## **NOTICE**

#### CITY OF ALLISON **GOLF CART PERMITS**

Golf cart, ATV, UTV and Side by Sides owners require a permit issued by the City of Allison. All current permit holders will need to apply for a new permit each year. New owners' may apply for a permit from the City, providing evidence that the operator is at least 16 years of age, possesses a valid drivers license and proof the owner/operator has liability insurance covering the golf cart, ATV, UTV or Side by Side. Permits may be purchased by visiting the city hall office at 410 North Main Street. If purchased by January 31, 2022, cost of the permit, is \$25.00 for each unit and, are valid from January 1, 2022 to January 31, 2023. The permit holder will be issued a numbered sticker to affix to the unit and should be visible from the rear of the unit. Permits may be purchased at any time during the year, but will be valid only through January 31 of the following year and will not be pro-rated. Any questions, please call City Hall at 319-267-2245.

TJ -51, 52

## **PUBLIC NOTICE**

# PUBLIC NOTICE NOTICE OF PUBLIC HEARING

The Butler County Board of Supervisors will hold a public hearing on Monday, January 3, 2022, at 9:00 A.M. in the Board Room, Butler County Courthouse, 428 Sixth St,

Allison, IA 50602

The purpose of the public hearing will be to consider Ordinance Title 1 No. 14 establishing election precinct boundaries in Butler County, Iowa, pursuant to provisions of Chapter 49 of the Code of Iowa based on Census 2020 population numbers.

Complete copies of the proposed ordinance / legal descriptions, map or a summary of the standards for reprecincting are available in the **Butler County Auditor's office** 

Written or oral comments may be submitted prior to the Public Hearing to the Butler County Auditor at 428 Sixth St, Allison, IA 50602 or call 319-267-2670.

CS - 52

## **PUBLIC NOTICE**

#### **PUBLIC NOTICE** NOTICE OF PUBLIC HEARING The Butler County Board of Super-

visors will hold a public hearing on Monday, January 3, 2022, at 9:00 A.M. in the Board Room, Butler County Courthouse, 428 Sixth St, Allison, IA 50602 The purpose of the public hearing

will be to consider Ordinance Title 1. No. 14 establishing election precinct boundaries in Butler County, Iowa pursuant to provisions of Chapter 49 of the Code of Iowa based on Census 2020 population numbers. Complete copies of the proposed

ordinance / legal descriptions, map or a summary of the standards for reprecincting are available in the Butler County Auditor's office. Written or oral comments may be

submitted prior to the Public Hearing to the Butler County Auditor at 428 Sixth St, Allison, IA 50602 or call 319-267-2670.

TJ -52

### **NOTICE**

### WINTER REMINDERS

The City's SIDEWALK ordinance states that property owners will be given 48 hours to clear all sidewalks of snow, ice and debris from sidewalks and to keep and maintain them free from hazards and unsafe conditions. Snow is NOT to be pushed into the streets. Violation of this ordinance will result in the City hiring the work done and assessing the costs plus administrative fees to the homeowners property taxes. VEHICLES are to be removed from city streets in a snow emergency. A snow emergency is constituted by 1 inch or more of snow fall. The City's snow removal priorities are:

Plow all streets and alleys Clean and remove snow from

Main Street Widen and clean Birch Street by

the school Widen streets and clean out intersections

The operation of a SNOWMOBILE is permitted upon the streets and alleys of the town except upon the following streets where operations is prohibited.

