

Proceedings

CLARKSVILLE COMMUNITY SCHOOL BOARD OF EDUCATION
Special Meeting
April 5, 2018

The special board meeting was called to order by President Chris Backer at 5:31 p.m. in room #109. Board members present were Chris Backer, Justin Clark, Phil Barnett, Shelley Maiers and Tim Backer; others present were Superintendent Joel Foster, Business Manager/Board Secretary Shellee Bartlett, Assistant Principal Bob Saathoff, PK-12 Principal Eric Eckerman and Bethany Carson.

Moved by Barnett, seconded by Maiers, to approve agenda. Carried unanimously. Moved by Clark, seconded by Barnett, that based upon our analysis, the following should occur: elimination of one PK-6 position; elimination of one music position; elimination of one junior/senior high school social studies position. The Superintendent shall implement the Master Contract in order to carry out this action with regard to members of the bargaining unit. Roll: Ayes – C. Backer, Clark, Maiers, T. Backer, Barnett; Nays – none.

Moved by Barnett, seconded by T. Backer, to accept resignations from Ann Ahrent, custodian; Eric Eckerman, PK-12 Principal. Carried unanimously.

Moved by T. Backer, seconded by Maiers, to adjourn at 6:34 p.m.

CS 15-1

Proceedings

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MARCH 27, 2018.

Meeting called to order at 10:15 a.m. by Chairman Greg Barnett with members Rusty Eddy and Tom Heidenwirth present. Also present were Engineer John Riherd, Assessor Michele Shultz, Maggie Burger, Speer Financial, Inc., Katie LaBree, Aplington, Iowa, Virgil Goodrich, Parkersburg, Iowa, Perry Bernard, Parkersburg, Iowa and Chris Luhring, Parkersburg, Iowa.

Board discussed possible improvements to Orchid Lane in Parkersburg. Several scenarios were discussed. Maggie Burger, Speer Financial, Inc. discussed funding possibilities for the City and the County and the necessity for a 28E Agreement. Discussion will continue at a later date.

Moved by Barnett, second by Eddy to adjourn the meeting at 11:28 A.M. to Tuesday, April 3, 2018 at 9:00 A.M. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on April 3, 2018.

TJ/CS 15-1

Public Notice

PUBLIC NOTICE
NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$200,000

(GENERAL OBLIGATION)
The City Council of the City of Clarksville, Iowa, will meet on April 16, 2018, at the temporary City Hall, Clarksville, Iowa, at 7:00 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$200,000 for the purpose of flood mitigation.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Clarksville, Iowa.

Lori Peterson, City Clerk

CS15-1

PROCEEDINGS: Clarksville

CITY OF CLARKSVILLE
CITY COUNCIL BUSINESS MEETING
April 2, 2018

The Clarksville City Council met in regular session April 2, 2018, in the Temporary Council Chambers at 7:00 p.m. with Mayor Val Swinton in the chair and Council Members Roger Doty, Todd Fails, Jeff Kolb, Diane Renning, and Kenny Smith present.

Mayor Swinton hereby made the PROCLAMATION – April 27, 2018, as Arbor Day in the City of Clarksville, Iowa.

Motion Smith, Doty, to approve and adopt the items contained in the Consent Agenda: Motion to approve minutes (March 5, 2018 and March 19, 2018).

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

Motion Kolb, Renning, to re-set the date to April 16, 2018 for the Public Hearing on proposal to enter into a general obligation municipal building loan/lease-purchase agreement and to borrow money thereunder in a principal amount not to exceed \$400,000.00.

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

Motion Kolb, Smith, to approve the bid for contract award for the deconstruction of the City Hall building to Barnett Excavating, Plainfield, Iowa, for \$19,700.00 as recommended by Fehr Graham Engineering & Environmental.

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

Motion Renning, Fails, to approve a garage building permit for Rudy Henning, 709 N Elizabeth St.

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

Motion Kolb, Doty, to approve temporary greenhouse building permit for Homelown Grocery, 402 N Main St.

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

Motion Smith, Renning, to approve Resolution 18-659: A RESOLUTION OF THE CITY COUNCIL OF CLARKSVILLE, IOWA, SUPPORTING BUTLER-GRUNDY DEVELOPMENT ALLIANCE RURAL BUSINESS DEVELOPMENT GRANT APPLICATION.

