

OFFICIAL PROCEEDINGS: Butler County Board of Supervisors

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON SEPTEMBER 26, 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, Greg Forbes, Parkersburg Eclipse, Dan Homeister and Fern Myers, Allison, Iowa.

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

Board held a Public Hearing on proposed Amendment #4 to the Butler County Logistics Park Urban Renewal Plan. Present were Engineer John Riherd, Greg Forbes, Parkersburg Eclipse, Dan Homeister and Fern Myers, Allison, Iowa. Auditor reported no written or oral comments were received. Upon the close of the Public Hearing it was moved by Heidenwirth, second by Eddy to adopt Resolution No. 884 as follows:

RESOLUTION NO. 884

RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 4 TO THE BUTLER COUNTY LOGISTICS PARK URBAN RENEWAL PLAN

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 "Butler County Logistics Park Urban Renewal Area" or "Urban Renewal Area" or "Area") described therein, which Plan is on file in the office of the Recorder of Butler County, Iowa; and

WHEREAS, by Resolution No. 759, adopted July 31, 2012, this Board of Supervisors approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, by Resolution No. 774, adopted March 26, 2013, this Board of Supervisors approved and adopted Amendment No. 2 to the Plan (added land and projects); and

WHEREAS, by Resolution No. 843, adopted October 6, 2015, this Board of Supervisors approved and adopted Amendment No. 3 to the Plan (added land and projects); 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 12.83½ 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 Southeastly 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 Northwestly 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.

WHEREAS, a proposed Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan ("Amendment No. 4" or "Amendment") for the Butler County Logistics Park Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the County Auditor and which is incorporated herein by reference, the purpose of which is to add to and/or update the list of eligible projects to be undertaken within the Urban Renewal Area; and

WHEREAS, this proposed Amendment No. 4 to the Urban Renewal Area adds no new land; and

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan; and

WHEREAS, by resolution adopted on August 29, 2017, this Board directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the Board of Supervisors and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Executive Director Butler/Grundy Development Alliance, or his delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Board also set a public hearing on the adoption of the proposed Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan for this meeting of the Board, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Butler County Tribune - Journal, Eclipse News Review, The Greene Recorder, and The Clarksville Star, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Board in connection therewith and the public hearing has been closed.

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

That the findings and conclusions set forth or contained in Amendment No. 4 concerning the area of Butler County, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Board for this area.

This Board further finds:

Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Butler County Logistics Park Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

The Plan, as amended, and Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan conform to the

general plan for the development of the County as a whole; and

Acquisition by the County is not immediately expected, however, as to any areas of open land to be acquired by the County included within the Butler County Logistics Park Urban Renewal Area:

Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this Board of Supervisors hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the County; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

That the Butler County Logistics Park Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this County.

That Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan of Butler County, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan for Butler County, State of Iowa"; Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan of Butler County, State of Iowa, is hereby in all respects approved; and the County Auditor is hereby directed to file a certified copy of Amendment No. 4 with the proceedings of this meeting.

That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Board amends or repeals the Plan. The proposed Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan shall be forthwith certified by the County Auditor, along with a copy of this Resolution, to the Recorder for Butler County, Iowa, to be filed and recorded in the manner provided by law.

That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 4, as well as all resolutions previously adopted by this Board of Supervisors related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 26th day of September, 2017.

The vote thereon was as follows:

AYES: Greg Barnett, Rusty Eddy, Tom Heidenwirth; NAYS: None

ATTEST: Lizbeth Williams, County Auditor

Moved by Heidenwirth, second by Eddy to adopt Resolution No. 885 as follows:

RESOLUTION NO. 885

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF

THE ISSUANCE OF NOT TO EXCEED \$3,000,000 GENERAL OBLIGATION URBAN RENEWAL BONDS OF BUTLER COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

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 "Butler County Logistics Park Urban Renewal Area" or "Urban Renewal Area" or "Area") described therein, which Plan is on file in the office of the Recorder of Butler County, Iowa; and

WHEREAS, by Resolution No. 759, adopted July 31, 2012, this Board of Supervisors approved and adopted an Amendment No. 1 to the Plan to include land to be used for industrial development and to add or confirm urban renewal projects in the Area; and

