

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON OCTOBER 13, 2020.

With limited public access to the courthouse due to COVID-19, this meeting was held telephonically with the public able to participate on a limited basis. This complies with Iowa Code section 21.8 that outlines the guidelines to hold an electronic meeting when there are valid concerns that an in-person meeting is "impossible or impractical".

Meeting called to order at 9:00 a.m. by Chairman Tom Heidenwirth with members Greg Barnett and Rusty Eddy present.

Minutes of the previous meeting were read. Moved by Barnett, second by Eddy to approve. All ayes. Motion carried.

No public comment received.

Director of Public Health Jen Becker reported an uptick in positive cases. Butler County has had 31 positive cases of COVID-19 since last Monday with 27 recovered, no hospitalizations and 8.1% positivity rate. Butler County has had a total of 330 cases with 276 recovered.

Time and place for a Public Hearing on Tellinghuisen's Minor Plat located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 91N, Range 15W. Present were Heidenwirth, Eddy and Barnett. Auditor reported no written or oral comments were received. At the close of the public hearing, it was moved by Barnett, second by Eddy to approve the following:

RESOLUTION NO. 967

**RESOLUTION APPROVING THE "TELLINGHUISEN MINOR PLAT",
BY BUTLER COUNTY, IOWA.**

WHEREAS, Tellinghuisen's Minor Plat to Butler County, Iowa, containing 1 parcel, has been submitted for approval to the Butler County Board of Supervisors, consisting of the following described real estate:

TELLINGHUISEN'S MINOR PLAT DESCRIPTION

The West 200.0 feet of the North 340.0 feet of Parcel A as described in Plat of Survey recorded in Instrument #2019-1906 in the Office of the Butler County Recorder, located in the Subdivision of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 11, Township 91 North, Range 15 West of the Fifth Principal Meridian, Butler County, Iowa.

Containing 1.56 acres.

Subject to restrictions, easements, covenants, ordinances, and limited access provisions of record and not of record.

WHEREAS, after consideration, the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of Butler County, Iowa and

WHEREAS, the Butler County Board of Supervisors find the Tellinghuisen's Minor Plat would be advantageous to Butler County, Iowa and

NOW, THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that said Tellinghuisen's Minor Plat to Butler County, Iowa, will be and the same hereby acknowledged and approved and accepted on the part of Butler County, Iowa,

The Butler County Auditor is hereby authorized and directed to certify a copy of this Resolution to the County Recorder of Butler County, Iowa, and affix the same to said Minor Plat as provided by law.

UPON Roll Call the vote thereon was as follows:

AYES: Tom Heidenwirth
Rusty Eddy
Greg Barnett

NAYS: None

WHEREUPON the Resolution was declared duly adopted this 13 day of October, 2020.

ATTEST: *Lizbeth Williams*, County Auditor

Time and place for a Public Hearing on Schilling Minor Plat located in the NE $\frac{1}{4}$ of Section 27, Township 90N, Range 15W. Present were Heidenwirth, Eddy and Barnett. Auditor reported no written or oral comments were received. At the close of the public hearing, it was moved by Barnett, second by Eddy to approve the following:

RESOLUTION #968

**BUTLER COUNTY BOARD OF SUPERVISORS
APPROVING "SCHILLING 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 October 8, 2020, to consider a Minor Subdivision Plat entitled "Schilling Minor Plat".

- Section 2. The area is located in the NE¼ of Section 27, Township 90 North, Range 15 West of the 5th P.M., and is proposing a single building lot, Parcel L, which is being separated from the existing building site, Parcel M.
- Section 3. The Planning & Zoning Commission has made the recommendation that the Minor Subdivision Plat entitled "Schilling Minor Plat" be approved.
- Section 4. The Board of Supervisors held its own public hearing on this Final Subdivision Plat on October 13, 2020.
- Section 5. The Board of Supervisors hereby approve the Minor Subdivision Plat entitled "Schilling Minor Plat" located in the NE¼ of Section 27, Township 90 North, Range 15 West of the 5th P.M.
- Section 6. This resolution shall take effect immediately.

