED ON DECEMBER 4, 2018)**

Section 1. **RESCISSION.** This Ordinance rescinds the current zoning designation, Agricultural A-1, on the property legally described as:

The South One-half of the Northwest Quarter (S<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>) in Section 33, Township 92 North, Range 15 West of the 5<sup>th</sup> P.M., except that part lying North and East of the Chicago, Rock Island and Pacific Railway right of way, and except a tract beginning at a point on the quarter section line that is North 90°00' East 1044 feet from the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>) of Section 33, thence continuing North 90°00' East 640 feet, thence South 0°00' West 442 feet, thence South 90°00' West 640 feet, thence North 0° East 442 feet to point of beginning;  
and

The North One-half of the Southwest Quarter (N<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>) in Section 33, Township 92 North, Range 15 West of the 5<sup>th</sup> P.M.

on the Official Zoning Map as was originally adopted.

Section 2. **ADOPTION.** This Ordinance adopts in lieu thereof a new zoning designation "M", Manufacturing, for the property legally described above, on the Official Zoning Map.

Section 3. **INTEGRATION WITH CODE.** Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Butler County Zoning Ordinance (Ordinance No. Title VI, No. 15, adopted on December 4, 2018) as indicated by said section number and hereafter shall be cited by reference to said section number.

Section 4. **REPEALER.** All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

Section 5. **SEVERABILITY OF REPEALER.** All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

Section 6. **SEVERABILITY.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part not adjudged invalid or unconstitutional.

Section 7. **EFFECTIVE DATE.** This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

**PUBLIC HEARING AND FIRST PASSAGE (READING) on December 4, 2018.**

**SECOND PASSAGE (READING) on December 4, 2018.**

**THIRD AND FINAL PASSAGE (READING) AND ADOPTION on December 4, 2018.**

No public comment received.

Board approved claims as submitted.

Moved by Eddy, second by Barnett to adjourn the meeting at 10:30 A.M. to Tuesday, January 15, 2019 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 January 8, 2019.