WHEREAS, Butler-Grundy Development Alliance (Alliance) is seeking financial assistance to conduct a Butler County Housing Needs Assessment (HNA) and a Grundy County HNA; and

WHEREAS, the United States Department of Agriculture (USDA) Rural Business Development Grant (RBDG) program addresses the funding needs to develop said Plans; and

WHEREAS, the City Council of Clarksville supports the Alliance's proposal to pursue RBDG funding and development of HNAs; and

NOW THEREFORE LET IT BE RESOLVED the City Council of Clarksville, Iowa supports the Alliance's USDA RBDG application for financial assistance to conduct Housing Needs Assessments.

RCV – Ayes: Doty, Fails, Renning, Smith. Nays: None. Abstained: Kolb. MC.

Resolution declared adopted, signed by the Mayor and hereby made a portion of these minutes.

Motion Renning, Smith, to set a Public Hearing for May 7, 2018, at 7:00 p.m. in the temporary City Hall to amend the Fiscal Year 2018 City Budget.

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

Motion Fails, to adjourn the regular City Council meeting at 7:26 p.m.

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

CS15-1

PROCEEDINGS: Butler Co.

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MARCH 27, 2018.

Meeting called to order at 9:00 a.m. by Chairman Greg Barnett with members Rusty Eddy and Tom Heidenwirth present. Also present were Engineer John Riherd and Virgil Goodrich, Parkersburg, Iowa.

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

Board met with Engineer John Riherd to review the Iowa DOT FY19 Secondary Road Budget and 5 Year Secondary Road Construction Program. Also present were Environmental Health Specialist Misty Kroeze and Bill Groen, Aplington, Iowa. Following discussion, it was moved by Eddy, second by Barnett to approve. All ayes. Motion carried.

Moved by Eddy, second by Heidenwirth to accept the recommendation of Engineer Riherd and award Construction Project L-HPC-O(1)-73-12 to Boulder Contracting, LLC, Grundy Center, Iowa for \$384,831. All ayes. Motion carried.

Moved by Eddy, second by Heidenwirth to accept the recommendation of Engineer Riherd and award Construction Project L-HPC-O(1)-73-12 to Boulder Contracting, LLC, Grundy Center, Iowa for \$384,831. All ayes. Motion carried.

Time and place for public hearing on release of an easement located in Section 10, Township 91N, Range 17W, Ripley Township. Present were Engineer John Riherd, Environmental Health Specialist Misty Kroeze, Todd Reiher, Clarksville, Iowa, Virgil Goodrich, Parkersburg, Iowa and Bill Groen, Aplington, Iowa. Auditor reported no written or oral comments received. At the close of the public hearing it was moved by Heidenwirth, second by Barnett to approve the release of said easement and executed Quit Claim Deed

to Reiher Ranch, LLC on same. All ayes. Motion carried.

Moved by Eddy, second by Heidenwirth to appoint Environmental Health Specialist Misty Kroeze as Zoning Administrator effective immediately with an annual salary of \$7,189. All ayes. Motion carried.

Moved by Barnett, second by Heidenwirth to approve a Class C Liquor License with Outdoor Sales and Sunday Service for C.A.R.D., Inc., Clarksville, Iowa. All ayes. Motion carried.

No public comment received.

Board approved claims as submitted.

Board acknowledged receipt of Manure Management Plan Annual Updates for Asche East Finisher Farm; Noelck #1 (East) Finisher Farm; Noelck #3(West) Finisher Farm; Frances Finisher Farm; Fink Finisher Farm; Kuper Finisher Farm; McCandless 2 Finisher; Ryan Freese; Quail Finisher Farm; Roose South Finisher Farm; Winkowitsch Finisher Farm; Brad Finisher Farm; Woodford Creek Farms; Butler Finisher Farm; Brocka Finisher Farm; RB Spain Finisher Farm; RB DeGroote Finisher Farm; RB Poppen Finisher Farm; Feckers Finisher Farm; PHD Site 1; Chris Fenneman and PHD Site 2.

Moved by Eddy, second by Barnett to adjourn the meeting at 9:55 A.M. to 10:15 A.M. Work Session this day. 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 March 27, 2018.

TJ/CS 15-1

PUBLIC NOTICE

ORIGINAL NOTICE FOR PUBLICATION IN THE IOWA DISTRICT COURT OF BUTLER COUNTY
JPMorgan Chase Bank, National Association, Plaintiff,
vs.

