



Section 1. **RESCISSION.** This Ordinance rescinds the current zoning designation, “A-1” Agriculture, on a parcel legally described as follows:

Beginning at the Southeast corner of the Southwest Quarter of Section 34, Township 92 North, Range 15 West of the 5th P.M., thence North along the East line of said Southwest quarter a distance of 188.14 ft, thence West a distance of 412.24’, thence South a distance of 188.14’, thence East a distance of 412.24’ to the point of beginning,

on the Official Zoning Map as was originally adopted.

Section 2. **ADOPTION.** This Ordinance adopts in lieu thereof a new zoning designation “R-2”, Moderate Density Residence, 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, Number 7, adopted on May 25, 2004) 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All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.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.

- 2 -

**PUBLIC HEARING AND FIRST PASSAGE (READING) on February 1, 2022.**

**SECOND PASSAGE (READING) waived February 1, 2022.**

**THIRD AND FINAL PASSAGE (READING) waived February 1, 2022**

**AND ADOPTION on February 1, 2022.**

**BUTLER COUNTY BOARD OF SUPERVISORS**

***BY: Rusty Eddy***  
Rusty Eddy, Chair

*Leslie Groen*  
Leslie Groen, County Auditor

Motioned by Barnett, second by Eddy to open a Public Hearing on an application from ‘Ten Hoeve Minor Plat’. Splits were made to the property due to a dairy farm and a new house being built. Misty Day stated that this was a pretty standard request. The Planning and Zoning Commission recommended that the board approve the rezoning request. Eddy motioned to close Public Hearing, second by Barnett. Barnett motioned to approve the rezoning of ‘Ten Hoeve Minor Plat’ through Resolution 1018, second by Eddy. All ayes. Motion carried to approve the following:

**RESOLUTION 1018**

**BUTLER COUNTY BOARD OF SUPERVISORS**

**APPROVING “ten Hoeve Minor Plat” WITH THE RECOMMENDATION OF THE BUTLER COUNTY PLANNING AND ZONING COMMISSION**

**BE IT RESOLVED** by the Butler County Board of Supervisors as follows:

- Section 1. The Butler County Planning and Zoning Commission held a Public Hearing on January 20, 2022, to consider a Minor Subdivision Plat entitled “ten Hoeve Minor Plat”.
- Section 2. The area is located in Part of the SE¼ & NE¼ of Section 13, Township 92 North, Range 15 West of the 5th P.M.
- Section 3. The Planning & Zoning Commission has made the recommendation that the Minor Subdivision Plat entitled “ten Hoeve Minor Plat” be approved.
- Section 4. The Board of Supervisors held its own public hearing on this Minor Subdivision Plat on February 1, 2022.
- Section 5. The Board of Supervisors hereby approve the Minor Subdivision Plat entitled “ten Hoeve Minor Plat” located in the SE¼ & NE¼ of Section 13, Township 92 North, Range 15 West of the 5th P.M.
- Section 6. This resolution shall take effect immediately.

The vote thereon was as follows:

**AYES:** Greg Barnett                      **NAYS:** None                      **ABSENT:** Tom Heidenwirth  
Rusty Eddy

Passed and approved this 1st day of February, 2022.

ATTEST: Leslie Groen  
Leslie Groen, County Auditor

County Auditor, Leslie Groen, discussed the FY23 budget. While the general basic and rural basic levy rates remained the same as the previous year, and after addressing changes in all departments, overall, the tax levy difference is down fifty-four cents from last year's budget. After a review of the Secondary Roads fund balances, it was determined that it is at a deficit of \$500,000. Options were discussed to remedy some of this deficit through tax offerings, but those options would not eliminate the deficit. Groen, along with Mindy Pecha, Finance Deputy, explained the difference between the options and the extent to which they would affect the budget. County Engineer, John Riherd, commented that something must be missing and would like time to review. Barnett specified that the tax dollar asking for secondary roads is up about \$100,000 from last year. The board will continue the discussion on the Secondary Roads budget the following week.