The vote thereon was as follows:

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

Passes and approved this 13th day of October, 2020.

ATTEST: Lizbeth Williams, County Auditor

Time and place for a Public Hearing to consider an amendment to the Butler County Comprehensive Plan's Future Land Use Map. Present were Heidenwirth, Eddy and Barnett. Auditor reported no written or oral comments were received. At the close of the public hearing, it was moved by Barnett, second by Eddy to approve the following:

RESOLUTION #969

**BUTLER COUNTY BOARD OF SUPERVISORS
 APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE BUTLER COUNTY COMPREHENSIVE
 PLAN IN ACCORDANCE 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 October 8, 2020 to consider an amendment to the Future Land Use Map of the Butler County Comprehensive Plan Update 2012.
- Section 2. The area shown South of Butler Logistics Park which includes the N½ of Section 4, Township 91, Range 15 West of the 5th P.M. is currently shown as Agricultural on said Future Land Use Map.
- Section 3. The Planning & Zoning Commission has made the recommendation that the Future Land Use Map be amended to reflect this area as a potential Commercial/Industrial site.
- Section 4. The Board of Supervisors held its own public hearing on this proposed Future Land Use Map amendment on October 13, 2020.
- Section 5. The Board of Supervisors hereby adopt and incorporate an amendment to the Future Land Use Map to include the N½ of Section 4, Township 91, Range 15 West of the 5th P.M. as a potential Commercial/Industrial site.
- Section 6. This resolution shall take effect immediately.

The vote thereon was as follows:

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

Passes and approved this 13th day of October, 2020.

ATTEST: Lizbeth Williams, County Auditor

Time and place for a Public Hearing on an application to rezone 237 acres +/- located in the N½ NW¼, the SW¼ NW¼, the Nfr½ NEfr¼, and the E½ SE¼ NE¼ all in Section 4, Township 91N, Range 15W from "A-1" Agriculture to "M" Manufacturing. Present were Heidenwirth, Eddy and Barnett. Auditor reported no written or oral comments were received. Mike Kinobbe and Mike Kinley had very complimentary remarks regarding working with Executive Director of Butler-Grundy Development Alliance, Jeff Kolb. Jeff Reints, Shell Rock, presented a list of 145 people, and there were many more, that supported this project and was very enthusiastic about promoting it. Craig Codner, REC spoke very highly of the partnership that has been built with the County, and others to make these projects work. Jeff Kolb commented that none of this would be happening if it were not for the Iowa Northern Railroad. At the close of the public hearing, it was moved by Barnett, second by Eddy to approve the following:

RESOLUTION NO. 970

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BUTLER COUNTY, IOWA APPROVING THE APPLICATION OF SHELL ROCK SOY PROCESSING, LLC. TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY HIGH QUALITY JOBS PROGRAM

WHEREAS, Butler County has received a request by Shell Rock Soy Processing, LLC to approve and submit an application to the State of Iowa for the High Quality Jobs Program.

WHEREAS, the programs were established to promote Economic Development and Job Creation in the State of Iowa, and

WHEREAS, the Board of Supervisors supports activities which promote and facilitate Economic Development within Butler County; and

WHEREAS, Shell Rock Soy Processing, LLC. had indicated they will:

1. Create 51 new full-time, or career positions.
2. Provide comprehensive health benefits to its employees.
3. Make a capital investment of approximately \$243,000,000 in a new facility to be constructed in Butler Logistics Park

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors:

- a. The Butler County Board of Supervisors approves the application of Shell Rock Soy Processing, LLC for the purpose of receiving benefits from the High Quality Jobs Program.
- b. The Butler County Board of Supervisors approves the local match policy requirement of the Iowa Economic Development Authority and approves a local match in the form of property tax rebates of 80 percent for years 1 to 10
- c. The Board of Supervisors authorizes the Chairperson and the County Auditor to take such further actions as deemed necessary in order to carry into effect the provisions of this Resolution.