WHEREAS, by Resolution No. 774, adopted March 26, 2013, this Board of Supervisors approved and adopted an Amendment No. 2 to the Plan to add property (primarily for extension of a gas line into the Area) and to add and/or confirm the list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, by Resolution No. 843, adopted October 6, 2015, this Board of Supervisors approved and adopted Amendment No. 3 to the Plan to add property and to add and/or confirm the list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, a proposed Amendment No. 4 to the Butler County Logistics Park Urban Renewal Plan for the area described above has been prepared, which proposed Amendment is on file in the office of the County Auditor and which is incorporated herein by reference, the purpose of which is to add to and/or update the list of eligible projects to be undertaken within the Urban Renewal Area; and

WHEREAS, it is deemed necessary and advisable that Butler County, State of Iowa, should issue General Obligation Urban Renewal Bonds, to the amount of not to exceed \$3,000,000, as authorized by Sections 331.443 and 403.12, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county urban renewal purpose project(s) as hereinafter described; and

WHEREAS, the Bonds shall be payable from the Debt Service Fund; and

WHEREAS, before bonds may be issued, it is necessary to comply with the procedural requirements of Chapters 331 and 403 of the Code of Iowa, and to publish a notice of the proposal to issue such bonds and the right to petition for an election.

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

That this Board meet in the Board Room, County Courthouse, 428 - 6th Street, Allison, Iowa, at 9:05 A.M., on the 10th day of October, 2017, for the purpose of taking action on the matter of the issuance of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds, for essential county urban renewal purposes, the proceeds of which bonds will be used to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Plan, as amended, including costs associated with the reconstruction and improvement of bridges, and the construction, reconstruction, repairing and widening of secondary roads and other highway improvements.

That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

The notice of the proposed action to issue bonds shall be in substantially the following form:

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF BUTLER COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED ISSUANCE OF NOT TO EXCEED \$3,000,000 GENERAL

OBLIGATION URBAN RENEWAL BONDS OF THE COUNTY (FOR ESSENTIAL COUNTY URBAN RENEWAL PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Butler County, State of Iowa, will hold a public hearing on the 10th day of October, 2017, at 9:05 A.M., in the Board Room, County Courthouse, 428 - 6th Street, Allison, Iowa, at which meeting the Board proposes to take additional action for the issuance of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds, for essential county urban renewal purposes, to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Plan, as amended, including costs associated with the reconstruction and improvement of bridges, and the construction, reconstruction, repairing and widening of secondary roads and other highway improvements.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.441(2)(b)(14), 331.443 and 403.12 of the Code of Iowa.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the Board of Supervisors of Butler County, State of Iowa, as provided by Chapters 331 and 403 of the Code of Iowa.

PASSED AND APPROVED this 26th day of September, 2017.

The vote thereon was as follows: AYES: Rusty Eddy, Tom Heidenwirth, Greg Barnett

ATTEST: *Lizbeth Williams,*

County Auditor

Present were Assessor Michele Shultz and Emergency Management Coordinator Mitch Nordmeyer.

Board met with Engineer John Riherd for the following:

Moved by Eddy, second by Heidenwirth to accept the recommendation of Engineer Riherd and approve a Utility Permit for Butler County REC to install overhead service line along 105th Street west of Newell Avenue. All Ayes. Motion carried.

Moved by Barnett, second by Eddy to accept the recommendation of Engineer Riherd and approve a Utility Permit for Butler County REC to install underground service to 22171 & 22575 105th Street. All Ayes. Motion carried.

Board reviewed County Engineer's FY2017 DOT Annual Report. Also present were LaVern Kluitter, Parkersburg, Iowa and John Wessels, Allison, Iowa.

Board discussed the importance of considering gender balance on County boards and commissions when making appointments.

Board met with LaVern Kluitter, Parkersburg Iowa to discuss the use of non-farm ATVs on County roads. Also present were Sheriff Jason Johnson and Recorder Janice Jacobs. Mr. Kluitter states that he owns timberland a few miles from his home and would like to drive his ATV there instead of having to trailer it to the location. Mr. Heidenwirth commented that although some neighboring counties do allow this, Butler County likely won't consider a change until State law allows non-farm use.