Eddy motioned to table item seven, time and date for Max Levy Public Hearing, to next week, second by Barnett. All ayes. Motioned carried.

County Engineer, John Riherd, discussed awarding a contract for a project on Sinclair Ave. to lay asphalt and resurface the road. Two bids were received, both within \$100,000, and the lowest bid was up about 20% from what was estimated for the project. Riherd pointed to the prices being high on most material. The original estimated costs were \$3.3 million and the bid was around \$3.9 million. Riherd made a recommendation to accept this bid and make amendments to the contract. Barnett indicated that he would like to see a concrete estimate. Barnett made a motion to table this item until next week, second by Eddy. All ayes. Motion carried.

John Riherd discussed the paving of Grove Road and 240<sup>th</sup> street. Bremer county approached Butler County with this project in hopes of working together to make improvements to this roadway. Barnett commented that Bremer County has close to four miles of work on the project and Butler County would have three-fourths of a mile. Shell Rock mayor, Larry Young was present, along with Mike Tellinghuisen, Shell Rock city maintenance. Tellinghuisen explained that Bremer County is anticipating development in that area, which is the primary reason for Bremer County wanting this road improved. A selling point for Bremer County is that some traffic from HWY 3 would move to the newly paved road. He also stated that the city of Shell Rock would cover the small portion of the road that is within city limits. The consensus was to let Bremer County spearhead the project and act on it pending Bremer County's feedback and plans.

The board reviewed the updated Eminent Domain Compensation Board per Resolution 342-22B. Motioned by Barnett to approve, second by Eddy. All ayes. Motion carried.

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

Butler County claims paid January 1, 2022 through January 31, 2022:

ABELS FUNERAL & CREMATION SERVICE,BURIAL EXP	1,500.00
ABRA EQUIPMENT SUPPLY LLC,PRTS	415.80
ACCESS SYSTEMS LEASING,EQUIP CONT	2,624.15
ACES,COMP EQUIP/EQUIP CONT/SUP	10,076.00
AGILITY RECOVERY SOLUTIONS,DISASTER RCVRY	439.90
AIRGAS NORTH CENTRAL,WLDG SUP	995.50
ALLIANT ENERGY,UTIL	35.66
ALLISON AMBULANCE SERVICE,AMB SVC	375.00
ALLISON VARIETY HARDWARE,MAINT/SUPLY	97.42
ALLISON, CITY OF,UTIL	344.04
ANSWER PLUS INC,EQUIP CONT	89.00
APLINGTON AMB. SERVICE,AMB SVC	300.00
BAEDKE, JOHANNA,DRIVER STIPEND	50.00
BAUER BUILT INC.,TIRES	15,564.20
BLACK HAWK COUNTY AUDITOR,MED EXMR	640.00
BLACK HAWK RENTAL,GRNDS	275.00
BLACK HILLS ENERGY,UTIL	291.87
BMC AGGREGATES L.C.,ROCK	111.94
BORCHARDT, MEREDITH,MLGE	15.00
BRUENING ROCK PRODUCTS, INC,ROCK	790.13
BURRELL PRINTING COMPANY, INC.,OFC SUP	230.25
BUSINESS CARD,MED SUP/OFC SUP/SCH INSTR	1,081.51
BUTLER BREMER COMMUNICATIONS,TELE	119.35
BUTLER COUNTY EMERGENCY SERVICES,QTRLY APPROP	22,500.00
BUTLER COUNTY ENGINEER,CAR EXP/FUEL	2,620.88
BUTLER COUNTY PUBLIC HEALTH,MED INVGTN	691.00
BUTLER COUNTY R.E.C.,UTIL	1,196.18
BUTLER COUNTY SOLID WASTE,DISP FEE	19,558.00
CAMPBELL SUPPLY,SUPLY	261.68
CAPITAL ONE,ENVIRON EDUC	251.35
CARDMEMBER SERVICE,FUEL/ENVIRON/OFC SUP/PRTS/SCH INSTR	3,487.79
CDW-G,COMP EQUIP	195.68
CENTRAL IOWA DISTRIBUTING,OFC SUP	107.50
CINTAS CORPORATION,SUPLY	84.36
CLARKSVILLE AMBULANCE SERVICE,AMB SVC	375.00

