

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON AUGUST 9, 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 Barnett, second by Heidenwirth to approve the minutes as read. All ayes. Motion carried.

County Engineer, John Riherd, commented that he has spoken with the railway and also completed a grant application with the DOT to improve the safety of the crossing by Packard. Riherd explained that this would enter a queue to see if it qualifies and when funds are available for the improvements. Barnett asked if we could go ahead with improvements and possibly be reimbursed down the road once an application is approved. Riherd did not believe that to be an option but get that answer.

Mike Peterson was present to discuss a junk yard violation near his home. Peterson has been attempting to get a status update on the junk situation. Peterson read an email he received from the Planning and Zoning Administrator, Misty Day. Day sent a complaint to the owner, Clayton McDivitt, stating that action must be taken or a fine will result. Roger Kregel, with the Planning and Zoning Commission, who was in attendance on behalf of Day, commented that we are at this point because of a lack of action. Peterson explained that there were cars right on his property line, which is close to his house. This has been almost seven years that he has been trying to get this resolved but it continues to be an issue. He also noted that the email he received came after he was added to the agenda. McDivitt was in attendance and explained that his vehicles are all licensed and insured. He then mentioned that there are 18 cars that are not and should be moved. Jean Jones, half owner of the property, mentioned that they visited face-to-face and tried to discuss this neighbor to neighbor before getting to this point.

A date and time for a Public Hearing was set for August 23, 2022 at 9:00 A.M. on a request to rezone 50 acres from A-1 to A-2 located on Hwy 3 in the NW1/4 N & E of RR Except Parcel C in Section 34, Township 92 N, Range 15 W for the purpose of excavating sand for resell.

Board reviewed a Change in Ownership amendment to current Class C Liquor License for CARD, Inc. Barnett motioned to approve the amendment, second by Heidenwirth. All ayes. Motion carried.

Board reviewed the E911 Tower Proposal. County Attorney, David Kuehner, explained that the County has been renting the land. Eminent domain is being utilized by the county so that E911 and emergency services could be available without interruption and to the fullest capacity. The County had an appraisal completed for use in purchasing the land and the appraisal indicated that the land was worth approximately \$100,000. Kuehner explained that the county has chosen to go with a highest cost approach in a good faith effort. Barnett motioned to proceed with a proposal to purchase the land at a price of \$105,882, second by Heidenwirth. All ayes. Motion carried.

A utility permit was considered for Butler County REC with new overhead service to 22685 Ridge Ave. Moved by Barnett, second by Heidenwirth to approve. All ayes. Motion carried.

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

Board acknowledged receipt of Manure Management Plan Short Form Annual Updates for Bacon Hill, LLC #64694, DCI Bennezette #70515, 802 #57795, Ten Hoeve Dairy #66092, also RB Sass Finisher Farm #63305. Also, Verification of County Receipt for Manure Management Plans and Plan Updates for Packard Group.

Motioned by Heidenwirth, second by Barnett to adjourn the regular meeting at 9:27 A.M. to August 16, 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 August 9, 2022.

Attest: Leslie Groen
Butler County Auditor

Rusty Eddy
Chairman of the Board of Supervisors