Board discussed a plugged tile on Dan Homeister's property that is affecting drainage on the County Farm. Johnson & Sons Tiling gave Mr. Homeister an estimate of \$2,300 for repair to the tile. Parties involved, Langfritz, Roose, Homeister and Butler County have agreed to pay \$575 each to Johnson & Sons for said tile repair.

Board approved claims as submitted. Moved by Eddy, second by Barnett to adjourn the meeting at 10:10 A.M. to Tuesday, October 3, 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 September 26, 2017.

TJCS 41-1

Proceedings

CLARKSVILLE COMMUNITY SCHOOL BOARD OF EDUCATION
Special Meeting
October 2, 2017

The special board meeting was called to order by Board President Chris Backer at 6:03 p.m. in the Greene Media Center. Members present were Chris Backer, Tim Backer and Phil Barnett; other present were Business Manager/Board Secretary Shellee Bartlett, Joel Foster, Eric Bixby, Bobbi Spainhower, Liz Schroeder, Laurie Shultz, Amanda Hewitt and 5 community members. Board members absent: Justin Clark and Shelley Maiers.

Moved by T. Backer, seconded by Barnett, to approve the agenda. Carried unanimously.

Moved by Barnett, seconded by T. Backer, to move into closed session to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation. Iowa Code 21.5 (1). Roll: Ayes – C. Backer, Barnett, T. Backer; Nays – none; Absent – Clark, Maiers.

Moved by Barnett, seconded by T. Clark, to adjourn at 7:21 p.m. Carried unanimously.

CS 41-1

Public Notice

LEGAL NOTICE

PUBLIC NOTICE is hereby given in accordance with Chapter 52.35 of the Iowa Code that on Thursday, October 12, 2017 at 10:00 a.m. the Butler County Auditor's Office will examine and test the vote tabulators to be used for the November 7, 2017 City Election. This certification test is open to the public.

Lizbeth Williams, Butler County Auditor & Commissioner of Elections.

TJ/CS 41-1

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
DUANE V TEGTMEIER, Deceased,
Probate No. ESPR016739

To All Persons Interested in the Estate of Duane V Tegtmeier, Deceased, who died on or about September 25, 2017:

You are hereby notified that on October 3, 2017, the last will and testament of Duane V Tegtmeier, deceased, bearing date of May 23, 2006, was admitted to probate in the above named court and that Susan L Baethke 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 October 4, 2017.
Date of second publication:
October 18, 2017

Susan L Baethke
Executor of the Estate
1038 Colby Road
Waterloo IA 50701

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

CS 41-2

PROBATE

IOWA DISTRICT COURT
FOR BUTLER COUNTY
NOTICE OF PROBATE OF WILL,
OF APPOINTMENT OF EXECUTOR,
AND NOTICE TO CREDITORS
IN THE MATTER OF THE ESTATE OF
ROBERT A. LAHR, Deceased,
Probate No. ESPR016732

To All Persons Interested in the Estate of ROBERT A. LAHR, Deceased, who died on or about August 19, 2017:

You are hereby notified that on September 15, 2017, the last will and testament of ROBERT A. LAHR, deceased, bearing date of February 14, 2011, was admitted to probate in the above named court and that ELAINE M. WHITING 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 September 18, 2017.
Date of second publication:
October 12, 2017

Elaine M. Whiting
Executor of the Estate
121 N Traer Street
Clarksville, IA 50619

Ethan D. Epley, #AT0010211
Attorney for the Executor
Stumme, Collins, Gritters & Epley, PLLC
171 E Main, PO Box 50
Denver, IA 50622
Probate Code Section 304

