

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON March 25, 2025.

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

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

During public comment Brad Swarts and Brad Walter, New Hartford, were present to discuss their concerns regarding the condition of the gravel roads in their area including washboards, potholes and the amount of gravel. They specifically had concerns regarding Ridge Ave, Tanner Rd, 325th St and Spring Ave. John Riherd, County Engineer, stated the heavy traffic and hills are a challenge and recognized a need for additional attention in these areas. Gaylen Mulder and Ryan Siems were also present to discuss the condition of 290th St and had concerns regarding the potholes, amount of gravel and feel it is not getting the proper maintenance for the traffic and type of vehicles using that road. Supervisors thanked them all for attending the meeting and sharing their concerns.

Andrea DeGroot from Crisis Intervention Services was present to bring to the Board the Proclamation of April Sexual Assault Awareness. Motioned by Barnett, second by Dralle to approve proclaiming April Sexual Assault Awareness month. All ayes. Motion carried.

Board reviewed Resolution #19-2025 Election Deputy Appointment to appoint Ellah Schell. Motion by Barnett, Second by Dralle to approve Resolution #19-2025 which was adopted as follows:

**RESOLUTION #19-2025
ELECTIONS DEPUTY APPOINTMENT**

WHERE AS Iowa Code Sec. 331.903 states in part that the auditor, treasurer, recorder, sheriff, and county attorney may each appoint, with approval of the board, one or more deputies, assistants, or clerks for whose acts the principal office shall be determined by the board and the number and approval of each appointment shall be adopted by a resolution recorded in the minutes of the board.

WHEREAS the Board of Supervisors of Butler County, State of Iowa, has approved the budget for the Office of the County Auditor and Commissioner of Elections to appoint the current HR/Finance Clerk to Elections Deputy.

BE IT RESOLVED that the Board of Supervisors of Butler County, State of Iowa, hereby approves the appointment of Ellah Schell to Elections Deputy, effective March 24, 2025. UPON Roll Call the vote thereon was as follows:

AYES: Wayne Dralle NAYS: None
 Rusty Eddy
 Greg Barnett

WHEREUPON the Resolution was declared duly adopted this 25th day of March 2025.

Rusty Eddy
Chairman, Board of Supervisors

ATTEST:
Leslie Groen, County Auditor

Ruth Saulsbury, Clarksville, was present to discuss a potential battery storage facility being proposed in Glenville, MN, along the Shell Rock River. She provided information regarding the proposed location and reasons for opposition. Greg Olson, Glenville MN, spoke remotely and provided updates regarding their local efforts opposing the proposed location and shared where submit online public comment. As residents along the Shell Rock River, she wanted to share her concerns and ask the Board for support. Eddy stated the County would consider a letter of opposition at a later Board meeting.

Board considered Resolution #18-2025 Establishing a Temporary Moratorium on Cryptocurrency & Data Mining Facilities and Battery Energy Storage Systems. Misty Kofron, Planning and Zoning, discussed the issues of concern the Planning and Zoning Commission has regarding data centers/crypto mining and battery energy storage systems. These concerns have led to their request to establish a temporary moratorium. Motioned by and Dralle, second by Barnett to approve Resolution #18-2025 Establishing a Temporary Moratorium on Cryptocurrency & Data Mining Facilities and Battery Energy Storage Systems which was approved as follows:

**RESOLUTION #18-2025
ESTABLISHING A TEMPORARY MORATORIUM ON CRYPTOCURRENCY & DATA MINING FACILITIES AND BATTERY ENERGY STORAGE SYSTEMS**

WHEREAS, Iowa Code, Chapter 335 grants counties the ability to adopt a Zoning Ordinance to regulate land use within its jurisdictional boundaries; and

WHEREAS, from time to time, it is necessary and prudent to review and study said ordinance for necessary updates to ensure proper regulation; and

WHEREAS, the Butler County Planning and Zoning Commission has identified the need to update its Zoning Ordinance relating to Cryptocurrency & Data Mining Facilities and Battery Energy Storage Systems in an interest to protect the county's infrastructure, natural resources, and property rights by establishing regulations relating to these facilities. The Planning & Zoning Commission will require time to gather information and coordinate with multiple agencies for the purpose of reviewing, updating or creating ordinances, policies and procedures relative to Cryptocurrency & Data Mining Facilities and Battery Energy Storage Systems; and