CLARKSVILLE LUMBER CO,LMBR/UPGRADES	106.93
CLARKSVILLE, CITY OF,UTIL	22.20
COLE EXCAVATING LLC,CONSTR	8,266.50
'COREPHP', LLC,COMP PROG	3,000.00
COZO,DUES	75.00
CUMMINS,SOFTWARE	720.00
DALE HOWARD AUTO CENTER,FLTR	71.10
DEBNER, LONNA,MLGE	358.00
DEWITT, CINDY,MLGE	410.50
DOUG'S HEATING & COOLING,MAINT	29.92
DUMONT TELEPHONE COMPANY,INTERNET/TELE	1,678.39
EDDY, ROBERT,MLGE	213.00
FASTENAL COMPANY,MISC SUP/PRTS/WLDG SUP	401.68
FELDMAN, FERN,MLGE	102.00
FLESHNER, TAMARA L.,MLGE	11.50
FORCE AMERICA INC.,PRTS	195.67
FRANKLIN GENERAL HOSPITAL,AMB SVC	300.00
GATR TRUCK CENTER,LBR/PRTS	42.91
GIERKE ROBINSON COMPANY, INC.,BRDG SUP	554.92
GILLEN, MACKENZIE,MLGE	364.00
GLOBAL HYDRAULICS & SUPPLY INC,PRTS	76.09
GRAINGER,MAINT	368.07
GREENE AMBULANCE SERVICE,AMB SVC	300.00
GREENE RECORDER, THE,BD PROC/PUBL/PUB NOT	309.22
GREENE, CITY OF,UTIL	64.00
GREENLEE, ROBERT J,PEO	20.00
HARKEN, KELLY,MLGE	112.00
HEALTHCARE FIRST,EQUIP CONT	134.40
HECKMAN, JOHN,DRIVER STIPEND	150.00
HEMANN, NANCY,MLGE	12.50
HINDERS, MARY ANN,MLGE	363.20
HOPPY'S AUTO PARTS INC.,MAINT	14.34
IMWCA,WK COMP	5,973.00
INTERSTATE BATTERIES OF UPPER IOWA,BTRYS	321.85
IOWA ASSOCIATION OF MED EXMR,SCH OF INSTR	200.00
IOWA DIVISION OF LABOR SVCS,ELEV INSP	80.00
IOWA DOT,MISC EXP	82.66
IOWA PRISON INDUSTRIES,SIGNS	1,165.35
IOWA REGIONAL UTILITIES ASSOC.,UTIL	30.68
ISAC,SCH OF INSTR	380.00
ISACA DISTRICT II AUDITORS,DUES	20.00
ISSDA,MISC	25.00
JACOBS, JANICE,MNR EQUIP	25.99
JENDRO SANITATION SERVICES,DISP FEE	165.00
JOHN DEERE FINANCIAL,ENVIRON EDUC/PRTS/SUP	297.41
JOHNSON TILING,TILE SUP	60.00
JOHNSON, BAILEY,MLGE	548.50
JOHNSON, JAIME,MLGE	350.00
KELM, ROBERT,DRIVER STIPEND	100.00
LANDERS HARDWARE,SUPLY	36.94
LODGE ELECTRIC,SUPLY	6,263.70
MAJEWSKI'S TIRE SERVICE,PRTS	217.44
MATHY CONSTRUCTION COMPANY,CONSTR	10,682.38
MENARDS - CEDAR FALLS,BD MBR EXP	54.83
MERCYONE WAVERLY,MED EXMR	277.50
MH EQUIPMENT,LBR	1,068.93
MID AMERICAN ENERGY,UTIL	4,158.04
MID COUNTRY MACHINERY, INC,RNTL	1,964.96
MID-AMERICA PUBLISHING CORP.,BD PROC/PUBL/PUB NOT	968.41
MILLER TRUE VALUE HARDWARE,ENVIRON EDUC	29.88
NAPA AUTO PARTS (GREENE),FLTR/MAINT	260.80
NAPA AUTO PARTS (P'BURG),PRTS/SUPLY	1,287.53
NELSON SEPTIC SERVICES LLC,SUPLY	120.00
NORTH IOWA REPORTING,CT COSTS	72.50
NORTHERN IOWA CONSTR.,CLVRTS	4,665.10
O'BRIEN, MARK,MLGE	48.00
OFFICE DEPOT INC.,OFC SUP	47.05
ONENECK IT SOLUTIONS LLC,DISASTER RCVRY	1,383.00
PARKERSBURG HARDWARE,SUPLY	2.99
PATHWAYS BEHAVIORAL SERVICES,PROF FEES	2,499.98