CS 40-2

Butler County ANNUAL FINANCIAL REPORT Statement of Revenues, Expenditures, and Changes in Fund Balance -- Actual and Budget For the fiscal year ended: June 30, 2017							County No: 12
							10/3/2017
Budget Accounting Basis:	General (A)	Special Revenue (B)	Capital Projects (C)	Debt Service (D)	Permanent (E)	Actual Totals (F)	Budgeted Totals (G)
CASH							
REVENUES & OTHER FINANCING SOURCES							
Taxes Levied on Property	1 3,610,456	2,277,912		240,957		6,129,325	6,585,994
Less: Uncollected Delinquent Taxes - Levy Year	2					0	0
Less: Credits to Taxpayers	3					0	411,500
Net Current Property Taxes	4 3,610,456	2,277,912		240,957		6,129,325	6,174,494
Delinquent Property Tax Revenue	5 1,918	952		122		2,992	1,000
Penalties, Interest & Costs on Taxes	6 34,389					34,389	46,000
Other County Taxes/TIF Tax Revenues	7 151,354	931,652		9,651		1,092,657	1,037,890
Intergovernmental	8 1,474,234	5,319,912		21,918		6,816,064	6,735,127
Licenses & Permits	9 26,427	23,171				49,598	34,550
Charges for Service	10 485,674	11,960				497,634	461,217
Use of Money & Property	11 294,637	26,364	2	766		321,769	345,572
Miscellaneous	12 395,856	97,411				493,267	145,465
Subtotal Revenues	13 6,474,945	8,689,334	2	273,414	0	15,437,695	14,981,315
Other Financing Sources:							
General Long-Term Debt Proceeds	14					0	0
Operating Transfers In	15 211,120	1,778,207		321,860		2,311,187	2,268,860
Proceeds of Capital Asset Sales	16 129					129	0
Total Revenues & Other Sources	17 6,686,194	10,467,541	2	595,274	0	17,749,011	17,250,175
EXPENDITURES & OTHER FINANCING USES							
Operating:							
Public Safety and Legal Services	18 1,654,982	520,327				2,175,309	2,465,781
Physical Health Social Services	19 1,364,124					1,364,124	1,503,958
Mental Health, ID & DD	20	557,732				557,732	599,727
County Environment and Education	21 489,745	371,357				861,102	1,502,605
Roads & Transportation	22	5,593,268				5,593,268	6,130,000
Government Services to Residents	23 526,121	59,378				585,499	652,760
Administration	24 1,645,753					1,645,753	1,853,022
Nonprogram Current	25 1,396					1,396	2,500
Debt Service	26			590,740		590,740	590,740
Capital Projects	27 445,656	1,261,259				1,706,915	1,489,903
Subtotal Expenditures	28 6,127,777	8,363,321	0	590,740	0	15,081,838	16,790,996
Other Financing Uses:							
Operating Transfers Out	29 451,327	1,859,860				2,311,187	2,268,860
Refunded Debt/Payments to Escrow	30					0	0
Total Expenditures & Other Uses	31 6,579,104	10,223,181	0	590,740	0	17,393,025	19,059,856
Changes in fund balances	32 107,090	244,360	2	4,534	0	355,986	-1,809,681
Beginning Fund Balance - July 1, 2016	33 3,615,982	3,290,131	309	18,113		6,924,535	5,709,532
Increase (Decrease) in Reserves (GAAP Budget)	34					0	0
Fund Balance - Nonspendable	35					0	0
Fund Balance - Restricted	36 1,527,620	3,534,491	311	22,647		5,085,069	0
Fund Balance - Committed	37					0	0
Fund Balance - Assigned	38					0	0
Fund Balance - Unassigned	39 2,195,452	0	0	0	0	2,195,452	3,899,851
Total Ending Fund Balance - June 30, 2017	40 3,723,072	3,534,491	311	22,647	0	7,280,521	3,899,851

Additional details are available at:
Notes to the financial statement, if any:

Telephone: 319-267-2670

TJ/CS 41-1

PROCEEDINGS: Clarksville

CITY OF CLARKSVILLE
CITY COUNCIL BUSINESS MEETING
October 2, 2017

The Clarksville City Council met in regular session October 2, 2017, in the lower level of the Clarksville Public Library at 7:00 p.m. with Mayor Val Swinton in the chair and Council Members Roger Doty, Jeff Kolb, Diane Renning, Kenneth Smith, Travis Sterken present.

