

PROCEEDINGS: Butler Co.

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON NOVEMBER 21, 2017.

Meeting called to order at 9:00 a.m. by Chairman Tom Heidenwirth with members Rusty Eddy and Greg Barnett present. Also present were Engineer John Riherd, Deputy Auditor Mindy Pecha, Recorder Janice Jacobs, Emergency Management Coordinator Mitch Nordmeyer, Greg Forbes, Parkersburg Eclipse and Mark Kramer, Aplington, Iowa.

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

Board presented Mark Kramer, Secondary Roads employee, with a plaque commemorating over 32 years of services upon his retirement. Also present were Assistant Engineer Tom Hoodjer, Treasurer Vicki Schoneman, Sheriff Jason Johnson and County Attorney Greg Lievens.

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

RESOLUTION #415-17 FAMILY FARM TAX CREDIT ALLOWING BUTLER COUNTY FAMILY FARM TAX CREDIT APPLICATIONS THROUGH NOVEMBER 1, 2017

WHEREAS, the State of Iowa annually appropriates monies from the general fund of the state to the department of revenue to be credited to the family farm tax credit fund for the benefit of agricultural property/landowners, and

WHEREAS, the process for agricultural property/landowners and the local Butler County, Iowa government offices regarding this tax credit is described in Iowa Code Chapter 425A – Family Farm Tax Credit Fund, and

WHEREAS, the Butler County Assessor is to receive family farm tax credit applications through November 1 of each year and recommend a list to allow/disallow to the Butler County Board of Supervisors, and

WHEREAS, the Butler County Board of Supervisors are required to allow or disallow the application claims of agricultural property/landowners for family farm tax credits, and

WHEREAS, it is in the best interest of the property taxpayers in Butler County, Iowa to allow such recommended family farm tax credits.

NOW, THEREFORE, BE IT RESOLVED that the Butler County Board of Supervisors allow the family farm tax credit applications through November 1, 2017 as recommended by the Butler County Assessor per Iowa Code Chapter 425A, and said tax credits be applied to the taxes payable 2018-2019. The complete recommended tax credit application list is available in the Butler County Audi-

tor's Office.

UPON Roll Call the vote thereon was as follows: AYES: Greg Barnett, Rusty Eddy, Tom Heidenwirth; NAYS: None

WHEREUPON the Resolution was declared duly adopted.

ATTEST: *Lizbeth Williams*
County Auditor

Board set December 19, 2017 at 9:05 A.M. as the date and time for a public hearing to open bids for Parcel #0925427009 in Kesley, Iowa. Minimum bid was set at \$500. All ayes. Motion carried.

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

RESOLUTION #67-18 BUTLER COUNTY COURTHOUSE HOLIDAY CLOSURES-2018

BE IT RESOLVED by the Butler County Board of Supervisors that the following holidays be observed by closing the Butler County Courthouse. When the holiday is on a Saturday, it will be observed the day before and when it is on a Sunday, it will be observed the day following:

1. New Year's Day: Monday, January 1, 2018
2. Martin Luther King Jr. Day: Monday, January 15, 2018
3. Memorial Day: Monday, May 28, 2018
4. Independence Day: Wednesday, July 4, 2018
5. Labor Day: Monday, September 3, 2018
6. Veterans Day: Monday, November 12, 2018
7. Thanksgiving Day: Thursday, November 22, 2018
8. Day after Thanksgiving, Friday: November 23, 2018
9. Christmas Eve: Monday, December 24, 2018
10. Christmas Day: Tuesday, December 25, 2018

Upon Roll Call the vote thereon was as follows: Ayes: Greg Barnett, Rusty Eddy, Tom Heidenwirth; Nays: None

WHEREUPON said Resolution was declared duly adopted this 21st day of November, 2017.

ATTEST: *Lizbeth Williams*
County Auditor

Staff meeting was held.

Board approved claims as submitted.

Moved by Barnett, second by Heidenwirth to adjourn the meeting at 10:06 A.M. to Tuesday, November 28, 2017 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 November 21, 2017.

TJ/CS 49-1

Proceedings

CITY OF CLARKSVILLE CITY COUNCIL BUSINESS MEETING December 4, 2017

The Clarksville City Council met in regular session December 4, 2017, in the Temporary Council Chambers at 7:00 p.m. with Mayor Val Swinton in the chair and Council Members Roger Doty, Jeff Kolb, Diane Renning, and Travis Sterken present. Kenny Smith absent.