The vote thereon was as follows:

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

Passes and approved this 13th day of October, 2020.

ATTEST: Lizbeth Williams, County Auditor

Moved by Barnett, second by Heidenwirth to approve the following:

RESOLUTION NO. 971

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 6 TO THE BUTLER COUNTY LOGISTICS PARK URBAN RENEWAL PLAN IN BUTLER COUNTY, STATE OF IOWA

WHEREAS, by Resolution No. 692, adopted April 27, 2010, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Butler County Logistics Park Urban Renewal Plan (the "Plan") for the Butler County Logistics Park Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan is on file in the office of the Recorder of Butler County, Iowa; and

WHEREAS, the Plan has subsequently been amended, lastly by an Amendment No. 5, adopted by Resolution No. 935, on September 17, 2019; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

ORIGINAL AREA

1. The entire existing county road right-of-way of Butler County Road 220th Street (old Highway #3) lying between Butler County Road T55 (Terrace Avenue) on the West and Iowa Highway #3 on the East.
2. The entire existing county road right-of-way of Butler County Road Willow Avenue lying between 220th Street on the North and the North city limits of the City of Shell Rock, Iowa on the South.
3. The entire existing county road right-of-way of Butler County Road T55 (Terrace Avenue) lying between Iowa Highway #3 on the North and Butler County Road C45 (Butler Center Road) on the South.
4. The entire existing county road right-of-way of Butler County Road Union Avenue lying between Iowa Highway #3 on the North and 220th Street (old Highway #3) on the South.

5. The entire existing county road right-of-way of Butler County Road 212th Street lying between Union Avenue on the West and Vail Avenue on the East, except that portion vacated and described in document recorded as Instrument #2007-2171 with the Butler County Recorder.
6. The entire existing county road right-of-way of Butler County Road Vail Avenue lying between 220th Street on the South and 212th Street on the North.
7. The entire existing county road right-of-way of Butler County Road Utica Avenue lying between Iowa Highway #3 on the North and 212th Street on the South.
8. The entire Section 33, Township 92 North, Range 15 West of the 5th P.M. Butler County, Iowa and all existing county road right-of-way lying inside and adjacent to said Section 33.

AMENDMENT NO. 1 AREA

1. The entire existing road right-of-way of Butler County Road C45/T55 (Butler Center Road) between Butler County Road T55 (Terrace Ave) on the West and Butler County Road T55 (Temple Ave) on the East.
2. The entire existing road right-of-way of Butler County Road T55 (Temple Ave) lying between Butler County Road C45 (Butler Center Road) on the North and Butler County Road C55 (290th Street) on the South.
3. The entire existing road right-of-way of Butler County Road C55 (280th Street) lying between Butler County Road T55 (Temple Ave) on the West and Butler County Road T63 (Willow Ave) on the East.
4. The entire Section 32, Township 91 North, Range 15 West of the 5th P.M. Butler County, Iowa and all existing county road right-of-way lying inside and adjacent to said Section 32.

AMENDMENT NO. 2 AREA

The following describes location for Gas Utility Route A.

1. The entire existing road right-of-way of Butler County Road Logistics Park Drive lying between its North terminus and Butler County Road 220th Street on the South.
2. The entire existing road right of way of Butler County Road 220th Street lying between Butler County Road Logistics Park Drive on the West and Butler County Road Victory Lane on the East.

The following describes location for Gas Utility Route B.

3. The entire existing road right of way of 220th Street lying between Butler County Road Victory Lane on the West and Iowa Highway 3 on the East.
4. The entire existing road right-of-way of Iowa Highway 3 lying between Butler County Road 220th Street on the West and Butler County Road T63 (North Public Road & Yale Ave) on the East.
5. The entire existing road right-of-way of Butler County Road T63 (North Public Road & Yale Ave) between Iowa Highway 3 on the South and Existing Shell Rock TBS on the North.

The following describes location for Gas Utility Route C.