1) Main Street from Hwy 3 to 6th 2) Elm Street from N Railroad Ave

to 8th Street 3) Locust Street from N Railroad

Ave to 6th Street 4) Hwy 47 (7<sup>th</sup> Street) from Main

Street to the town limit, except the shoulders thereof from Birch Street to the town limit Except where such streets have

not been plowed during the snow season or as otherwise provided by law, and except that such streets may be crossed at intersections as provided by law. Snowmobiles are not allowed on private property without their prior consent or upon municipal property without prior permission of the city council. In addition:

~Valid registrations or licenses are required

~All traffic ordinances apply ~All state laws apply

~Violators are guilty of a misdemeanor Thank you in advance for your co-

~ City of Allison ~

TJ - 51,52

### **PUBLIC NOTICE** 16201200500000 FINANCIAL REPORT CITY OF CLARKSVILLE FISCAL YEAR ENDED 115 W Superior St CLARKSVILLE IA 50619 POPULATION: 1264

STATE OF IOWA

**JUNE 30, 2021** 

CITY OF CLARKSVILLE, IOWA

DUE: December 1, 2021

		566,844 0 566,844	Proprietary (b)	Total Actual (c)	Budget (c
		0 566,844			
		0 566,844			1
		566,844		566,844	566,8
				0	
		0		566,844	566,8
				0	
		0		0	
	Other City Taxes		0	146,997	132,8
Licenses and Permits		12,428	0	12,428	11,2
Use of Money and Property		3,487	4,221	7,708	6,0
Intergovernmental		273,817	0	273,817	218,4
Charges for Fees and Service Special Assessments			465,683	566,387	537,5
		0	0	0	
Miscellaneous			11,317	63,530	53,2
Other Financing Sources			0	0	
Transfers In			0	106,649	126,6
Total Revenues and Other Sources					1,652,8
		1,200,105	101,221	1,771,500	1,002,0
Expenditures and Other Financing Uses Public Safety				243 999	255,3
Public Works					163,5
Health and Social Services					7,2
Culture and Recreation				10.00	218,1
Community and Economic Development					78,8
General Government					178,2
Debt Service				,	189,6
Capital Projects		0			105,0
Total Governmental Activities Expenditures			0		1,091,1
BUSINESS TYPE ACTIVITIES					448,4
Total All Expenditures		936,240			1,539,5
Other Financing Uses		0	0	0	-,,,-
Transfers Out			51,649	106,649	126,64
Total All Expenditures/and Other Financing Uses			427,189	1,418,429	1,666,1
Excess Revenues and Other Sources Over (Under) Expenditures/and Other Financing Uses		271,899	54,032	325,931	-13,3
Beginning Fund Balance July 1, 2020		365,006	204,782	569,788	644,0
Ending Fund Balance June 30, 2021		636,905	258,814	895,719	630,7
t budgeted and are r	not available for cit	y operations:			
		Pension Trust	Funds		
		Agency Funds			
Amount	I	Indebtedness at June 30, 2021 Amount			mount
1,323,887					
	Short-Term Debt				
	Shirt remi bect				
0	bhort-reim Dect		General Obligation Debt Limit		
0		n Debt Limit			2,892,38
	Amount 1,323,887	Amount I 1,323,887 Other Long-Term	100,704   0	100,704	100,704

PLEASE PUBLISH THIS PAGE ONLY

# **PROCEEDINGS**

#### **MINUTES AND PROCEEDINGS** OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON **DECEMBER 14, 2021**

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

Minutes of the previous meeting were read. Motioned by Eddy, second by Heidenwirth to approve the minutes as read. All ayes. Motion

During public comment, Mary Englekes voiced concerns regarding a proposed intersection change at Orchid Lane and Railroad Street in Parkersburg. Riherd explained the purpose of the proposed change is to accommodate tanker truck traffic to the airstrip. Riherd also explained the traffic going through town vs. turning onto Orchid Lane from Hwy 57. Riherd also mentioned the engineers are working with the DNR regarding the wildlife and native wetlands in that area. Barnett said it is the first he has heard of the proposed change, thanked Engelkes for voicing her concerns and offered to continue discussion after

the meeting.
Time set for Public Hearing on proposed reclassification of 230th St and Cedar Avenue, Motioned by Eddy, second by Heidenwirth to open the public meeting. All ayes. Motion carried. No taxpayers present had comments and no oral or written comments were received prior to the pubic hearing. Riherd shared he has received a petition signed by all surrounding landowners, and explained the purpose of a gated road and who would have access. Riherd is in favor of gating the described road. With no additional public comments, motioned by Eddy, second by Heidenwirth to close the public hearing. All ayes. Motion carried. Motioned by Heidenwirth, second by Eddy to approve Resolution 1010 to classify road(s) to Area Service Level C (230th St and Cedar Avenue). The roll was called and the vote was AYES: Eddy, Barnett, Heidenwirth. NAYS: none; therefore Resolution 1010 was adopted as follows: Resolution #1010