WHEREAS, the Butler County Board of Supervisors wish to enact a moratorium on the development and construction of Cryptocurrency & Data Mining Facilities and Battery Energy Storage Systems to allow adequate time for the Planning & Zoning Commission to research and update or create ordinances relating to Cryptocurrency & Data Mining Facilities and Battery Energy Storage Systems; and

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Butler County, Iowa, that Butler County now imposes a moratorium, effective immediately and until April 1, 2026; or upon passing of an ordinance in relation to Cryptocurrency & Data Mining Facilities and Battery Energy Storage Systems development, whichever comes first, for the purpose of drafting and adopting a necessary and proper Cryptocurrency & Data Mining Facilities and Battery Energy Storage Systems Ordinance.

The vote thereon was as follows:

AYES: Rusty Eddy Greg Barnett Wayne Dralle	NAYS: None	ABSENT: None
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Passed and approved this 25th day of March 2025.

ATTEST: Leslie Groen, County Auditor

The Board considered bids and award Iowa DOT Contract 12-CO012-132, including project STP-S-C12(132)--5E-12, HMA Resurfacing/Cold In-Place recycling on T16 from Hwy 3 north 6 miles to C23. The Engineer's estimate was \$2,902,470.02.

Results of bid letting for Iowa DOT Contract 12-C012-132 held March 18, 2025 included the following three bids:

Mathy Construction Company	Onalaska, WI	\$2,689,399.46
Heartland Asphalt, Inc	Mason City, IA	\$2,694,384.90
Central Specialties, Inc	Alexandria, MN	\$2,884,551.23

Motioned by Dralle, second by Barnett to award the contract to Mathy Construction Company with a bid of \$2,689,399.46. All ayes. Motion carried.

Board considered Resolution #20-2025 naming County Engineer, John Riherd, as authorized signatory for HMA Resurfacing project STP-S-C012(132)--5E12. Moved by Barnett, second by Dralle to approve the Resolution #20-2025 Ayes: Dralle, Eddy, Barnett Nays: None Absent: None and Resolution #20-2025 was approved as follows:

Resolution #20-2025

Moved by Barnett and seconded by Dralle to approve the following resolution:

WHEREAS, a construction project, STP-S-C012(132)--5E-12, a project consisting of HMA Resurfacing/Cold In-Place Recycling on T16 from Hwy 3 north to C23 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 projects let through the DOT for this county.

Passed and Approved this 25th day of March, 2025.

Rusty Eddy, Chairman
Butler County Board of Supervisors

ATTEST: *Leslie Groen*, Butler County Auditor

Board considered Secondary Road Department handbook addendum. Riherd explained the addendum includes current practice that was previously in union contracts. The addendum addresses their holiday schedule and number of floating holidays that differs from the Employee Handbook. They do not have President's Day and Christmas Eve in their holiday schedule but instead have two additional floating holidays to use on those days or throughout the year. If called to work on Christmas Day they would be paid double time. Motioned by Barnett, second by Dralle to approve the Secondary Roads Department handbook addendum as presented. All ayes. Motion carried.

During the Engineer's update Riherd discussed maintenance of the gravel roads concerns shared during public comment and mentioned County Engineers are in support of their own levy as property tax reform discussions continue during this legislative session.

During the FY26 Budget Workshop County Auditor, Leslie Groen, provided the most recent updates to expenses and confirmed the Board wished to move forward with budget presented.

The Board set the Date and Time for the FY26 Proposed Budget Public Hearing as April 15, 2025, at 9:00 a.m.

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

Board acknowledged receipt of Manure Management Plan Short Form Annual Updates for PHD Site 2 #62875 and Sunray Pork Site 5. In addition, the Manure Management Plan Forms for McCandless #2 #58347, Dreier Site #57789, Asche West Finisher Farm #58193, Asche East Finisher Farm #58252, Kampman Finisher Farm #57728, Kramer Finisher Farm #57729, Murra #1 Finisher Farm #57754, Murra #2 Finisher Farm #57755. Motion by Barnett, second by Dralle.

Motioned by Dralle, second by Barnett to adjourn the regular meeting at 10:41 A.M. to April 1, 2025 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 March 25, 2025.

Attest: *Leslie Groen*, Butler County Auditor

Rusty Eddy, Chairman of the Board of Supervisors