

# PROCEEDINGS

## OFFICIAL PROCEEDINGS CITY OF ALLISON COUNCIL MINUTES AUGUST 24, 2020

### Public Hearing:

Mayor Pro-Tem Davis opened the public hearing at 7 p.m. Council members present: Bangasser, Carlson, Henning, Heuer. Absent: Mayor Henrichs. Also present were: Mike Lammers – Deputy Sheriff, Mark Bangasser, Bethany Carson – Tribune-Journal, Cindi Johnson, Bailey Johnson, Felicia Schrage, Mark Rolinger – Attorney for Angie Fishel, Randy and Joan Moad, Greg and Chris Graser, Jeff Rauenbuehler – Deputy Sheriff, Brian Johnson – representative of Dollar General, Craig and Janis Cramer, Allen and Vivian Green, Jill Ford, Ron and Jan Scally, Sherida Davis, Michael Ball, Tim Primus, Vicki Schoneman, Janice Jacobs, Deb McWhirter, Joel Sult, Denise Abbas, Ted Koester, Lois Roose, Jeff Williams, Mitch Williams, Trent Stirling, Emily Pittenger – City Attorney. Absent: Mayor Henrichs. Motion by Henning with a second by Carlson to approve the agenda. Ayes: All. Nays: None. Motion carried.

Open Forum: There were no open forum items.

Consent Agenda:

Bangasser made a motion approve the consent agenda with a second by Carlson. Those items approved were:

Approve Minutes from Meeting on Aug. 10, 2020

Approve Building Permit for Trevor and Megan Fecht, 409 Locust, to construct a 20 X 8 cement patio

Ayes: All. Nays: None. Motion carried.

New Business:

Due to the fact that the petition to stop Dollar General from building along Highway 3 contained signatures from more than 60 percent of the property owners in the restricted residence district – no special permit would be permitted to be issued per our Code of Ordinances so no vote was taken.

Bangasser made a motion to approve Resolution #20-08.1 – Resolution adding the wording of “At Will Employment” to the Employee Handbook. Second by Henning. Ayes: All. Nays: None. Motion carried.

Henning made a motion to approve Resolution #20-08.2 – Resolution approving the FY 2020 Street Finance Report (SFR). Second by Carlson. Ayes: All. Nays: None. Motion carried.

Old Business:

Trent informed Council that the black-topping should begin soon on Cherry Street as the other crew appears to be near the end of their part of the road construction.

### Regular Meeting:

Mayor Pro-Tem Davis opened the regular meeting at 7:17 p.m. Council members present: Bangasser, Carlson, Henning, Heuer. Absent: Mayor Henrichs. Also present were: Mike Lammers – Deputy Sheriff, Mark Bangasser, Bethany Carson – Tribune-Journal, Cindi Johnson, Bailey Johnson, Felicia Schrage, Mark Rolinger – Attorney for Angie Fishel,

Randy and Joan Moad, Greg and Chris Graser, Jeff Rauenbuehler – Deputy Sheriff, Brian Johnson – representative of Dollar General, Craig and Janis Cramer, Allen and Vivian Green, Jill Ford, Ron and Jan Scally, Sherida Davis, Michael Ball, Tim Primus, Vicki Schoneman, Janice Jacobs, Deb McWhirter, Joel Sult, Denise Abbas, Ted Koester, Lois Roose, Jeff Williams, Mitch Williams, Trent Stirling, Emily Pittenger – City Attorney. Absent: Mayor Henrichs. Motion by Henning with a second by Carlson to approve the agenda. Ayes: All. Nays: None. Motion carried.

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Adjournment: Motion by Henning to adjourn at 7:22 p.m. with a second by Bangasser. Ayes: All. Nays: None. Motion carried.

### ATTEST:

Ron Davis – Mayor Pro-Tem  
Glenda Miller – City Clerk

# **PUBLIC NOTICE**

## **NOTICE OF PUBLIC HEARING**

The Butler County Board of Supervisors will hold a telephonic meeting on Sept. 8, 2020, at 9:15 a.m., in the EOC, basement of the Butler County Courthouse, Allison, Iowa. At this meeting the Board will:

Hold a public hearing on a Quit Claim Deed to Dale L. Stock, a one (1) acre in square form in the Southwest corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Five (5), Township Ninety-two (92) North, Range Eighteen (18) West of the 5<sup>th</sup> P.M., Butler County, Iowa.

Comments may be emailed to Lizbeth Williams, Butler County Auditor at [lwilliams@butlercoiowa.org](mailto:lwilliams@butlercoiowa.org). For oral comment call 319-267-2670 or participate telephonically at: 701-802-5372 Access code: 7872998#.

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TJ-36

# PROCEEDINGS

## MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON AUG. 18, 2020.

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

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

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

No public comment received.