Resolution to classify road(s) to Area Service Level C – (230th St & Cedar Ave)

Moved by Heidenwirth and seconded by Eddy to approve the following resolution:

WHEREAS, Butler County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

sultation with the County Engineer, has the authority to specify certain roads within the County as Area Level Service "C" roads pursuant to lowa Code Section 309.57; and WHEREAS, the County has pre-

ceived a petition, signed by all adioining landowners, requesting that:

be reclassified from an Area Level Service "B" to Area Level Service WHEREAS, upon reclassification

to the previously described road(s) shall be: The owner, lessee, or person in

lawful possession of any adjoining land.

owner, lessee or person in lawful possession of any adjoining land, Any peace officer,

 Any magistrate, Any public employee whose duty it is to supervise the use or perform maintenance of the road, Any agent or employee of any util-

ity located upon the road; and WHEREAS, upon reclassification to Area Service Level C. the minimum level of maintenance on the previously described road(s) shall be as follows:

with a sign at all points of access to warn the public of the lower level of maintenance and except for load limit posting for bridges, other signing shall not be continued or

· Weeds, Brush and Trees. Mowing or spraying of weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be

maintained • Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the

surfacing materials applied to Area Service System C Roads on a regular basis.

· Shoulders. Shoulders will not be maintained on a regular basis

Crown. A crown will not be main-

WHEREAS, the County, after contained on a regular basis · Repairs. There will be no road repair on a regular basis

viously adopted Ordinance Title IV, Number 9 Class "C" Roads; and WHEREAS, the County has re-

230th Street from the SW Corner of Section 4, T91N, R18W (Madison Twp) east a distance of 0.34 miles:

Cedar Ave from the SW Corner of Section 4, T91N, R18W (Madison Twp) north a distance of 0.28 miles

to Area Service Level C, the only persons who will have access rights

· The agent or employee of the

· Blading. Blading or dragging will not be performed on a regular basis · Snow and Ice Removal, Snow and ice will not be removed, nor will the road surface be sanded or salted on a regular basis

· Signing. Road shall be identified provided

replacement structure will be appropriate for the traffic thereon

Road Surfacing. There will be no

not be maintained

· Uniform Width. Uniform width for the traveled portion of the road will

· Inspections. Regular inspections will not be conducted; and THEREFORE, BE IT RESOLVED

by the Board of Supervisors of Butler County that this County does hereby establish previously described roads(s) Area Level Service "C" road(s), with restricted access and a minimal level of maintenance. Passed and Approved this 14th day of December, 2021.

Greg Barnett Greg Barnett, Chairman **Butler County Board of Supervisors** 

Date: 12/14/21 ATTEST:

Time set for Public Hearing on

Leslie Groen Leslie Groen **Butler County Auditor** 

proposed road vacation of Pearl Avenue. Motioned by Heidenwirth, second by Eddy to open the public meeting. All ayes. Motion carried. Taxpayer Nick Norton, Clarksville, was present is an adjoining property owner and in favor of the road being closed and vacation. No oral or written comments were received prior to the public hearing. Riherd shared that he has a signed petition by the two landowners, there is sufficient public access to the Shell Rock River to the north, and also access to the river at the Packard Bridge and