6. The entire existing road right-of-way of Butler County Road Victory Lane lying between Butler County Road 220th Street on the South and Iowa Highway 3 on the North.
7. the entire existing road right-of-way of Iowa Highway 3 lying between Butler County Road Vintage Lane on the West and Butler County Road 220th Street on the East.
8. A strip of land described as the south 100ft of Butler County Parcel #'s 08-34-400-041, 08-35-301-040, 08-35-302-040, and 08-35-326-045.
9. The entire existing road right-of-way of Butler County Road Wildwood Place lying between its West terminus and Butler County Road Walnut Ave on the East.
10. The entire existing road right-of-way of Butler County Road Walnut Ave lying between Butler County Road Wildwood Place on the West and Butler County Road T63 (North Public Road & Yale Ave) on the East.

- 11 The entire existing road right-of-way of Butler County Road T63 (North Public Road & Yale Ave) between Butler County Road Walnut Ave on the North and Existing Shell Rock TBS on the South.

Note: The Gas Utility Route will include Route A and either Route B or C, to be determined by Mid-American Energy.

AMENDMENT NO. 3 AREA

1. The entire existing road right-of-way of Butler County Road C55 (280th Street) lying between Butler County Road T55 (Temple Ave.) on the East and Iowa Highway 14 on the West.
2. The entire existing road right-of-way of Butler County Road T47 (Sinclair Ave.) lying between Butler County Road C55 (290th Street) on the North and Iowa Highway 57 on the South.
3. A tract of land described as beginning at a point 12.83 $\frac{1}{2}$ chains south of the Northwest corner of the SW $\frac{1}{4}$ of Section 27, Township 90 North, Range 16 West of the 5th P.M. thence Southeasterly along northerly line of property formerly known as ICRR Depot Ground 20.79 chains to a point on the East line of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 27, being 18.565 chains south of the Northeast corner of said W $\frac{1}{2}$ SW $\frac{1}{4}$, thence south along said East line boundary to a point 350 feet north of the SE corner of Lot 17 of the subdivision of the SW $\frac{1}{4}$ of said Section 27, thence Northwesterly to a point on the West line of said Section 27 being 450 feet north of the SW corner of said section 27, thence along west line of said Section 27 to the point of beginning.
4. The entire existing road right-of-way of Butler County Road T63 (Yale Ave.) lying between Butler County Road C33 (190th Street) on the North and Iowa Highway 3 on the South.
5. The entire existing road right-of-way of Walnut Ave lying between Butler County Road T63 (Yale Ave.) on the East and the Menard's Entrance on the West.
6. The entire existing road right-of-way of Glen Hall Road lying between Iowa Highway 3 on the South and the Menard's Entrance on the North.
7. A tract of land lying in both the NE $\frac{1}{4}$ of Section 2, Township 91 North, Range 15 West of the 5th P.M. & the SE $\frac{1}{4}$ of Section 35, Township 92 North, Range 15 West of the 5th P.M.; more particularly described in Exhibit "A" of Instrument No. 2008-0078 as recorded in the office of the Butler County, Iowa Recorder.

AMENDMENT NO. 5 AREA

1. The entire existing road right-of-way of Butler County Road T47 (Sinclair Ave) lying between Butler County Road C55 (290th Street) on the South and Iowa Highway 3 on the North.
2. The entire existing road right-of-way of Butler County Road C45 (240th Street) lying between Iowa Highway 14 on the West and Butler County Road T63 (Willow Ave) on the East.