Motion Smith, Doty, to approve and adopt the items contained in the Consent Agenda: Motion to approve minutes (September 5, 2017 and September 18, 2017).

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

Mayor Swinton opened up the public discussion regarding the renovation and remodeling of the current City Hall or the construction of a new City Hall.

Larry Voigts asked how much is insurance paying for the loss. Approximately \$150,000.00 was quoted from the insurance adjuster representing Iowa Communities Insurance Pool (ICAP). This amount is the cost to bring City Hall up to pre-fire condition.

Jerry Leibold inquired about the cost to tear down the City Hall. The City has not received bids yet for the demolition of City Hall. The demolition cost of the building is not included in the preliminary estimates received from Struxture Architecture.

Bruce Lodge wanted to know if the City had looked at the option of leasing a building. Heather Prendergast, City Attorney, stated she would research leasing time requirements and if it was a possible option. She also noted that the City must sell lots at full market value.

Todd Fails asked what the total cost insurance would pay for the building and contents. The City does not have that figure yet.

Lloyd Calease wanted to verify that the demolition cost of City Hall was not included in the \$550,000.00 estimate cost to build a new building. It is not included in that estimate; it would be a separate cost.

Jerry Leibold questioned if the City would bond for construction of a new building or borrow the money from a bank. Heather Prendergast stated the City could choose either way of financing.

Larry Betts, former City Clerk and Financial Officer, explained how the city tax rate will actually be less in two years than it is currently. This includes financing for a new City Hall building.

Motion Kolb, Renning, to adopt Resolution 17-651: A RESOLUTION REGARDING THE CONSTRUCTION OF A NEW

CITY HALL.
WHEREAS, Clarksville City Hall was damaged by a fire on or about July 22, 2017; and

WHEREAS, the Mayor and Council have reviewed recommendations from architects in regard to potential options to either renovate and remodel the existing City Hall or demolish the existing City Hall and build a new one, and

WHEREAS, the Mayor and Council have reviewed comment from the public; and

WHEREAS, the Mayor and Council have reviewed recommendations from architects and had lengthy discussions over options available to the City at this time regarding the damaged City Hall; and

WHEREAS, after providing the public notice and opportunity to be heard in regard to the choices, the Clarksville City Council has decided to proceed with construction of a new City Hall which entail demolition of the old City Hall and construction of a new building; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Clarksville City Council will move forward with all plans necessary, competitive bid process and following applicable Iowa Code to complete and build a new Clarksville City Hall.

RCV – Ayes: Doty, Kolb, Renning, Sterken. Nays: Smith, MC.

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

Heather Prendergast updated the City Council on legal matters pertaining to the City Hall fire.

Gary Freerks expressed concerns about neighboring business. Stating that it's unsightly for the neighborhood and rodent problems have been increasing for him and neighbors.

Council reviewed the asbestos inspection findings in City Hall from ATC Group Services LLC.

Motion Sterken, Smith, to approve hiring of a company for the removal of asbestos from the current City Hall.

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

Motion Kolb, Renning, to table shed and fence building permit for Travis Sterken, 421 N Hilton St.

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

Motion Renning, Sterken, to approve sidewalk building permit for St. John Lutheran Church, 204 N Washington St.

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

Motion Sterken, to adjourn the regular City Council meeting at 8:26 p.m.

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

CS 41-1

PROBATE

IN THE IOWA DISTRICT COURT
FOR BUTLER COUNTY
NOTICE OF PROBATE OF WILL,
OF APPOINTMENT OF EXECUTOR,
AND NOTICE TO CREDITORS
IN THE MATTER OF THE ESTATE OF
JOHN K. SCHIPPER, DECEASED
Probate No. ESPR016736

To All Persons Interested in the estate of John K. Schipper, Deceased, who died on or about September 7, 2017:

You are hereby notified that on September 28, 2017, the last will and testament of John K. Schipper, deceased, bearing date of September 22, 1978, was admitted to probate in the above named court and that Arlyn Schipper was appointed Executor of the estate of John K. Schipper. 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 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 September 28, 2017.
Executor of Estate:
Arlyn Schipper
28088 H Avenue
Conrad, Iowa 50621

