

Official Proceedings: Butler County Board of Supervisors

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON APRIL 4, 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, Sheriff Jason Johnson, Assessor Deb McWhirter, IT Director Sara Trepp, Facilities Manager Bill Miller, Greg Forbes, Parkersburg Eclipse and Fern Myers, Allison Iowa.

Minutes of the previous meeting were read and approved as read. Moved by Barnett, second by Heidenwirth to authorize chair to execute Service Agreement with Tyler Technologies for \$57,500. All ayes. Motion carried.

Moved by Eddy, second by Heidenwirth to approve contract with Midwest Basement Systems for \$14,606.50 for water abatement project. All ayes. Motion carried.

Board reviewed Quarterly Report of Auditor and ordered placed on file. Moved by Barnett, second by Heidenwirth to approve a 3-year contract with Cost Advisory Services for \$4,125 per year. Also present was Assistant County Attorney Marty Petersen. All ayes. Motion carried.

Moved by Barnett, second by Eddy to approve a Utility Permit for REC to install overhead service line to 12508 Terrace Ave. All ayes. Motion carried.

Moved by Eddy to approve a Construction Road Closure as follows: RESOLUTION #878 CONSTRUCTION ROAD CLOSURE

WHEREAS, The Butler County Board of Supervisors is empowered under authority of the Code of Iowa to close roads or highways under their jurisdiction when necessary for construction, and

WHEREAS, a bridge replacement project, L-Culv17-73-12 (sites L15W-A & L15W20), requires that Butler County Route T16 (Douglas Ave) from 240th Street north 1 mile to 250th Street be closed to thru traffic, and

WHEREAS, local traffic in the vicinity of the construction project will be maintained outside of the construction limits of project L-Culv17-73-12 (sites L15W-A & L15W20), and

WHEREAS, thru traffic is encouraged to follow signed detour route, and

NOW THEREFORE BE IT RESOLVED that the above described roads and bridge is to be closed and proper signs erected for the duration of the construction project as determined by the County Engineer.

BE IT FURTHER RESOLVED that upon completion of the construction work, as determined by the County Engineer, the road shall be opened to the traveling public without further action of this board.

The vote thereon was as follows: AYES: Greg Barnett, Rusty Eddy, Tom Heidenwirth; NAYS: None. Passed and Approved this 4th day of April, 2017.

ATTEST: Lizbeth Williams, County Auditor DOT Contract 12-C012-098 was not available at meeting time and will be awarded on April 11, 2017.

Board met with John Kannegieter, Aplington, Iowa representing Austinville Christian Reform Church. Church members are requesting that the County take possession of the old school-house property, parcel #13-22-377-040 in Austinville. County having ownership is a requirement to qualify for a Derelict Building Grant through the DNR. Assistant County Attorney Marty Petersen suggested a letter of support stating County will take possession when grant dollars are awarded and a Memorandum of Understanding between the church and the County. Assistant County Attorney will prepare said documents. Moved by Barnett, second by Heidenwirth to support the project and take possession of said property subject to the successful award of DNR grant funds. All ayes. Motion carried.

Board approved claims as submitted.

Table with 2 columns: Item description and Amount. Includes items like 'Butler County claims paid from March 1, 2017 through March 31, 2017' and '4imprint, Inc.,Wom & Diab'.

Table with 2 columns: Item description and Amount. Includes items like 'Environ Edu/Supply', 'Allison, City Of,Util', 'Anderson-Bogert Engineers, Park Rprs'.

Table with 2 columns: Item description and Amount. Includes items like '/Maint/Parkrps', 'Johnson, Diane,Mlge/Ofc Sup', 'Johnson, Mark,Twp Exp'.

Table with 2 columns: Item description and Amount. Includes items like 'West Fork Constructors,Misc', 'West Group Payment Ctr.,Law Lbr', 'Wilber, Matthew,Sch Of Instr'.

Table with 2 columns: Item description and Amount. Includes items like 'Fo Properties, Llc', 'Forcier, Nina', 'Forest City, City Of'.

Table with 2 columns: Item description and Amount. Includes items like 'Opportunity Village', 'Otter Creek Cooperative', 'Owl Investments, Llc'.

Proceedings: Clarksville

CITY OF CLARKSVILLE CITY COUNCIL DEPARTMENT MEETING APRIL 17, 2017

The Clarksville City Council met in regular session April 17, 2017, in the Council Chambers at 7:00 p.m. with Mayor Val Swinton in the chair and Council members Roger Doty, Jeff Kolb, Diane Renning, Kenneth Smith, and Travis Sterken present.