Anthony D. Knudsen a/k/a Anthony Dean Knudsen; Parties in Possession; Unknown spouse, if any, of Anthony D. Knudsen, a/k/a Anthony Dean Knudsen; LVNV Funding LLC; State of Iowa, et al. Defendants.
EQUITY NO: EQCV021425

You are notified that a petition has been filed in the office of this court naming you as a defendant in this action. The petition was filed on January 29, 2018, and prays for foreclosure of Plaintiffs Mortgage in favor of the Plaintiff on the property described in this notice and judgment for the unpaid principal amount of \$67,007.27, with 3.25% per annum interest thereon from August 1, 2017, together with late charges, advances and the costs of the action including (but not limited to) title costs and reasonable attorney's fees, as well as a request that said sums be declared a lien upon the following described premises from March 5, 2013, located in Butler county, Iowa:

The South 58 feet of Lot 4 in Block 18 in the Original Town of Clarksville And being more correctly described as:

The South 58 feet of Lot 4 in Block 18 in the ORIGINAL TOWN OF CLARKSVILLE, Butler County, Iowa, commonly known as 108 South Mather Street, Clarksville, IA 50619 (the "Property")

The petition further prays that the Mortgage on the above described real estate be foreclosed, that a special execution issue for the sale of as much of the mortgaged premises as is necessary to satisfy the judgment and for other relief as the Court deems just and equitable. For further details, please review the petition on file in the clerk's office. The Plaintiffs attorney is Bryan Loya, of SouthLaw, P.C., whose address is 1401 50th Street, Suite 100, West Des Moines, IA 50266.

NOTICE

The plaintiff has elected foreclosure without redemption. This means that the sale of the mortgaged property will occur promptly after entry of judgment unless you file a written demand with the court to delay the sale. If you file a written demand, the sale will be delayed until twelve months (or six months if the petition includes a waiver of deficiency judgment) from the entry of judgment if the mortgaged property is your residence and is a one-family or two-family dwelling or until two months from entry of judgment if the mortgaged property is not your residence or is your residence but not a one-family or two-family dwelling. You will have no right of redemption after the sale. The purchaser at the sale will be entitled to immediate possession of the mortgaged property. You may purchase at the sale.

You must serve a motion or answer on or before 3rd day of May, 2018, and within a reasonable time thereafter, you must file your motion or answer with the Clerk of Court for Butler County, at the county courthouse in Allison, Iowa. If you fail to respond, judgment by default may be rendered against you for the relief demanded in the petition.

If you require the assistance of auxiliary aids or services to participate in a court action because of a disability, immediately call your District ADA Coordinator at 641-494-3611. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.

This case has been filed in a county that utilizes electronic filing. You may find more information and general rules governing electronic filing in Iowa Court Rules Chapter 16. You may find information concerning protection of personal information in court filings in Iowa Court Rules Chapter 16, Division VI.

By: Julie Kneip
CLERK OF THE ABOVE COURT
Butler County Courthouse
428 6th Street, P.O. Box 307
Allison, IA 50602-0307

IMPORTANT:
YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS.

CS13-3

SHERIFF'S SALE

Notice of Sheriff's Levy and Sale
IN THE IOWA DISTRICT COURT IN
AND FOR BUTLER COUNTY

STATE OF IOWA
BUTLER COUNTY

Iowa District Court Butler County
Case #: EQCV021398
Civil #: 18-000123
Special Execution

BAYVIEW LOAN SERVICING, LLC
VS.

ROBERT IZER AND SANDRA IZER,
HUSBAND AND WIFE;

MORTGAGE ELECTRONIC REG-
ISTRATION SYSTEMS, INC. AS
NOMINEE FOR HSBA MORTGAGE
CORPORATION;

WHEATON FRANCISCAN HEALTH-
CARE-IOWA, DBA COVENANT MEDI-
CAL CENTER, MERCY HOSPITAL AND
SARTORI MEMORIAL

As a result of the judgment rendered
in the above referenced court case, an
execution was issued by the court to the
Sheriff of this county. The execution or-
dered the sale of defendant's Real Estate,
Described Below

To satisfy the judgment. The Property
to be sold is:

THE FOLLOWING DESCRIBED
REAL ESTATE IN BUTLER COUNTY,
IOWA: PARCEL B, EXCEPT
THE EAST 387.85 FEET; AND
ALSO, THE EAST 51.53 FEET OF
PARCEL ALL IN THE SOUTHEAST
QUARTER OF THE SOUTHWEST
QUARTER (SE1/4 SW1/4) OF SEC-
TION TWENTY-EIGHT (28), TOWNSHIP
NINETY-ONE (91) NORTH,
RANGE THE FOLLOWING DE-
SCRIBED REAL ESTATE IN BUT-
LER COUNTY, IOWA: PARCEL B,
EXCEPT THE EAST 387.85 FEET
AND ALSO, THE EAST 51.53 FEET
OF PARCEL A ALL IN THE SOUTH-
EAST QUARTER OF THE SOUTH-
WEST QUARTER (SE1/4 SW1/4)
OF SECTION TWENTY-EIGHT

(28), TOWNSHIP NINETY ONE
(91) NORTH, RANGE SEVENTEEN
(17) WEST OF THE FIFTH P.M.,
AS SHOWN IN PLAT OF SURVEY
FILED APRIL 11, 1988, IN BOOK
G PAGE 62 IN THE RECORDERS
OFFICE OF BUTLER COUNTY,
IOWA. TAX ID: 1028300044. BEING
THE SAME FEE SIMPLE PROPER-
TY CONVEYED BY WARRANTY
DEED FROM DAVID A. DODGEN
AND DEBORAH L. DODGEN HUS-
BAND AND WIFE TO ROBERT
IZER AND SANDRA IZER HUS-
BAND AND WIFE JOIN TENANTS,
DATED 10/21/2005 RECORDED
ON 10/26/2005 IN INSTRUMENT
NO. 20054555 IN BUTLER COUN-
TY RECORDS, OF IA.

JUDGMENT IN REM
Property Address: 18395-270th
Street, Aplington, IA 50604

The described property will be offered
for sale at public auction for cash only as
follows:

Sale Date: May 31, 2018
Sale Time: 10:00 a.m.
Place of Sale: BUTLER COUNTY
SHERIFF'S OFFICE, 428 6TH ST., ALLI-
SON, IA 50602

This sale not subject to Redemption.
Property exemption: Certain money or
property may be exempt. Contact your
attorney promptly to review specific
provisions of the law and file appropriate no-
tice, if acceptable.

Judgment Amount: \$78,303.62
Costs: \$26,259.36
Accruing Costs PLUS
Interest: \$2,865.27
Sheriff's Fees: Pending
Attorney: MICHAEL J. CUNNINGHAM
2830-100TH ST., STE. 106
URBANDALE, IA 50322
Date: April 2, 2018
JASON S. JOHNSON
BUTLER COUNTY SHERIFF

TJ-15-2

PROCEEDINGS: Butler Co.

MINUTES AND PROCEEDINGS OF A
REGULAR MEETING OF THE BUTLER
COUNTY BOARD OF SUPERVISORS
HELD ON MARCH 27, 2018.

Meeting called to order at 9:00 a.m. by
Chairman Greg Barnett with members
Rusty Eddy and Tom Heidenwirth pres-
ent. Also present were Engineer John
Riherd and Virgil Goodrich, Parkersburg,
Iowa.

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

Board met with Engineer John Riherd
to review the Iowa DOT FY19 Second-
ary Road Budget and 5 Year Secondary
Road Construction Program. Also pres-
ent were Environmental Health Specialist
Misty Kroeze and Bill Groen, Aplington,
Iowa. Following discussion, it was moved
by Eddy, second by Barnett to approve.
All ayes. Motion carried.

Moved by Eddy, second by Heiden-
wirth to accept the recommendation of
Engineer Riherd and award Construction
Project L-HPC-O(1)-73-12 to Boulder
Contracting, LLC, Grundy Center, Iowa

Time and place for public hearing on re-
lease of an easement located in Section
10, Township 91N, Range 17W, Ripley
Township. Present were Engineer John
Riherd, Environmental Health Specialist
Misty Kroeze, Todd Reither, Clarksville,
Iowa, Virgil Goodrich, Parkersburg, Iowa
and Bill Groen, Aplington, Iowa. Auditor
reported no written or oral comments re-
ceived. At the close of the public hearing
it was moved by Heidenwirth, second by
Barnett to approve the release of said
easement and executed Quit Claim Deed

to Reiher Ranch, LLC on same. All ayes.
Motion carried.