Camp Comfort, Riherd recommended to vacate the road to revert to private property. With no additional public comment, motioned by Eddy second by Heidenwirth to close the public hearing. All ayes. Motion carried. Motioned by Eddy, second by Heidenwirth to approve Resolution 1011 - Resolution vacating a county road (Pearl Lane aka Pearl Ave) The roll was called and the vote was AYES: Eddy, Barnett, Heidenwirth. NAYS: none; therefore Resolution

Resolution #1011 Resolution vacating a county road Moved by Eddy and seconded by Heidenwirth to approve the following resolution:

1011 was adopted as follows:

WHEREAS, a petition, signed by all adjoining landowners, requesting that a portion of Pearl Lane (AKA Pearl Ave) be vacated and closed as a public road; and

WHEREAS, The Butler County Board of Supervisors, pursuant to Resolution #1008, dated November 23, 2021, a hearing was held on December 14, 2021, at the Courthouse in Allison, Iowa to hear comments on the proposed vacation of the following described roads:

That part of Pearl Ave in Section 27 Dayton Township lying NORTH of the Northwest corner of Parcel "D'

(Inst. No. 2011-2887) in Lot 2 of the SE 1/4 (Book A Pages 205-206), and

proper notice of said hearing was published in a newspaper of general said Hearing and that proof of publication is now on file in the office of

WHEREAS, The Butler County Board of Supervisors finds that proper notice was mailed by certified mail to the adjoining property owners, and

SOLVED that all of the above deto prescriptive rights to utility companies and all other easements of

record, and BE IT FURTHER RESOLVED that the Butler County Board of Supervisors disallows any and all claims for

the Butler County Board of Supervisors does hereby Quit Claim Butler County's interest in said road to the adjoining property owners as fol-

The part of the West 2 rods of Lot 2 of the Subdivision of the W  $1\!\!\!/_2$  SE  $1\!\!\!/_4$ and SE 1/4 SE 1/4 (Book A Page 205-206) AND the West 2 rods of Lot 2 of the Subdivision of the SW 1/4 NE 1/4 of Section 27. Township 93 North. Range 16 West of the 5th P.M., lying NORTH of the Northwest corner of Parcel "D" in Lot 2 of the Subdivision of W 1/2 SE 1/4 and SE 1/4 SE 1/4 and SOUTH of the thread of the Shell Rock River.

To: Nicholas L Norton & Virginia R

That part of the East 2 rods of the Southwest Quarter (SW 1/4) AND the East 2 rods of Lot 2 of the Subdivision of the NW 1/4 (Book A Page 201), all in Section 27, Township 93 North, Range 16 West of the 5th P.M., Iving NORTH of the Northwest corner of Parcel "D" (Inst. No. 2011-2887) in Lot 2 of the Subdivision of W 1/2 SE 1/4 and SE 1/4 SE 1/4 (Book A Pages 205-206), and SOUTH of the thread of the Shell Rock River.

of December, 2021. Greg Barnett\_

Greg Barnett, Chairman Date: \_12/14/21\_\_

ATTEST: Leslie Groen\_ Leslie Groen **Butler County Auditor** 

Subdivision of W 1/2 SE 1/4 and SE 1/4 SOUTH of the thread of the Shell Rock River; and WHEREAS, The Butler County Board of Supervisors finds that circulation in Butler County prior to

the County Auditor, and

WHEREAS, The Butler County Board of Supervisors, has considered all objections offered at said Public Hearing.

