

LEGALS

PROBATE

Shirley A. Pepples ESPR017475

THE IOWA DISTRICT COURT FOR BUTLER COUNTY
IN THE MATTER OF
THE ESTATE OF
SHIRLEY A. PEPPLES, Deceased
CASE NO. ESPR017475
NOTICE OF PROBATE OF WILL,
OF APPOINTMENT OF EXECUTOR,
AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Shirley A. Pepples, Deceased, who died on or about October 18, 2023:

You are hereby notified that on October 30, 2023, the Last Will and Testament of Shirley A. Pepples, deceased, bearing date of December 21, 2020, was admitted to probate in the above named court and that Ronald J. Pepples was appointed Executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred. Notice is further given that all

persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.
Dated November 6, 2023.
Ronald J. Pepples,
Executor of Estate
1206 S. Johnson St.
Parkersburg, IA 50665
Ronald J. Pepples
ICIS#: AT0006140
Attorney for Executor
206 4th St., P.O. Box 328
Parkersburg, IA 50665
(319) 346-1875
Date of second publication
November 22, 2023
Probate Code Section 304
* Designate Codicil(s) if any, with date(s).

Published in the Eclipse News-Review on November 15 and 22, 2023

PUBLIC NOTICE

Butler Co BOA • Meeting 11.28.2023

NOTICE OF PUBLIC HEARING BUTLER COUNTY

Board of Adjustment
The Butler County Board of Adjustment will meet on November 28, 2023, at 7:30 a.m. in the basement meeting room of the Butler County Courthouse.

At this meeting the Board will:
Hold a Public Hearing on a request by Stephanie & Preston Herrmann for a variance to CSR requirements to build a single-family residence in the A-1 District on a proposed 9.84-acre parcel owned by Beverly Schmadeke located in the SE¼ of Section 17, Township 92 North and Range 15 West of the 5th P.M.
Hold a Public Hearing on a request

by Levi Pratt for a variance to CSR requirements to build a single-family residence in the A-1 District on an existing 24-acre parcel located in the E½ E½ NW¼ Except Tracts of Section 25, Township 90 North and Range 15 West of the 5th P.M.

All interested parties are encouraged to attend the meeting. Written or oral comments may be submitted to the Butler County Zoning Administrator at the Courthouse, P.O. Box 325, Allison, Iowa, 319-346-6629 or via email at mday@butlercounty.iowa.gov.
X Butler County Zoning Administrator

Published in the Eclipse News-Review on November 15, 2023

PUBLIC NOTICE

City of Aplington • Minutes and Claims 11.8.2023

REGULAR MEETING OF THE APLINGTON CITY COUNCIL

Aplington City Hall
November 8, 2023
6:00 p.m.

The Aplington City Council met in regular session on November 8, 2023. Jason Mehmen, Mayor, called the meeting to order at 6:00 p.m. Council members present: Schipper, Jacobs, Lage, Meyer and Uhlenhopp.

A motion by Meyer, seconded by Jacobs, to approve the consent agenda which includes the agenda, minutes of the October 11 meeting, financial report ending October 2023, and a list of claims for approval, carried with a unanimous vote.

Jeff Ridder, Public Works Director, informed the Council that the new street signs are being installed. He noted also that the handrails in front of the library, post office, and community center will need to be replaced. The concrete by the Post Office will also need to be replaced and will be scheduled for repair next spring. The Brush Site is now closed and will be open by appointment only. The department will be replacing and repairing outlets and other electrical items that were vandalized in the Park.

Police: Chief Matt Lind reported on issues at the Park.

Fire: Brian Stark of MGA, spoke to the Council concerning the site for the proposed Fire/EMS building. Members of the Fire Department were also in attendance. A motion by Uhlenhopp, seconded by Schipper, to approve a geotechnical eval-

uation in the amount of \$4095.00 with Chosen Valley Testing, carried with a unanimous vote. The testing will be done at the vacant lot which was the site of the Old Dairy Sweet, on the west end of Aplington.