Motion Kolb, Doty, to approve and adopt the items contained in the Consent Agenda: Motion to approve minutes (November 6, 2017, and November 20, 2017).

RCV – Ayes: Doty, Kolb, Renning, Sterken. Nays: None. Absent: Smith, MC.

Motion Renning, Sterken, to approve report from Larry Pump, CPA, for the annual Examination pursuant to Chapter 11.6 of the Code of Iowa.

RCV – Ayes: Doty, Kolb, Renning, Sterken. Nays: None. Absent: Smith, MC.

Motion Sterken, Kolb, to approve liquor licenses for Clarksville Hometown Grocery and Pete and Shorty's.

RCV – Ayes: Doty, Kolb, Renning, Sterken. Nays: None. Absent: Smith, MC.

Motion Renning, Doty, to cancel the December 18, 2017, Council meeting due to the Holiday.

RCV – Ayes: Doty, Kolb, Renning, Sterken. Nays: None. Absent: Smith, MC.

Motion Sterken, to adjourn the regular City Council meeting at 7:30 p.m.

Val Swinton, Mayor
Attest: *Lori A. Peterson*
City Clerk/Treasurer

CS 49-1

PROBATE

THE IOWA DISTRICT COURT BUTLER COUNTY NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS IN THE MATTER OF THE ESTATE OF ELIZABETH M BUSS, Deceased Probate No. ESPR016751

To All Persons Interested in the Estate of Elizabeth M Buss, Deceased, who died on or about November 18, 2017:

You are hereby notified that on November 28, 2017, the last will and testament of Elizabeth M Buss, deceased, bearing date of May 4, 2011, was admitted to probate in the above named court and that Roy Buss was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated November 29, 2017.
Date of second publication:
December 14, 2017

Roy Buss
Executor of the Estate
P O Box 61
New Hartford IA 50660

Karl A Nelson, #AT0005659
Attorney for the Executor
Nelson & Toenjes
209 S Cherry St
Shell Rock IA 50670-0230
Probate Code Section 304