NOW THEREFORE BE IT REscribed road be vacated subject

damages, and BE IT FURTHER RESOLVED that

To: Steve Henning

Passed and Approved this 14th day

Butler County Board of Supervisors

Riherd opened discussion re-

some roads to eliminate crossings where possible. Additional discussions were held regarding time frame of the project, the landowners surrounding the proposed rail spur site, and possible land acquisition. Riherd also shared a recent issue with W-SR school bussing issues because railcars were blocking the road. Riherd commented that the reasons to create a permanent plan to address this issue have been adding up in recent months. He would like to setup a workshop with Farmers Coop, Iowa Northern and the City of Shell Rock to discuss options. Bill Magee with Iowa Northern explained his research on the situation that happened with W-SR school bus issue. Riherd is in favor of coming up with a plan to re-route roads and/or close crossinas, especially in light of upcoming funding opportunities. Additional discussions were held regarding short-term and long-term options for the road closings. It was decided a short-term solution will involve developing procedures for temporary road closures and long-term the County Engineer's office will speak with surrounding landowners to develop a long-term solution. Motioned by Barnett, second by Eddy to set date and time for public hearings on Knock Minor Plat, Longhorn Acres, and McDivitt application to rezone to the 9:00 A.M. meeting

garding rail traffic improvements

and loadout procedures. Jeff Brun-

scheon with Farmers Coop Read-

lyn-Shell Rock was present and

explained the coop would like to

add a rail spur and weighing to their

property west of town and presented

maps of their proposal. Brunscheon

explained they would avoid haul-

ing to town to load where they can

only load 10 cars at a time vs. be-

ing able to load 25 cars at a time at

the proposed site. Brunscheon said

the proposed rail spur would block

a gravel road during loading, and

they would like to know what road

options are possible before moving

forward with the 2-million-dollar ex-

pansion project. Barnett explained

there are additional rail traffic issues

due to increased use and crossings

are already being blocked in that

area. Riherd said there is a potential

DOT funding source for making per-

manent changes to re-route or close

on December 21, 2021. All ayes. Motion carried. Barnett explained a recent meet-

ing with the landowner and County Attorney, Dave Kuehner, was not productive in negotiating an agreement. Kuehner stated he made it clear the County was no longer discussing lease agreements, but moving forward with using eminent domain. Eddy stated he can't think of a better reason for government to use eminent domain than to ensure

the County's 911 service. Eddy said there have been many opportunities to work through the lease options. but the landowner has chosen a different path. Kuehner explained the next few steps would include getting a survey of the property and consider the tower anchors, room to move equipment around and the setbacks. Kuehner mentioned using Ted Hoodjer to compete the survey and Fred Greder from Benchmark Agribusiness, Mason City, to do the appraisal and avoid local conflict. Motioned by Eddy, second by Heidenwirth to allow Kuehner to contact Fred Greder for the appraisal. All aves. Motion carried. Kuehner explained after the appraisal is complete a formal offer to purchase the land will be sent to the landowner: therefore, the County will need to determine a purchase price to pres-

CS - 52

Motioned by Eddy, second by Heidenwirth to go into closed session for IT Director, Sara Trepp's, annual performance review. All ayes. Motion carried. Following the performance review, it was motioned by Eddy, second by Heidenwirth to go back into open session. All ayes. Motion carried. Motioned by Eddy, second by Heidenwirth to approve a 6.75% increase in the IT Director's current salary of \$74,896, which equates to an increase of \$5,055 in pay beginning FY23. All ayes. Motion carried.

Election Deputy, Matt Wilken shared a reprecinting update including the Temporary Redistricting Committees meeting and proposed reprecinting plan. A public hearing has been set for December 22nd at 10:00 AM and copies of the proposed plan and precinct descriptions have been posted. Groen explained the short time frame to complete the process, and the steps that will be needed after the public hearing.

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

Motioned by Eddy, second by Barnett to adjourn the regular meeting at 10:48 A.M. to December 21st, 2021 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 December 14, 2021.

Attest: Leslie Groen **Butler County Auditor** Greg Barnett Chairman of the Board of Super-

CS - 52

### **PROCEEDINGS**

**MINUTES AND PROCEEDINGS** OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON

**DECEMBER 14. 2021** Meeting called to order at 9:00 A.M. by Chairman Greg Barnett with members Rusty Eddy and Tom Heidenwirth present. Moved by Heidenwirth, second by Eddy to approve the agenda. All ayes. Motion carried.