WHEREAS, County staff has caused there to be prepared a form of Amendment No. 6 to the Plan ("Amendment No. 6" or "Amendment"), a copy of which has been placed on file for public inspection in the office of the County Auditor and which is incorporated herein by reference, the purpose of which is to add and/or confirm the list of eligible projects to be undertaken within the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan, as amended; and

WHEREAS, this proposed Amendment No. 6 does not add new land to the Urban Renewal Area; and

WHEREAS, the Iowa statutes require the Board of Supervisors to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 6 and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the County shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the Board of Supervisors to hold a public hearing on the proposed Amendment No. 6 subsequent to notice thereof by publication in a newspaper having general circulation within the County, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF BUTLER COUNTY, STATE OF IOWA:

That the consultation on the proposed Amendment No. 6 required by Section 403.5(2), Code of Iowa, as amended, shall be held on the October 20, 2020, in the Emergency Operations Center, 428 - 6th Street, Allison, Iowa, at 2:00 P.M., and the Director of Economic Development, or his delegate, is hereby appointed to serve as the designated representative of the County for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

That the County Auditor is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution and the proposed Amendment No. 6, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN BUTLER COUNTY, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT NO. 6 TO THE BUTLER COUNTY LOGISTICS PARK URBAN RENEWAL PLAN FOR BUTLER COUNTY, STATE OF IOWA

Butler County, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 2:00 P.M. on October 20, 2020, in the Emergency Operations Center, 428 - 6th Street, Allison, Iowa concerning a proposed Amendment No. 6 to the Butler County Logistics Park Urban Renewal Plan for the Butler County Logistics Park Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Director of Economic Development, or his delegate, as the designated representative of Butler, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 6 to the Butler County Logistics Park Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the Board of Supervisors of Butler County, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this 13th day of October, 2020.

Lizbeth Williams
County Auditor, Butler County, State of Iowa

That a public hearing shall be held on the proposed Amendment No. 6 before the Board of Supervisors at its meeting which commences at 9:15 A.M. on November 10, 2020, in the Emergency Operations Center, 428 - 6th Street, Allison, Iowa.

That the County Auditor is authorized and directed to publish notice of this public hearing in the Butler County Tribune – Journal, the Eclipse News Review, the Greene Recorder, and the Clarksville Star, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED AMENDMENT NO. 6 TO THE BUTLER COUNTY LOGISTICS PARK URBAN RENEWAL PLAN FOR AN URBAN RENEWAL AREA IN BUTLER COUNTY, STATE OF IOWA

The Board of Supervisors of Butler County, State of Iowa, will hold a public hearing before itself at its meeting which commences at 9:15 A.M. on November 10, 2020 in the Emergency Operations Center, 428 - 6th Street, Allison, Iowa, to consider adoption of a proposed Amendment No. 6 to the Butler County Logistics Park Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in Butler County, State of Iowa, which Urban Renewal Area contains the land legally described as follows:

ORIGINAL AREA

1. The entire existing county road right-of-way of Butler County Road 220th Street (old Highway #3) lying between Butler County Road T55 (Terrace Avenue) on the West and Iowa Highway #3 on the East.
2. The entire existing county road right-of-way of Butler County Road Willow Avenue lying between 220th Street on the North and the North city limits of the City of Shell Rock, Iowa on the South.
3. The entire existing county road right-of-way of Butler County Road T55 (Terrace Avenue) lying between Iowa Highway #3 on the North and Butler County Road C45 (Butler Center Road) on the South.

4. The entire existing county road right-of-way of Butler County Road Union Avenue lying between Iowa Highway #3 on the North and 220th Street (old Highway #3) on the South.
5. The entire existing county road right-of-way of Butler County Road 212th Street lying between Union Avenue on the West and Vail Avenue on the East, except that portion vacated and described in document recorded as Instrument #2007-2171 with the Butler County Recorder.
6. The entire existing county road right-of-way of Butler County Road Vail Avenue lying between 220th Street on the South and 212th Street on the North.
7. The entire existing county road right-of-way of Butler County Road Utica Avenue lying between Iowa Highway #3 on the North and 212th Street on the South.
8. The entire Section 33, Township 92 North, Range 15 West of the 5th P.M. Butler County, Iowa and all existing county road right-of-way lying inside and adjacent to said Section 33.