Moved by Eddy, second by Heidenwirth
to appoint Environmental Health Special-
ist Misty Kroeze as Zoning Administrator
effective immediately with an annual sala-
ry of \$7,189. All ayes. Motion carried.

Moved by Barnett, second by Heiden-
wirth to approve a Class C Liquor License
with Outdoor Sales and Sunday Service
for C.A.R.D., Inc., Clarksville, Iowa. All
Ayes. Motion carried.

No public comment received.

Board approved claims as submitted.
Board acknowledged receipt of Ma-
nure Management Plan Annual Updates
for Asche East Finisher Farm; Noelck #1
(East) Finisher Farm; Noelck #3(West)
Finisher Farm; Frances Finisher Farm;
Fink Finisher Farm; Kuper Finisher Farm;
McCandless 2 Finisher; Ryan Freese;
Quail Finisher Farm; Roose South Fin-
isher Farm; Winkowitsch Finisher Farm;
Brad Finisher Farm; Woodford Creek
Farms; Butler Finisher Farm; Brocka Fin-
isher Farm; RB Spain Finisher Farm; RB
DeGroot Finisher Farm; RB Poppen Fin-
isher Farm; Feckers Finisher Farm; PHD
Site 1; Chris Fenneman and PHD Site 2.

Moved by Eddy, second by Barnett to
adjourn the meeting at 9:55 A.M. to 10:15
A.M. Work Session this day. Motion car-
ried.

The above and foregoing is a true and
correct copy of the minutes and proceed-
ings of a regular adjourned meeting of the
Board of Supervisors of Butler County,
Iowa on March 27, 2018.

TJ/CS 15-1

Proceedings

MINUTES AND PROCEEDINGS OF A
REGULAR MEETING OF THE BUTLER
COUNTY BOARD OF SUPERVISORS
HELD ON MARCH 27, 2018.

Meeting called to order at 10:15 a.m.
by Chairman Greg Barnett with members
Rusty Eddy and Tom Heidenwirth pres-
ent. Also present were Engineer John
Riherd, Assessor Michele Shultz, Mag-
gie Burger, Speer Financial, Inc., Katie
LaBree, Aplington, Iowa, Virgil Goodrich,
Parkersburg, Iowa, Perry Bernard, Park-
ersburg, Iowa and Chris Luhring, Park-
ersburg, Iowa.

Board discussed possible improve-
ments to Orchard Lane in Parkersburg.
Several scenarios were discussed. Mag-
gie Burger, Speer Financial, Inc. dis-
cussed funding possibilities for the City
and the County and the necessity for a
28E Agreement. Discussion will continue
at a later date.

Moved by Barnett, second by Eddy
to adjourn the meeting at 11:28 A.M. to
Tuesday, April 3, 2018 at 9:00 A.M. Mo-
tion carried.

The above and foregoing is a true and
correct copy of the minutes and proceed-
ings of a regular adjourned meeting of the
Board of Supervisors of Butler County,
Iowa on April 3, 2018.

TJ/CS 15-1

Public Notice

PUBLIC NOTICE OF
STORM WATER DISCHARGE

The Butler County Conservation Board
plans to submit a Notice of Intent to the
Iowa Department of Natural Resources
to be covered under the NPDES General
Permit No. 2 "Storm Water Discharge As-
sociated with Industrial Activity for Con-
struction Activities".

The storm water discharge will be from
construction activities associated with the
PCC trail and culvert repairs located at
NE of Sections 19, 26, 27, 28, Township
92N Range 17W, NW Section 20, Town-
ship 92N Range 17W, and SW Sections
21, 25, Township 92N R 17W. Storm wa-
ter will be discharged from multiple point
sources between Allison and Bristow, and
will be discharged to West Fork Cedar
River.

Comments may be submitted to the
Storm Water Discharge Coordinator,
IOWA DEPARTMENT OF NATURAL
RESOURCES, Environmental Protection
Division, Henry A. Wallace Building, 502
E 9th Street, Des Moines, IA 50319-0034.
The public may review the Notice of Intent
from 8 a.m. to 4:30 p.m., Monday through
Friday, at the above address after it has
been received by the department.

TJ15-1