CS 49-2

PROCEEDINGS: Clarksville

CITY OF CLARKSVILLE EXPENDITURES November 2017

EFTPS-Fed/FICA Tax	\$8,450.69
Collection Service Center	
-Child Support	\$363.86
Kampman, Matt	
-Mileage Reimbursement	\$296.39
Clark, Kristen	
-Mileage/Sam's Membership	\$111.34
Clarksville Ambulance	
-Calls & Fees	\$391.00
Clarksville Food Pantry	
-Donation	\$1,600.00
Clarksville Lumber Co, Inc	
-Supplies	\$75.87
Clarksville Post Office-Postage	\$203.32
Iowa State Bank-Loans	\$36,722.00
System Services LLC	
-Camera Rental	\$150.00
Peterson, Lori A	
-Mileage Reimbursement	\$174.41
Holiday Inn DMS Airport	
-Hotel Room	\$190.40
Backer's Service Station	
-Tire Repair	\$15.00
Blackhawk Sprinklers Inc	
-Inspection	\$166.00
Boy Scout Troop 53	
-Recycling Station	\$220.00
Butler Co. Solid Waste-Landfill	\$5,036.50
Butler-Bremer Comm.-Phones	\$451.09
Casey's General Store	
-Gasoline	\$1,002.77
Central Iowa Distributing	
-Weed Easy	\$517.40
Data Technologies, Inc	
-Computer Support	\$3,005.11
Emergency Medical Product	
-Medical Supplies	\$10.50
Fehr Graham Engineering	
-Engineering Services	\$2,205.25
Ingram Library Services-Books	\$622.76
INRCOG-2017 Buyouts	
/2016 Rehab	\$6,810.01
Iowa Dept. of Revenue	
-State Tax	\$1,431.00
Iowa One Call-Locate Service	\$24.30
Iowa Prison Industries-Signs	\$46.00
IPERS-IPERS	\$4,691.05
Jendro Sanitation Service	
-Garbage Pickup	\$5,797.24
Marco Technologies LLC	
-Copier Maintenance	\$282.20
Mid-America Publishing	
-Publications	\$361.54
MidAmerican Energy-Utilities	\$2,980.11
Professional Claims Group	
-Ambulance Billing	\$491.10
Schumacher Elevator Co.	
-Elevator Inspections	\$266.70
Roberts, Stevens &	
-Attorney Fees	\$1,000.00
Testamera Laboratories	
-Lab Test	\$88.50
US Cellular-Cell Phones	\$254.10
Utility Equipment Company	
-Supplies	\$532.04
Visa-Postage, Supplies	\$2,718.16
Wellmark BCBS	
-Group Insurance	\$9,244.38
Seboo Books-Books	\$597.10
USA Bluebook-Supplies	\$254.19
Toyne Inc	
-Vehicle Maintenance	\$1,008.47
RDJ Specialties, Inc	
-2017 City Hall Fire/Lollipop	\$249.39
IA State Bank	\$15.00
Outdoor & More Inc-Hitch Kit	\$55.80
Hinders, Kayla	
-Mileage Reimbursement	\$192.28
A-1 Storage-2017 City Hall	
Fire/Pod Rental	\$260.00
Culver Hahn Electric	
-Lights For 188 Sign	\$1,432.80
Satellite Shelters, Inc	
-2017 City Hall Fire/Trailer	\$495.00
Struxture Architects	
-Consulting Fee	\$3,403.10
Eggleston, Kristin	
-Ambulance Training	\$220.00
Joe's Heating, Cooling	
-Sewer Backup	\$108.40
Advanced Environmental	
-Asbestos Removal	\$2,490.00
Lansing Brothers Const	
-Building Demo	\$78,128.00
Deposit Refunds	
-Refund Date 11/20/2017	\$145.63
Payroll Checks	
-Total Payroll Checks	\$23,119.58
Total Expenditures For:	
November	\$211,174.83
Expenditures By Funds November	
General Fund Fund	\$36,817.78
Road Use Tax Fund	\$10,834.35
Employee Benefits Fund	\$6,120.42
LOST (35%) Property	
Impro Fund	\$13,203.87
LOST (30%) Recreation	
-Tax Fund	\$27,205.25
Economic Devel. Projects Fund	\$220.22
2016-Housing Rehab Fund	\$5,369.29
2017-Buyout Program Fund	\$1,440.72
2017-City Hall Fire Fund	\$7,096.92
Water Utility Fund	\$36,722.00
Customer Deposit Fund Fund	\$7,868.13
Sewer Utility Fund	\$145.63
Garbage Utility Fund	\$7,076.51
Storm Water Drainage	
Util Fund	\$51,053.74
Total By Funds: November	\$211,174.83
Receipts November	
General Fund Fund	\$20,946.71
Road Use Tax Fund	\$16,821.10
Employee Benefits Fund	\$3,080.01
Emergency Levy Fund	\$395.60
LOST (35%) Property Impr	
-Tax Fund	\$3,393.74
LOST (30%) Recreation	
-Tax Fund	\$2,908.92
LOST (35%) Tax Relief	
-Tax Fund	\$3,393.73
Economic Development Fund	
2016 Flood	\$26,371.10
2016 Housing Rehab	\$27,095.00
2017 Buyout Program	
2017 City Hall Fire	
Debt Service Fund	\$4,391.96
Building Projects Fund	
Equipment Projects Fund	
Perpetual Care Fund	
Water Utility Fund	\$11,551.40
Customer Deposit Fund	\$800.00
Water (Tower Lease) Fund	\$275.00
Sewer Utility Fund	\$7,581.84
Garbage Utility Fund	\$11,043.70
Storm Water Drainage	
Util Fund	\$4,383.61
Total Revenue For:	
November	\$144,233.42
Attest: <i>Lori A. Peterson</i> City Clerk/Treasurer	

CS 49-1

PUBLIC NOTICE

Notice of Public Hearing

The Butler County Board of Supervisors will hold a Public Hearing at 9:05 A.M. on December 19, 2017 in the Supervisor's Boardroom, Butler County Courthouse, 428 6th Street, Allison, IA for the sale of Parcel #0925427009, Lots 16-17-18, Block 3 located in Section 25, Township 91, Range 18, Madison Township, Kesley, Iowa. Sealed bids will be opened and read in this Public Hearing.