AMENDMENT NO. 1 AREA

1. The entire existing road right-of-way of Butler County Road C45/T55 (Butler Center Road) between Butler County Road T55 (Terrace Ave) on the West and Butler County Road T55 (Temple Ave) on the East.
2. The entire existing road right-of-way of Butler County Road T55 (Temple Ave) lying between Butler County Road C45 (Butler Center Road) on the North and Butler County Road C55 (290th Street) on the South.
3. The entire existing road right-of-way of Butler County Road C55 (280th Street) lying between Butler County Road T55 (Temple Ave) on the West and Butler County Road T63 (Willow Ave) on the East.
4. The entire Section 32, Township 91 North, Range 15 West of the 5th P.M. Butler County, Iowa and all existing county road right-of-way lying inside and adjacent to said Section 32.

AMENDMENT NO. 2 AREA

The following describes location for Gas Utility Route A.

1. The entire existing road right-of-way of Butler County Road Logistics Park Drive lying between its North terminus and Butler County Road 220th Street on the South.
2. The entire existing road right of way of Butler County Road 220th Street lying between Butler County Road Logistics Park Drive on the West and Butler County Road Victory Lane on the East.

The following describes location for Gas Utility Route B.

3. The entire existing road right of way of 220th Street lying between Butler County Road Victory Lane on the West and Iowa Highway 3 on the East.
4. The entire existing road right-of-way of Iowa Highway 3 lying between Butler County Road 220th Street on the West and Butler County Road T63 (North Public Road & Yale Ave) on the East.
6. The entire existing road right-of-way of Butler County Road T63 (North Public Road & Yale Ave) between Iowa Highway 3 on the South and Existing Shell Rock TBS on the North.

The following describes location for Gas Utility Route C.

6. The entire existing road right-of-way of Butler County Road Victory Lane lying between Butler County Road 220th Street on the South and Iowa Highway 3 on the North.
7. the entire existing road right-of-way of Iowa Highway 3 lying between Butler County Road Vintage Lane on the West and Butler County Road 220th Street on the East.
8. A strip of land described as the south 100ft of Butler County Parcel #'s 08-34-400-041, 08-35-301-040, 08-35-302-040, and 08-35-326-045.
9. The entire existing road right-of-way of Butler County Road Wildwood Place lying between its West terminus and Butler County Road Walnut Ave on the East.

10. The entire existing road right-of-way of Butler County Road Walnut Ave lying between Butler County Road Wildwood Place on the West and Butler County Road T63 (North Public Road & Yale Ave) on the East.

11 The entire existing road right-of-way of Butler County Road T63 (North Public Road & Yale Ave) between Butler County Road Walnut Ave on the North and Existing Shell Rock TBS on the South.

Note: The Gas Utility Route will include Route A and either Route B or C, to be determined by Mid-American Energy.

AMENDMENT NO. 3 AREA

1. The entire existing road right-of-way of Butler County Road C55 (280th Street) lying between Butler County Road T55 (Temple Ave.) on the East and Iowa Highway 14 on the West.

2. The entire existing road right-of-way of Butler County Road T47 (Sinclair Ave.) lying between Butler County Road C55 (290th Street) on the North and Iowa Highway 57 on the South.

3. A tract of land described as beginning at a point 12.83½ chains south of the Northwest corner of the SW ¼ of Section 27, Township 90 North, Range 16 West of the 5th P.M. thence Southeasterly along northerly line of property formerly known as ICRR Depot Ground 20.79 chains to a point on the East line of the W ½ SW ¼ of said Section 27, being 18.565 chains south of the Northeast corner of said W ½ SW ¼, thence south along said East line boundary to a point 350 feet north of the SE corner of Lot 17 of the subdivision of the SW ¼ of said Section 27, thence Northwesterly to a point on the West line of said Section 27 being 450 feet north of the SW corner of said section 27, thence along west line of said Section 27 to the point of beginning.

4. The entire existing road right-of-way of Butler County Road T63 (Yale Ave.) lying between Butler County Road C33 (190th Street) on the North and Iowa Highway 3 on the South.