Attorney for Estate:
Stephen A. Kenkel
Kenkel Law Office
101 East High Street
P.O. Box 307
Toledo, Iowa 52342
Date of second publication:
Thursday, Oct. 12, 2017
Probate Code Section 304

TJ 40-2

Public Notice

LEGAL NOTICE

PUBLIC NOTICE is hereby given in accordance with Chapter 52.35 of the Iowa Code that on Thursday, October 12, 2017 at 10:00 a.m. the Butler County Auditor's Office will examine and test the vote tabulators to be used for the November 7, 2017 City Election. This certification test is open to the public.

Lizbeth Williams, Butler County Auditor & Commissioner of Elections.

TJ/CS 41-1

Proceedings

NORTH BUTLER COMMUNITY
SCHOOL DISTRICT
BOARD OF EDUCATION
Special Meeting
October 2, 2017

The special board meeting was called to order by President Liz Schroeder at 6:03 p.m. in the Greene School Media Center. Board members present were Eric Bixby, Liz Schroeder, Laurie Shultz, Bobbi Spainhower and Amanda Hewitt; others present were Superintendent Joel Foster, Business Manager/Board Secretary Shellee Bartlett, Chris Backer, Tim Backer, Phil Barnett and 5 community members.

Moved by Bixby, seconded by Spainhower, to approve agenda. Carried unanimously.

Moved by Bixby, seconded by Shultz, to move into closed session to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation Iowa Code 21.5 (j). Roll: Ayes -Spainhower, Hewitt, Schroeder, Bixby, Shultz; Nays - none.

Returned to open session at 7:19 p.m. Moved by Spainhower, seconded by Shultz, to adjourn at 7:21 p.m. Carried unanimously.

Board President
Board Secretary

TJ 41-1

Iowa Department of Management Form F638 - R (Published Summary) FY 2016/2017 ANNUAL FINANCIAL REPORT		Butler County ANNUAL FINANCIAL REPORT Statement of Revenues, Expenditures, and Changes in Fund Balance -- Actual and Budget For the fiscal year ended: June 30, 2017					County No: 12 10/3/2017	
Budget Accounting Basis:	General (A)	Special Revenue (B)	Capital Projects (C)	Debt Service (D)	Permanent (E)	Actual Totals (F)	Budgeted Totals (G)	
REVENUES & OTHER FINANCING SOURCES								
Taxes Levied on Property	1 3,610,456	2,277,912		240,957		6,129,325	6,585,994	
Less: Uncollected Delinquent Taxes - Levy Year	2					0	0	
Less: Credits to Taxpayers	3					0	411,500	
Net Current Property Taxes	4 3,610,456	2,277,912		240,957		6,129,325	6,174,494	
Delinquent Property Tax Revenue	5 1,918	952		122		2,992	1,000	
Penalties, Interest & Costs on Taxes	6 34,389					34,389	46,000	
Other County Taxes/TIF Tax Revenues	7 151,354	931,652		9,651		1,092,657	1,037,890	
Intergovernmental	8 1,474,234	5,319,912		21,918		6,816,064	6,735,127	
Licenses & Permits	9 26,427	23,171				49,598	34,550	
Charges for Service	10 485,674	11,960				497,634	461,217	
Use of Money & Property	11 294,637	26,364	2	766		321,769	345,572	
Miscellaneous	12 395,856	97,411				493,267	145,465	
Subtotal Revenues	13 6,474,945	8,689,334	2	273,414	0	15,437,695	14,981,315	
Other Financing Sources:								
General Long-Term Debt Proceeds	14					0	0	
Operating Transfers In	15 211,120	1,778,207		321,860		2,311,187	2,268,860	
Proceeds of Capital Asset Sales	16 129					129	0	
Total Revenues & Other Sources	17 6,686,194	10,467,541	2	595,274	0	17,749,011	17,250,175	
EXPENDITURES & OTHER FINANCING USES								
Operating:								
Public Safety and Legal Services	18 1,654,982	520,327				2,175,309	2,465,781	
Physical Health Social Services	19 1,364,124					1,364,124	1,503,958	
Mental Health, ID & DD	20	557,732				557,732	599,727	
County Environment and Education	21 489,745	371,357				861,102	1,502,605	
Roads & Transportation	22	5,593,268				5,593,268	6,130,000	
Government Services to Residents	23 526,121	59,378				585,499	652,760	
Administration	24 1,645,753					1,645,753	1,853,022	
Nonprogram Current	25 1,396					1,396	2,500	
Debt Service	26			590,740		590,740	590,740	
Capital Projects	27 445,656	1,261,259				1,706,915	1,489,903	
Subtotal Expenditures	28 6,127,777	8,363,321	0	590,740	0	15,081,838	16,790,996	
Other Financing Uses:								
Operating Transfers Out	29 451,327	1,859,860				2,311,187	2,268,860	
Refunded Debt/Payments to Escrow	30					0	0	
Total Expenditures & Other Uses	31 6,579,104	10,223,181	0	590,740	0	17,393,025	19,059,856	
Changes in fund balances	32 107,090	244,360	2	4,534	0	355,986	-1,809,681	
Beginning Fund Balance - July 1, 2016	33 3,615,982	3,290,131	309	18,113		6,924,535	5,709,532	
Increase (Decrease) in Reserves (GAAP Budget)	34					0	0	
Fund Balance - Nonspendable	35					0	0	
Fund Balance - Restricted	36 1,527,620	3,534,491	311	22,647		5,085,069	0	
Fund Balance - Committed	37					0	0	
Fund Balance - Assigned	38					0	0	
Fund Balance - Unassigned	39 2,195,452	0	0	0	0	2,195,452	3,899,851	
Total Ending Fund Balance - June 30, 2017	40 3,723,072	3,534,491	311	22,647	0	7,280,521	3,899,851	