Director of Public Health Jennifer Becker reported 16 new cases of COVID-19 since Aug. 11, 2020, with one hospitalization and two deaths. There are currently 25 active cases in the County. 2,426 Butler County residents have been tested with 2,281 negative results. Butler County Public Health and Emergency Management Agency delivered 7,500 cloth masks to the schools of Butler County. Director Becker has been working closely with the individual school districts regarding their plans for a safe return to school.

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

Moved by Heidenwirth, second by Eddy to adjourn the meeting at 9:22 a.m. to Tuesday, Aug. 25, 2020 at 9 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 Aug. 18, 2020.

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# PROBATE

**NOTICE OF PROBATE OF WILL,  
OF APPOINTMENT OF EXECUTORS,  
AND NOTICE TO CREDITORS  
CASE NO. ESPR017094**

THE IOWA DISTRICT COURT BUTLER  
COUNTY

IN THE MATTER OF THE ESTATE OF  
JEAN MILLER, Deceased.

To All Persons Interested in the Estate  
of Jean Miller, Deceased, who died on or  
about Aug. 11, 2020:

You are hereby notified that on the 20<sup>th</sup>  
day of August, 2020, the last will and tes-  
tament of Jean Miller, deceased, bear-  
ing the date of the 7<sup>th</sup> day of July, 1994,  
and Codicil to Will dated the 23<sup>rd</sup> day of  
April, 2001, were admitted to probate  
in the above named court and that Pa-  
mela Wiegmann and Douglas C. Miller  
were appointed executors of the estate.  
Any action to set aside the will must be  
brought in the district court of said coun-  
ty 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 ascer-  
tainable, or thereafter be forever barred.

Notice is further given that all persons  
indebted to the estate are requested  
to make immediate payment to the un-  
dersigned, 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 no-  
tice (unless otherwise allowed or paid) a  
claim is thereafter forever barred.

Dated this 20<sup>th</sup> day of August, 2020

Pamela Wiegmann  
18815 Forest Ave.  
Dumont, IA 50625  
Douglas C. Miller  
2823 Morgan Dr.  
San Ramon, CA 94583  
Executors of Estate

Gregory M. Lievens  
Attorney for Executors  
Shepard, Gibson & Lievens  
503 N. Main St., P.O. Box 158  
Allison, IA 50602

Date of second publication 10<sup>th</sup> day of  
September, 2020.

# **PUBLIC NOTICE**

## **BUTLER COUNTY FAIR ASSOCIATION**

Notice is hereby given that the Butler County Fair Association will hold its annual membership meeting on Wednesday, Sept. 16, 2020 at 7 p.m., in the Floral Hall at the Butler County Fairgrounds, 101 S. Main Street, Allison, Iowa.

Karen S. Dilger, Butler County Fair Association Secretary.

CS-36

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TJ-36



# PROCEEDINGS

## OFFICIAL PROCEEDINGS SHELL ROCK BOARD OF ADJUSTMENT AUGUST 25, 2020

The meeting of the Shell Rock Board of Adjustment was called to order at 7 p.m., by Acting Board Chairperson Brenda Schmidt. Board members Laresa Osgood, Ted Scheidel, and Brenda Schmidt were present. Board member Lon Peterson was absent and there is one vacancy on the board. Zoning Administrator Marilyn Hardee was also present. Linda Arends and Helen Boeckmann were in the audience.

Motion by Scheidel seconded by Osgood to approve the agenda with any additions. Ayes-Osgood, Scheidel, and Schmidt. Nays-None. Absent-Peterson. Motion carried.

Motion by Scheidel seconded by Osgood to approve the minutes of the July 28, 2020 board meeting. Ayes-Osgood, Scheidel, and Schmidt. Nays-None. Absent-Peterson. Motion carried.

The variance application from Terry and Linda Arends was revisited with the information that was requested as to whether or not a pergola is considered a structure. The findings were that a pergola is considered a structure.

Motion by Scheidel seconded by Schmidt to deny the variance for Terry and Linda Arends to be build a partial roof over the deck onto their property at 606 E. Mark Street closer than the required thirty (30) feet required rear-yard set-back. The property is legally described as:

Lot One (1) in Block Three (3), in Williams Second Addition to Shell Rock, Iowa

Ayes-Osgood, Scheidel, and Schmidt. Nays-None. Absent-Peterson. Motion carried. Variance denied.

Motion by Scheidel seconded by Osgood to adjourn at 7:30 p.m. Ayes-Osgood, Scheidel, and Schmidt. Nays-None. Absent-Peterson. Motion carried.

ATTEST:

Brenda Schmidt, Acting Chairperson  
Marilyn Hardee, Secretary