5. The entire existing road right-of-way of Walnut Ave lying between Butler County Road T63 (Yale Ave.) on the East and the Menard's Entrance on the West.

6. The entire existing road right-of-way of Glen Hall Road lying between Iowa Highway 3 on the South and the Menard's Entrance on the North.

7. A tract of land lying in both the NE ¼ of Section 2, Township 91 North, Range 15 West of the 5th P.M. & the SE ¼ of Section 35, Township 92 North, Range 15 West of the 5th P.M.; more particularly described in Exhibit "A" of Instrument No. 2008-0078 as recorded in the office of the Butler County, Iowa Recorder.

AMENDMENT NO. 5 AREA

3. The entire existing road right-of-way of Butler County Road T47 (Sinclair Ave) lying between Butler County Road C55 (290th Street) on the South and Iowa Highway 3 on the North.

4. The entire existing road right-of-way of Butler County Road C45 (240th Street) lying between Iowa Highway 14 on the West and Butler County Road T63 (Willow Ave) on the East.

A copy of the Amendment is on file for public inspection in the office of the County Auditor, Courthouse, Allison, Iowa.

Butler County, State of Iowa is the local public agency which, if such Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The County also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The County also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Amendment provides that the County may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the County. The Amendment initially proposes no specific public infrastructure or site improvements to be undertaken by the County, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 6 would add and/or confirm the list of eligible projects to be undertaken within the Urban Renewal Area. The proposed Amendment adds no new land to the Urban Renewal Area.

Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the Board of Supervisors of Butler County, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this 13th day of October, 2020.

Lizbeth Williams
County Auditor, Butler County, State of Iowa

That the proposed Amendment No. 6, attached hereto as Exhibit 1, for the Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 6 referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the County Auditor.

The vote thereon was as follows:

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

Passes and approved this 13th day of October, 2020.

ATTEST: Lizbeth Williams, County Auditor

Moved by Barnett, second by Heidenwirth to approve the following:

**RESOLUTION NO. 908-20
ALL-TERRAIN AND OFF-ROAD UTILITY VEHICLE
OPERATION IN BUTLER COUNTY, IOWA**

WHEREAS Iowa Code Sections 321.234A(1)(f) and 321.10(2) allows counties to designate County roads on which all-terrain and off-road utility vehicles may be operated and,

WHEREAS, the County Board of Supervisors has evaluated the traffic conditions on the County highways and designated roadways and has determined that all-terrain and off-road utility vehicles can be operated without unduly interfering with or constituting an undue hazard to conventional motor vehicle traffic.

NOW THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors, that a currently registered all-terrain vehicle or off-road utility vehicle:

may be operated on Butler County, Iowa graveled roadways with the exception of Level C roads;

may cross Butler County blacktops and may be operated on Butler County blacktops between the nearest gravel road intersection to an incorporated city's city limits;

in the event that a person residing on a county blacktop wishes to operate an all-terrain vehicle and/or an off-road utility vehicle on a permissible county roads, then, and in that event, said person may so operate on the shoulder of the county blacktop, and the County blacktop to the extent needed for safe travel, but only so far as to reach the closest permissible county gravel road; and

may stop in the course of use upon the permissible county roads to obtain fuel for the vehicle or to obtain food or non-alcoholic beverage for the operator or lawful passengers;

may operate the vehicle only from sunrise to sunset;

however, this permission does not grant authority to operate within an incorporated city's city limits unless so authorized by the city and operation is in compliance with any rules or regulations of the city; and

this permission to operate shall cease October 31, 2021.

The vote thereon was as follows:

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

Passes and approved this 13th day of October, 2020.

ATTEST: Lizbeth Williams, County Auditor

Board met with Emergency Management Coordinator Chris Showalter to discuss a local burn ban. Chris is waiting to hear back from local fire chiefs regarding the burn ban before calling the State Fire Marshall to issue.

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

Moved by Eddy, second by Heidenwirth to adjourn the meeting at 10:34 A.M. to Tuesday, October 20, 2020 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 October 13, 2020.