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

During public comment, Mary Englekes voiced concerns regarding a proposed intersection change at Orchid Lane and Railroad Street in Parkersburg. Riherd explained the purpose of the proposed change is to accommodate tanker truck traffic to the airstrip. Riherd also explained the traffic going through town vs. turning onto Orchid Lane from Hwy 57. Riherd also mentioned the en gineers are working with the DNR regarding the wildlife and native wetlands in that area. Barnett said it is the first he has heard of the proposed change, thanked Engelkes for voicing her concerns and offered to continue discussion after

the meeting.

Time set for Public Hearing on proposed reclassification of 230th St and Cedar Avenue. Motioned by Eddy, second by Heidenwirth to open the public meeting. All ayes. Motion carried. No taxpayers present had comments and no oral or written comments were received prior to the pubic hearing. Riherd shared he has received a petition signed by all surrounding landowners, and explained the purpose of a gated road and who would have access. Riherd is in favor of gating the described road. With no additional public comments, motioned by Eddy, second by Heidenwirth to close the public hearing. All ayes. Motion carried. Motioned by Heidenwirth, second by Eddy to approve Resolution 1010 to classify road(s) to Area Service Level C (230th St and Cedar Avenue). The roll was called and the vote was AYES: Eddy, Barnett, Heidenwirth. NAYS: none; therefore Resolution 1010 was adopted as follows:

Resolution #1010 Resolution to classify road(s) to Area Service Level C - (230th St &

Moved by Heidenwirth and seconded by Eddy to approve the following

WHEREAS. Butler County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a

WHEREAS, the County, after consultation with the County Engineer. has the authority to specify certain roads within the County as Area Level Service "C" roads pursuant to lowa Code Section 309.57; and

WHEREAS, the County has previously adopted Ordinance Title IV. Number 9 Class "C" Roads; and WHEREAS, the County has received a petition, signed by all adjoining landowners, requesting that:

230th Street from the SW Corner of Section 4, T91N, R18W (Madison Twp) east a distance of 0.34 miles;

Cedar Ave from the SW Corner of Section 4, T91N, R18W (Madison Twp) north a distance of 0.28 miles be reclassified from an Area Level Service "B" to Area Level Service

WHEREAS, upon reclassification to Area Service Level C, the only persons who will have access rights to the previously described road(s) shall be:

• The owner, lessee, or person in lawful possession of any adjoining land,

· The agent or employee of the owner, lessee or person in lawful possession of any adjoining land, Any peace officer,

Any magistrate.

Any public employee whose duty it is to supervise the use or perform maintenance of the road.

· Any agent or employee of any utility located upon the road; and WHEREAS, upon reclassification to Area Service Level C, the mini-

mum level of maintenance on the

previously described road(s) shall be as follows: • Blading. Blading or dragging will not be performed on a regular basis · Snow and Ice Removal. Snow and ice will not be removed, nor will

the road surface be sanded or salted on a regular basis • Signing. Road shall be identified with a sign at all points of access to warn the public of the lower level of maintenance and except for load limit posting for bridges, other

· Weeds. Brush and Trees. Mowing or spraying of weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be

signing shall not be continued or

maintained · Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon

 Road Surfacing. There will be no surfacing materials applied to Area Service System C Roads on a regular basis

· Shoulders. Shoulders will not be maintained on a regular basis

· Crown. A crown will not be main

tained on a regular basis · Repairs. There will be no road re-

pair on a regular basis • Uniform Width. Uniform width for the traveled portion of the road will

not be maintained

• Inspections. Regular inspections

will not be conducted: and

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Butler County that this County does hereby establish previously described roads(s) Area Level Service "C" road(s), with restricted access and a minimal level of maintenance.