Anyone wishing to bid on this property should turn their sealed bid into the Auditor's office by 9:00 A.M. on December 19, 2017 in person or by an authorized agent. All bidders present will be allowed to increase their bid until a single bidder remains. At the close of the auction, the

successful bidder shall make payment to the Butler County Auditor.

The Butler County Board of Supervisors will Quit Claim any interest that Butler County holds in the property. This property is sold as is. It is up to the buyer to have an abstract made to satisfy himself as to the location of boundaries. Any and all costs for the transfer of ownership of this property are the responsibility of the buyer.

The Butler County Board of Supervisors has set a minimum bid of \$500 and reserves the right to reject any and all bids. Anyone having questions about this property should contact the Butler County Auditor's Office at 319-267-2670.

TJ/CS 49-1

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

Board presented Mark Kramer, Secondary Roads employee, with a plaque commemorating over 32 years of services upon his retirement. Also present were Assistant Engineer Tom Hoodjer, Treasurer Vicki Schoneman, Sheriff Jason Johnson and County Attorney Greg Lievens.

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

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tor's Office.

UPON Roll Call the vote thereon was as follows: AYES: Greg Barnett, Rusty Eddy, Tom Heidenwirth; NAYS: None

WHEREUPON the Resolution was declared duly adopted.

ATTEST: *Lizbeth Williams*
County Auditor

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

RESOLUTION #67-18 BUTLER COUNTY COURTHOUSE HOLIDAY CLOSURES-2018

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7. Thanksgiving Day: Thursday, November 22, 2018
8. Day after Thanksgiving, Friday: November 23, 2018
9. Christmas Eve: Monday, December 24, 2018
10. Christmas Day: Tuesday, December 25, 2018

Upon Roll Call the vote thereon was as follows: Ayes: Greg Barnett, Rusty Eddy, Tom Heidenwirth; Nays: None

WHEREUPON said Resolution was declared duly adopted this 21st day of November, 2017.

ATTEST: *Lizbeth Williams*
County Auditor

Board approved claims as submitted.

Moved by Barnett, second by Heidenwirth to adjourn the meeting at 10:06 A.M. to Tuesday, November 28, 2017 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 November 21, 2017.

TJCS 49-1

PROCEEDINGS: Allison

City of Allison Council Meeting Monday, November 27, 2017

Regular Meeting:

Mayor Henrichs opened the regular meeting. Council members present were: Blockhus, Cramer, Davis and Platter. Absent: Ryan Henrichs as he no longer lives in the City of Allison. Others in attendance were: Jodi Bangasser, Kim Miller – Public Works Director, Bethany Carson – Tribune Journal, Lee Gallentine, Matt Garber, & Ryan Fischer, all of Clapsaddle-Garber Associates. Blockhus made a motion to approve the agenda with a second by Cramer. Ayes: All. Nays: None. Motion Carried.

Consent Agenda:

Davis made a motion to approve the consent agenda with a second by Cramer. The items approved were as follows: Approve minutes from meeting on 11/13/17

Ayes: All. Nays: None. Motion Carried.

Open Forum:

Lee Gallentine reported to Council that he is still working on the easements for the water & sewer to the Industrial Park.

New Business:

Matt Garber, President of Clapsaddle-Garber Associates, was present at the meeting to discuss the amendment to the engineering services agreement for the Farm to Market Project. Blockhus stated that when change orders were discussed for the project with Clapsaddle-Garber Associates that it was stated that there was enough eligible funds from the DOT to take care of the change orders but not stating upfront that engineering fees were not able to be taken out of those grant fund monies. Matt stated that his project manager should have made that very clear to Council but he failed to do that. That project manager is no longer with his firm. Matt stated that since the asphalt was put down on several different days that more testing needed to be done by Terracon, the certified testing firm testing the quality of the black top and the black-topping contractor, serving as the general contractor, was given 20 more working days to get the project done as several change orders were approved for curb & gutter work as well as more handicapped sidewalk entrances. This all required their firm to be on site for more days also. He said he was willing to negotiate with the

City in regards to their fee since it was his project managers fault for not discussing the matter back in August. He stated that a 2/3 amount of the total bill would be equitable for them. Davis made a motion to accept the offer of the City paying 2/3 of the original \$30,000 bill for a total of \$20,000. Second by Blockhus. Ayes: All. Nays: None. Motion Carried.