PESTICIDE BUREAU-IDALS,SCH OF INSTR	15.00
PITNEY BOWES INC.,PSTG	222.00
POWERPLAN,PRTS	5,531.24
QUALITY INN,SCH OF INSTR	303.38
REDLINE AUTO,MNR EQUIP	2,608.11
RICOH USA, INC,EQUIP CONT	117.51
RILEYS INC.,OFC SUP	742.11
ROCKFORD RIGGING,PRTS	47.35
ROCKMOUNT RESEARCH & ALLOYS INC,SUPPLY	1,142.48
ROLING FORD,PRTS	26.64
RYAN EXTERMINATING INC.,PEST CNTRL	94.00
SADLER POWER TRAIN,PRTS/TOOL	2,096.28
SCHAEFFER MFG. CO.,OIL	1,338.70
SCHRAGE, RYAN,MLGE	38.00
SCHUMACHER ELEV. CO.,MAINT/MISC RPR	440.54
SHELL ROCK, CITY OF,UTIL	35.50
SNAP-ON TOOLS CORP.,TOOLS	358.50
SOCIETY OF LAND SURVEYORS OF IOWA,REG	140.00
STAR EQUIPMENT LTD CEDAR RAPIDS,UPGRADES	1,140.00
STAR GRAPHICS,OFC SUP	24.00
STATE HYGIENIC LABORATORY,WELL CLOSING	436.00
STIRLING, SUSAN,MLGE	200.50
STOKES WELDING,PRTS	1,166.58
STOREY KENWORTHY,OFC SUP	241.68
TAYLOR PHYSICAL THERAPY,CONT SVC	2,880.00
THOMASON, TERRY,DRIVER STIPEND	75.00
TITAN MACHINERY-ROGERS,PRTS	1,704.33
TRUCK CENTER COMPANIES,PRTS	8,624.29
U.S. CELLULAR,AVL/DIAG/TELE	2,365.25
UHLENHOPP-JACOBS, LISA,MLGE	11.00
UNGS, TIMOTHY,RENT	550.00
UNITYPOINT CLINIC,DRG TSTG	42.00
VISA,BD & CARE/MNR EQUIP	688.08
WAVERLY HEALTH CENTER,AMB CALL	1,125.00
WEBER, PAUL,DRIVER STIPEND	50.00
WELLMARK BLUE CROSS/BLUE SHIELD,INS	11,246.53
WELLSBURG AG,FUEL/MAINT	11,427.60
WINDSTREAM,TELE	425.87
ZIEGLER INC.,LBR/PRTS	6,761.55
	219,057.18

The Board acknowledged receipt of Manure Management Plan Short Form Annual Updates for Muth Stock Farms and Ryan Freese #67695.

Auditor Groen presented the LSA approved redistricting plan for the Supervisors to review before the public hearing on February 8, 2022. The LSA lines matched with the approved precincts although the Supervisor District numbers will swap for districts one and two.

Motioned by Barnett, second by Eddy to adjourn the regular meeting at 10:23 A.M. to February 08, 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 01, 2022.

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

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