Passed and Approved this 14th day of December, 2021. Greg Barnett

Greg Barnett, Chairman **Butler County Board of Supervisors** 

Date: 12/14/21 ATTEST

Leslie Groen

Leslie Groen **Butler County Auditor** 

Time set for Public Hearing on proposed road vacation of Pearl Avenue. Motioned by Heidenwirth, second by Eddy to open the public meeting. All ayes. Motion carried. Taxpayer Nick Norton, Clarksville, was present is an adjoining property owner and in favor of the road being closed and vacation. No oral or written comments were received prior to the public hearing. Riherd shared that he has a signed petition by the two landowners, there is sufficient public access to the Shell Rock River to the north, and also access to the river at the Packard Bridge and Camp Comfort. Riherd recommended to vacate the road to revert to private property. With no additional public comment, motioned by Eddy, second by Heidenwirth to close the public hearing. All ayes. Motion carried. Motioned by Eddy, second by Heidenwirth to approve Resolution 1011 - Resolution vacating a county road (Pearl Lane aka Pearl Ave).

Resolution #1011 Resolution vacating a county road Moved by Eddy and seconded by Heidenwirth to approve the following resolution:

The roll was called and the vote was

AYES: Eddy, Barnett, Heidenwirth.

NAYS: none; therefore Resolution

1011 was adopted as follows:

WHEREAS, a petition, signed by all adjoining landowners, requesting that a portion of Pearl Lane (AKA Pearl Ave) be vacated and closed as a public road: and

WHEREAS, The Butler County Board of Supervisors, pursuant to Resolution #1008, dated November 23, 2021, a hearing was held on December 14, 2021, at the Courthouse in Allison. Iowa to hear comments on the proposed vacation of the fol-

lowing described roads: That part of Pearl Ave in Section 27 Dayton Township lying NORTH of the Northwest corner of Parcel "D"

(Inst. No. 2011-2887) in Lot 2 of the Subdivision of W 1/2 SF 1/4 and SF 1/4 SE 1/4 (Book A Pages 205-206), and SOUTH of the thread of the Shell Rock River: and

WHEREAS, The Butler County Board of Supervisors finds that proper notice of said hearing was published in a newspaper of general circulation in Butler County prior to said Hearing and that proof of publication is now on file in the office of the County Auditor, and

WHEREAS. The Butler County Board of Supervisors finds that proper notice was mailed by certified mail to the adjoining property owners, and

WHEREAS, The Butler County Board of Supervisors, has considered all objections offered at said

Public Hearing.

NOW THEREFORE BE IT RE-SOLVED that all of the above described road be vacated subject to prescriptive rights to utility companies and all other easements of record, and

BE IT FURTHER RESOLVED that the Butler County Board of Supervisors disallows any and all claims for damages, and

BE IT FURTHER RESOLVED that

the Butler County Board of Supervisors does hereby Quit Claim Butler County's interest in said road to the adjoining property owners as fol-To: Steve Henning

The part of the West 2 rods of Lot 2 of the Subdivision of the W 1/2 SE 1/4 and SE 1/4 SE 1/4 (Book A Page 205-206) AND the West 2 rods of Lot 2 of the Subdivision of the SW 1/4 NE 1/4 of Section 27, Township 93 North, Range 16 West of the 5th P.M., lying NORTH of the Northwest corner of Parcel "D" in Lot 2 of the Subdivision of W 1/2 SE 1/4 and SE 1/4 SE 1/4 and SOUTH of the thread of the Shell Rock River.

To: Nicholas L Norton & Virginia R Toye

That part of the East 2 rods of the Southwest Quarter (SW 1/4) AND the East 2 rods of Lot 2 of the Subdivision of the NW 1/4 (Book A Page 201), all in Section 27, Township 93 North, Range 16 West of the 5th P.M., lying NORTH of the Northwest corner of Parcel "D" (Inst. No. 2011-2887) in Lot 2 of the Subdivision of W 1/2 SE 1/4 and SE 1/4 SE 1/4 (Book A Pages 205-206), and SOUTH of the thread of the Shell Rock River.

Passed and Approved this 14th day of December, 2021.