The following Department Heads were in attendance: Kristen Clark, Library Director; Barry Mackey, Police Chief; Matt Kampman, Maintenance Superintendent; Ryan McCully, Maintenance Assistant; Lori Peterson and Kayla Hinders, Financial Administration.

Motion Kolb, Renning, to approve applications for Jared Ragsdale and Brandon Kramer as members of the Clarksville Fire Department.
RCV – Ayes: Doty, Kolb, Renning, Smith, Sterken. Nays: None. MC.

Motion Smith, Doty, to approve application for James Brown and resignations for Sarah Behrens, Laura Bohr, Kelsie Lovrien, Holly Meyer and Cody Niehaus as members of the Clarksville Ambulance Service.
RCV – Ayes: Doty, Kolb, Renning, Smith, Sterken. Nays: None. MC.

Motion Renning, Kolb, to adopt Resolution 17-640: A RESOLUTION OF THE CITY COUNCIL OF CLARKSVILLE, IOWA, TO ACCEPT RESIGNATION FROM CITY EMPLOYEE.
BE IT RESOLVED, by the City Council of the City of Clarksville, Iowa:

"WHEREAS Cody Niehaus has resigned as Reserve Peace Officer. Resignation is effective March 17, 2017."
RCV – Ayes: Doty, Kolb, Renning, Smith, Sterken. Nays: None. MC.

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

Motion Sterken, Doty, to adopt Resolution 17-641: A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CLARKSVILLE, IOWA FOR THE APPOINTMENT OF A RESERVE PEACE OFFICER.

WHEREAS, the City Council of Clarksville is considering appointing a reserve officer; and WHEREAS, the reserve officer would be subordinate to regular peace officer, would not serve as a peace officer unless under the direction of regular peace officers, and would wear a uniform prescribed by the Chief of Police; and WHEREAS, the reserve officer would act only in a supplementary reserve capacity to the regular police force and would not assume full-time duties of a regular peace officer without first complying with all requirements for regular peace officers as set forth by the Iowa Law Enforcement Academy, position not subject to IPERS.

WHEREAS, the reserve officer would act only in a supplementary reserve capacity to the regular police force and would not assume full-time duties of a regular peace officer without first complying with all requirements for regular peace officers as set forth by the Iowa Law Enforcement Academy, position not subject to IPERS.

WHEREAS, the reserve officer would act only in a supplementary reserve capacity to the regular police force and would not assume full-time duties of a regular peace officer without first complying with all requirements for regular peace officers as set forth by the Iowa Law Enforcement Academy, position not subject to IPERS.

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

Motion Kolb, Sterken, to approve consent agenda: Monthly Departmental Reports as submitted by Department Heads.
RCV – Ayes: Doty, Kolb, Renning, Smith, Sterken. Nays: None. MC.

Motion Renning, Kolb, to approve April expenditures and March financial reports as presented by the City Clerk.
RCV – Ayes: Doty, Kolb, Renning, Smith, Sterken. Nays: None. MC.

Motion Sterken, Doty, to approve Liquor License for Casey's General Store.
RCV – Ayes: Doty, Kolb, Renning, Smith, Sterken. Nays: None. MC.

Motion Kolb, Renning, to approve detour on Highway 188(Main Street) for the Pioneer Days Celebration as follows: East one block on Poisal Street to Mather Street, South on Mather Street, West on Weare Street.
RCV – Ayes: Doty, Kolb, Renning, Smith, Sterken. Nays: None. MC.

Motion Kolb, Renning, to adopt Resolution 17-641: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, IOWA, TO APPROVE AMENDING GARBAGE RATES.
BE IT RESOLVED by the Council of the City of Clarksville, Iowa:

1. In accordance with Section 106.08 of the City Code, that the following monthly fees be amended:
A. Refuse collection with curb-side recycling for residences be set at:
35 gallon cart \$19.50
64 gallon cart \$24.50
96 gallon cart \$31.00
Official bags \$1.25 each

B. Refuse Disposal fee to Commercial Establishments be set at: Base rate for Disposal Fee Service: \$8.00 Commercial Establishment with:
(1) Dumpster/once weekly pick up - Base rate plus \$7.00 = \$15.00
(2) Dumpster/twice weekly pick up - Base rate plus \$14.00 = \$22.00
(3) Dumpsters/once weekly pick up - Base rate plus \$14.00 = \$22.00
(4) or more Dumpsters/twice weekly pick up - Base rate plus \$21.00 = \$29.00

C. All Commercial Establishment collection fees are set by services received from approved contracted refuse company.
2. All fees based on six (6) months annual occupancy.
3. Such fees shall be effective May 1, 2017.
4. This resolution shall remain in full force and effect until amended by the City Council.
RCV – Ayes: Doty, Kolb, Renning, Smith, Sterken. Nays: None. MC.