Additional details are available at:
Notes to the financial statement, if any:

Telephone: 319-267-2670

TJ/CS 41-1

PROBATE

IOWA DISTRICT COURT
FOR BUTLER COUNTY
IN THE MATTER OF
THE ESTATE OF
DANNETTE D. HILDEBRAND,
Deceased.
CASE NO. ESPR016737
NOTICE OF PROBATE OF WILL, OF
APPOINTMENT OF EXECUTOR, AND
NOTICE TO CREDITORS

To All Persons Interested in the Estate of DANNETTE D. HILDEBRAND, Deceased, who died on or about September 12, 2017:

You are hereby notified that on September 28, 2017, the last will and testament of DANNETTE D. HILDEBRAND, deceased, bearing date of May 24, 2014, was admitted to probate in the above named court and that Bruce Finnegan 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 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 September 29, 2017.
Date of second publication: October 19, 2017

Bruce Finnegan
Executor of the Estate
509 Third Street NW
Waverly, IA 50677
Beau D. Buchholz, #AT0009650
Attorney for the Executor
Engelbrecht and Buchholz, PLLC
123 First Street SE, P.O. Box 59
Waverly, IA 50677-0059

TJ-41-2

PROBATE

IOWA DISTRICT COURT
FOR BUTLER COUNTY
IN THE MATTER OF
THE ESTATE OF
JUDY RASMUSSEN, Deceased.
CASE NO. ESPR016735
NOTICE OF PROBATE OF WILL, OF
APPOINTMENT OF EXECUTOR, AND
NOTICE TO CREDITORS

To All Persons Interested in the Estate of Judy Rasmussen, Deceased, who died on or about September 5, 2017:

You are hereby notified that on September 20, 2017, the last will and testament of Judy Rasmussen, deceased, bearing date of April 4, 2013, was admitted to probate in the above named court and that Roger Rasmussen 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 September 21, 2017.
Date of second publication: October 12, 2017

Roger Rasmussen
Executor of the Estate
603 West Prospect Street
Shell Rock, IA 50670
David M. Engelbrecht, #AT0002266
Attorney for the Executor
Engelbrecht and Buchholz, PLLC
123 First Street SE, P.O. Box 59
Waverly, IA 50677-0059

TJ-40-2