**Greg Barnett** Greg Barnett, Chairman **Butler County Board of Supervisors** Date: \_12/14/21

ATTEST: Leslie Groen

Leslie Groen **Butler County Auditor** Riherd opened discussion regarding rail traffic improvements and loadout procedures. Jeff Brunscheon with Farmers Coop Readlyn-Shell Rock was present and explained the coop would like to add a rail spur and weighing to their property west of town and presented maps of their proposal. Brunscheon explained they would avoid hauling to town to load where they can only load 10 cars at a time vs. being able to load 25 cars at a time at the proposed site. Brunscheon said the proposed rail spur would block a gravel road during loading, and they would like to know what road ontions are possible before moving forward with the 2-million-dollar expansion project. Barnett explained there are additional rail traffic issues due to increased use and crossings are already being blocked in that area. Riherd said there is a potential DOT funding source for making permanent changes to re-route or close some roads to eliminate crossings where possible. Additional discussions were held regarding time

because railcars were blocking the road. Riherd commented that the reasons to create a permanent plan to address this issue have been adding up in recent months. He would like to setup a workshop with Farmers Coop, Iowa Northern and the City of Shell Rock to discuss options. Bill Magee with Iowa Northern explained his research on the situation that happened with W-SR school bus issue. Riherd is in favor of coming up with a plan to re-route roads and/or close crossings, especially in light of upcoming funding opportunities. Additional discussions were held regarding short-term and long-term options for the road closings. It was decided a

frame of the project, the landowners

surrounding the proposed rail spur

site, and possible land acquisition.

Riherd also shared a recent issue

with W-SR school bussing issues

with surrounding landowners to develop a long-term solution. Motioned by Barnett, second by Eddy to set date and time for public hearings on Knock Minor Plat, Longhorn Acres, and McDivitt application to rezone to the 9:00 A.M. meeting on December 21, 2021. All ayes.

short-term solution will involve de-

veloping procedures for temporary

road closures and long-term the

County Engineer's office will speak

Motion carried. Barnett explained a recent meeting with the landowner and County Attorney, Dave Kuehner, was not productive in negotiating an agreement. Kuehner stated he made it clear the County was no longer discussing lease agreements, but moving forward with using eminent domain. Eddy stated he can't think of a better reason for government to use eminent domain than to ensure the County's 911 service. Eddy said there have been many opportunities to work through the lease options, but the landowner has chosen a different path. Kuehner explained the next few steps would include getting a survey of the property and consider the tower anchors, room to move equipment around and the setbacks. Kuehner mentioned using Ted Hoodier to compete the survey and Fred Greder from Benchmark Agribusiness, Mason City, to do the appraisal and avoid local conflict Motioned by Eddy, second by Heidenwirth to allow Kuehner to contact Fred Greder for the appraisal, All aves. Motion carried. Kuehner explained after the appraisal is complete a formal offer to purchase the land will be sent to the landowner; therefore, the County will need to determine a purchase price to pres-

Motioned by Eddy, second by Heidenwirth to go into closed session for IT Director, Sara Trepp's, annual performance review. All ayes. Motion carried. Following the performance review, it was motioned by Eddy, second by Heidenwirth to go back into open session. All aves Motion carried. Motioned by Eddy, second by Heidenwirth to approve a 6.75% increase in the IT Director's current salary of \$74,896, which equates to an increase of \$5,055 in pay beginning FY23. All ayes. Motion carried.

Election Deputy, Matt Wilken shared a reprecinting update including the Temporary Redistricting Committees meeting and proposed reprecinting plan. A public hearing has been set for December 22nd at 10:00 AM and copies of the proposed plan and precinct descriptions have been posted. Groen explained the short time frame to complete the process, and the steps that will be needed after the public

Motioned by Eddy, second by Barnett to approve claims. All ayes. Mo-

Motioned by Eddy, second by Barnett to adjourn the regular meeting at 10:48 A.M. to December 21st 2021 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 December

14, 2021. Attest: Leslie Groen **Butler County Auditor** Greg Barnett Chairman of the Board of Super-

visors

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