Resolution declared adopted, signed by the Mayor and hereby made a portion of these minutes.
Motion Sterken, to adjourn the meeting at 8:25 p.m.
Val Swinton, Mayor
Attest: Lori A. Peterson, City Clerk/Treasurer
CS 16-1

**NOTICE OF PUBLIC HEARING
AMENDMENT OF FY2016-2017 CITY BUDGET**

Form 653 C1

The City Council of CLARKSVILLE in BUTLER County, Iowa
will meet at CITY HALL
at 7:00 P.M. on 5/1/2017
(hour) (Date)

for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2017 (year)

by changing estimates of revenue and expenditure appropriations in the following programs for the reasons given. Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

	Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources			
Taxes Levied on Property	1 467,489	0	467,489
Less: Uncollected Property Taxes-Levy Year	2 0	0	0
Net Current Property Taxes	3 467,489	0	467,489
Delinquent Property Taxes	4 0	0	0
TIF Revenues	5 0	0	0
Other City Taxes	6 100,092	0	100,092
Licenses & Permits	7 9,225	0	9,225
Use of Money and Property	8 3,000	0	3,000
Intergovernmental	9 199,581	462,000	661,581
Charges for Services	10 516,600	0	516,600
Special Assessments	11 0	0	0
Miscellaneous	12 13,700	250,000	263,700
Other Financing Sources	13 0	40,000	40,000
Transfers In	14 84,008	0	84,008
Total Revenues and Other Sources	15 1,393,695	752,000	2,145,695
Expenditures & Other Financing Uses			
Public Safety	16 231,983	0	231,983
Public Works	17 223,064	0	223,064
Health and Social Services	18 7,000	0	7,000
Culture and Recreation	19 226,226	0	226,226
Community and Economic Development	20 108,839	462,000	570,839
General Government	21 167,715	0	167,715
Debt Service	22 157,898	40,000	197,898
Capital Projects	23 0	250,000	250,000
Total Govt Activities & Business Expenditures	24 1,122,725	752,000	1,874,725
Business Type / Enterprises	25 453,956	0	453,956
Total Gov Activities & Business Expenditures	26 1,576,681	752,000	2,328,681
Transfers Out	27 84,008	0	84,008
Total Expenditures/Transfers Out	28 1,660,689	752,000	2,412,689
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out for Fiscal Year	29 -266,994	0	-266,994
Beginning Fund Balance July 1	30 610,550	0	610,550
Ending Fund Balance June 30	31 343,556	0	343,556

Explanation of increases or decreases in revenue estimates, appropriations, or available cash:
Received donations and grants for Splash Pad and Park Lighting Projects, loan for Ambulance Shed Project and federal funds from FEMA due to 2016 Flood.

There will be no increase in tax levies to be paid in the current fiscal year named above. Any increase in expenditures set out above will be met from the increased non-property tax revenues and cash balances not budgeted or considered in this current budget. This will provide for a balanced budget.

Lori A. Peterson
City Clerk/Finance Officer
CS 16-1

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 ALTA RUTH HEISE, Deceased Probate No. ESPR016667

To All Persons Interested in the Estate of Alta Ruth Heise, Deceased, who died on or about March 16, 2017:

You are hereby notified that on March 29, 2017, the last will and testament of Alta Ruth Heise, deceased, bearing date of October 9, 2006, was admitted to probate in the above named court and that Dennis Jones 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 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 April 5, 2017.
Executor of the Estate
Dennis Jones
2441 Fairview Ave.
Waverly, IA 50677

Karl A. Nelson, #AT0005659
Attorney for the Executor
Nelson & Toenjes
209 S. Cherry St.
Shell Rock, IA 50670-0230
Date of second publication: April 20, 2017.
Probate Code Section 304