Ryan Fischer, the construction services lead that was on-site for the project for Clapsaddle-Garber Associates, discussed his punch list for unfinished items on the project. He stated that the cement contractor was coming back on Tuesday to try and clear up the items that Ryan had rejected. There was some extra cleaning up to be done as well as some grading on handicapped sidewalks that he had not approved. He stated that funds would be withheld from their payment if these items were not completed to his satisfaction until they are completed correctly.

Council discussed how the City should bill WK Construction for the hours that Trent put in street sweeping for them. It was decided that we should bill them at the rate of 130% of Trent's wages to cover benefits and taxes paid by the City.

Due to the fact that there will be a Council vacancy when Jim Blockhus takes over the Mayoral position that he was elected to and his Council position still had two years left on the term, Blockhus will be visiting with two people that may be interested in filling that vacancy and report back to Council on his findings.

Cramer made a motion to approve Trent's Step 2 - 90 day probation increase of 50 cents per hour as approved in Resolution #17-08.3 and this increase will become effective on November 28, 2017. Second by Davis. Ayes: All. Nays: None. Motion Carried. Cramer & Blockhus will perform a job performance review with Trent in the near future. Kim reported that Trent is doing a Great job!

Old Business:
No old business was discussed. Blockhus made a motion to adjourn at 6:29 p.m. Second by Davis. Ayes: All. Nays: None. Motion Carried.

Scot Henrichs – Mayor
Attest: *Glenda Miller – City Clerk*

TJ 49-1

PROBATE

THE IOWA DISTRICT COURT
BUTLER COUNTY
IN THE MATTER OF
THE ESTATE OF
DUANE HARLAN CUMMINGS,
Deceased.
CASE NO. ESPR016750
NOTICE OF PROBATE OF WILL, OF
APPOINTMENT OF EXECUTOR, AND
NOTICE TO CREDITORS

To All Persons Interested in the Estate of Duane Harlan Cummings, Deceased, who died on or about September 24, 2017:

You are hereby notified that on November 27, 2017, the last will and testament of Duane Harlan Cummings, deceased, bearing date of July 25, 1985, Codicil dated December 23, 1997 nominated Cynthia Sue Rindels and Rebecca Lynn Carrier as co-executors, admitted to probate in the above named court and that Cynthia Sue Rindels and Rebecca Lynn Carrier were appointed co-executors of the estate. The named Executor, testator's late wife, Norma Jean Cummings, died June 12, 2010. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is hereby given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated November 28, 2017.
Cynthia Sue Rindels
Co-Executor of Estate
27804 Tanner Road
New Hartford, IA 50660
Rebecca Lynn Carrier
Co-Executor of Estate
1707 Palmer Court
Parkersburg, IA 50665
Lori L. Nelson, #AT0012341
ATTORNEY FOR EXECUTORS
The Sayer Law Group, P.C.
925 E. 4th Street, Waterloo, IA 50702
Date of second publication:
December 14, 2017

TJ-49-2

Public Notice

NOTICE OF SALE

The contents of Storage Unit # 4
Located at: 310 Allen Street Allison, IA 50602

And rented in the name of: Jim DeBoer
Will be sold at public auction sale on: December 18, 2017 at 10:00 a.m.

Contents of said unit consist in part of: Personal, household and misc. items
MINIMUM BILL WILL HAVE TO BE \$480.00 per unit

If the tenant of the above storage unit pays the rent due before the auction, the sale will be canceled without notice.

TJ-48-2

PUBLIC NOTICE

Notice of Public Hearing

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Anyone wishing to bid on this property should turn their sealed bid into the Auditor's office by 9:00 A.M. on December 19, 2017 in person or by an authorized agent. All bidders present will be allowed to increase their bid until a single bidder remains. At the close of the auction, the

successful bidder shall make payment to the Butler County Auditor.

The Butler County Board of Supervisors will Quit Claim any interest that Butler County holds in the property. This property is sold as is. It is up to the buyer to have an abstract made to satisfy himself as to the location of boundaries. Any and all costs for the transfer of ownership of this property are the responsibility of the buyer.

The Butler County Board of Supervisors has set a minimum bid of \$500 and reserves the right to reject any and all bids. Anyone having questions about this property should contact the Butler County Auditor's Office at 319-267-2670.

TJ/CS 49-1