

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON SEPTEMBER 11, 2018.

Meeting called to order at 9:00 a.m. by Chairman Greg Barnett with members Rusty Eddy and Tom Heidenwirth present. Also present were Engineer John Riherd, Emergency Management Coordinator Chris Showalter, County Attorney Greg Lievens, Sheriff Jason Johnson, Assessor Michele Shultz, Treasurer Vicki Schoneman, New Hartford City Attorney Tom Lawler, Parkersburg, Iowa, New Hartford City Engineer Lyle TeKippe, West Union Iowa, City Clerk Shawna Hagen, Gordy Ballhagen, Jane Close and Mayor John Anderson, all of New Hartford, Iowa.

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

Board had a moment of silence in remembrance of 9/11/2001.

Moved by Eddy, second by Barnett to continue with The Accel Group and review yearly. All ayes. Motion carried.

Board discussed the recent water damage to the carpet in the Courthouse basement. Carpet has been wet multiple times and will have to be torn-up and replaced with a suitable product.

Board discussed the annexation of real estate into City of New Hartford. Concerns were addressed regarding the involuntary annexations, utilities to the site, the lack of dual entrances into the annexed area and possession of the road. Following discussion, it was moved by Barnett, second by Heidenwirth to support the Resolution allowing real estate to be annexed into the City of New Hartford as described with future 28E Agreements to work out necessary details. Resolution is as follows:

RESOLUTION #907

BE IT RESOLVED that there has been presented to the Board of Supervisors an Application by Lisa L. Schmitz, George W. Amling, City of New Hartford, and Dike-New Hartford Community School District to have the following described real estate annexed into the city limits of New Hartford, to wit:

City of New Hartford (Parcel 16-28-400-045) – West Part of Cemetery

Lot 3, a subdivision of the Northeast Quarter of the Southeast Quarter of Section 28, Township 90 North, Range 15 West of the 5th P.M., Butler County, Iowa.

City of New Hartford (Part of Parcel 16-28-400-046) – Middle Part of Cemetery

The West 8 8/9ths rods of the North 18 rods of Lot One of the subdivision of the Northeast Quarter of the Southeast Quarter in Section 28, Township 90 North, Range 15 West of the 5th P.M., Butler County, Iowa as deeded to Oak Hill Cemetery.

City of New Hartford (Part of Parcel 16-28-400-046) – East Part of Cemetery

A tract commencing eight and eight-ninth rods (8 8/9) East (E) of the Southeast Corner (SE cor.) of Lot Three (3) a subdivision of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section Twenty-eight (28), Township Ninety (90), Range Fifteen (15), thence North 297 feet, thence East 250 feet, thence South 297 feet, thence West to the point of beginning in Butler County, Iowa.

Lisa L. Schmitz (Parcel 16-28-400-047)

A tract of land commencing at a point 170 feet South of the Northeast Corner of the Southeast Quarter of the Southeast Quarter (NE cor. SE1/4 SE1/4) of Section Twenty-eight (28), Township Ninety (90) North, Range Fifteen (15) West of the 5th P.M., thence North 170 feet to said Northeast Corner, thence West along the Quarter section line a distance of 865 feet, thence Southeasterly to the point of beginning,

AND

Lot One of the subdivision of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) in Section 28, Township 90 North, Range 15 West of the 5th P.M., EXCEPT

A tract commencing at the Southwest corner of said Lot One, thence East 192 feet, thence North at right angles 210 feet, thence West at right angles 192 feet, thence South along the West line of said Lot One, 210 feet to the point of beginning, AND EXCEPT

The West 8 8/9^{ths} rods of the North 18 rods of said Lot One as deeded to Oak Hill Cemetery, AND EXCEPT

A tract commencing 8 8/9^{ths} rods East of the Southeast corner of Lot Three, a subdivision of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 28, Township 90 North, Range 15 West of the 5th P.M., thence North 297 feet, thence East 250 feet, thence South 297 feet, thence West to the point of beginning, AND EXCEPT

A tract commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter (NE cor. NE1/4 SE1/4) of Section 28, Township 90 North, Range 15 West of the 5th P.M. thence South along the section line 297 feet, thence West at right angles 177 feet, thence North at right angles 297 feet to the North line of the said Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) and thence East along the said line 177 feet to the point of beginning, AND EXCEPT

A tract commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter (NW cor. NE1/4 SE1/4) of Section 28, Township 90 North, Range 15 West of the 5th P.M., thence due South 588.0 feet to the point

of beginning, thence continuing South 229.9 feet, thence due East 222.5 feet to an iron pin, thence due North 229.9 feet to an iron pin, thence due West 222.5 feet to the point of beginning,

City of New Hartford (Parcels 16-27-300-042 & 16-27-300-043) – Whole Waste Water Treatment Plant Site
All of the West Half of the Southwest Quarter (W 1/2 SW 1/4) of Section Twenty-seven (27), Township Ninety (90) North, Range Fifteen (15) West of the Fifth P.M., Butler County, Iowa, except a tract described as follows:

Commencing at a point 20 feet East of the Northwest corner of the Southwest Quarter, (E of the NW corner SW 1/4) of Section Twenty-seven (27), Township Ninety (90) North, Range Fifteen (15); thence East approximately 1,300 feet along the North line of said Southwest Quarter (E along N line SW 1/4); thence South along the East line of the West Half of the Southwest Quarter (S along E line of W 1/2 of SW 1/4) of Section Twenty-seven (27), Township Ninety (90) North, Range Fifteen (15) a distance of 1,610.69 feet; thence West (W) on a line parallel to the North line of the Southwest Quarter (N line of SW 1/4) of Section Twenty-seven (27), Township Ninety (90) North, Range Fifteen (15) a distance of 851.77 feet; thence deflect Northwesterly a distance of approximately 457.44 feet to a point twenty feet East (E) and 1,519.37 feet South of the Northwest Corner of the Southwest Quarter (S NW corner of SW 1/4) of Section Twenty-seven (27), Township Ninety (90) North, Range Fifteen (15); thence North (N) 1,519.37 feet to the point of beginning.

George W. Amling and Rita Amling (Part of Parcel 16-34-100-047) – Small Connecting Triangle
Beginning at the Northwest Corner of Section 34, Township 90 North, Range 15 West of the 5th P.M., Butler County, Iowa;

Thence South 50.0 feet along the West Line of said Section 34 and the East Line of the existing Corporation Line of the City of New Hartford, Butler County, Iowa;

Thence Northeasterly to a point that is on the North Line of said Section 34, being 50.0 feet East of the Northwest Corner of said Section 34;

Thence West 50.0 feet along the North Line of said Section 34 to the Pont of Beginning.

Dike-New Hartford Community School District (Parcel 16-28-400-044)
Lots Six and Seven (6 & 7), Subdivision of the West One-half of the Southeast Quarter (W1/2 SE1/4) of Section Twenty-eight (28), Township Ninety (90) North, Range Fifteen (15) West of the Fifth P.M., Butler County, Iowa.

BE IT FURTHER RESOLVED that the Board supports the application.

The vote thereon was as follows:

AYES: Tom Heidenwirth	NAYS: None
Rusty Eddy	
Greg Barnett	

Passed this 11th day of September, 2018.

ATTEST: *Lizbeth Williams*, County Auditor

No public comment received.

Board approved claims as submitted.

Moved by Barnett, second by Heidenwirth to adjourn the meeting at 10:09 A.M. to Tuesday, September 18, 2018 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 September 11, 2018.