Alexis Karsjens, updated the Council that the Library is back in full service after the installation of the new carpet. The Veteran's Hall of Heroes and Dessert Reception will be held Saturday November 11. They will be posting a job opening for a part time position at the Library.

Kari Coates, Butler County EMS Coordinator, addressed the Council on her position. She commented that communication with the departments in the County is on-going. She will continue taking classes, courses and is hoping to teach EMT classes for anyone wishing to take.

Dennis Jungling, presented the health insurance renewal package for the employees. A very slight increase of 2.33% per month for a total annual increase of \$2236.92 will be the renewal.
Maggie Burger, Special Financial, presented the annual TIF report.
Chapter 151 of the City Code for Trees will not be amended at this time.

A motion by Meyer, seconded by Lage, to amend Chapter 41.12 Fireworks, carried unanimously. This change consists of who can display fireworks within the City. The first reading of the Ordinance Change will be placed on the December agenda.
Discussion was held on changes to Chapter 75 regarding ATV's, UTV's,

snowmobiles, and Golf Carts. A revised draft was proposed which states the purpose and regulations of all the above. The draft states compliance with the Iowa Code. A motion by Schipper, seconded by Lage, to amend Chapter 75 for all-Terrain Vehicles, off-road utility vehicles, snowmobiles, and golf carts, carried unanimously. The first reading of the Ordinance Change will be placed on the December agenda.
A motion by Meyer, seconded by Lage, to approve the liquor license renewal for the Peppercorn Pantry, carried unanimously.
There being no further business, a motion by Jacobs, seconded by Lage, to adjourn, carried. Meeting adjourned at 8:29 p.m.
Deb Prier, City Clerk
Jason Mehmen, Mayor

Revenues ending October 2023
General Fund.....\$143812.03
Road Use Tax.....12529.41
Employee Benefits.....38572.21
Emergency Levy.....3505.75
Local Option Sales Tax.....7939.26
Debt Service.....30952.50
Water.....18060.93
Sewer.....15671.86
Electric.....79979.69
TOTAL.....\$351023.64

CITY OF APLINGTON

Check Register - Publications w/ Fund subtotals
Check Issue Dates: 10/13/2023 - 11/8/2023
Payee -Description -Amount
HINZ, JESSICA -CELL PHONE REIMBURSEMENT.....40.00
LIND, MATT -CELL PHONE.....40.00
WINDSTREAM -police- phone.fax-

internet.....346.62
IOWA FIREFIGHTERS ASSOCIATION -memberships 2024 22 members.....374.00
MEDIACOM -internet - fire dept.....155.94
POPPEN, SCOTT -Fire Chief.....100.00
AMERICAN FIRE EQUIP EVC INC -TORPEDO NOZZLE WITH SHUT OFF VALVE.....4,319.00
COMPRESSED AIR & AIR EQUIPMENT -Freight;Parts/Equipment.....718.69
US CELLULAR CORP -Ambulance cell-MONTHLY CHARGE(includes IPAD).....448.77
APLINGTON AMBULANCE -PERSONNEL SERVICES.....8,004.00
ALLISON HARDWARE & FLORAL -AMBULANCE PRINTER/FAX MACHINE.....219.99
ELAN FINANCIAL SERVICES (library) -library building repair.....153.47
MEDIACOM -library phone.....47.64
MEDIACOM XTREAM -STATIC IP -LIBRARY.....5.95
DEMCO INC. -processing materials, tape.....98.79
BAKER & TAYLOR BOOKS -library materials.....822.28
Junior Library Guild -library materials.....293.02
NAPA AUTO PARTS -RV Anti-freeze- Park.....52.92
Butler County Extension Service -chemical license for Jeff.....45.00
ODP Business Solutions LLC -Trash Bags & Soap (Lib, CC, Park).....103.40
IMWCA -WORK COMP INSTALL#5.....801.00

MIDAMERICAN ENERGY -Community Center.....85.20
ODP Business Solutions, LLC -Trash Bags & Soap (Lib, CC, Park).....21.79
PRIER, DEB -MILEAge to CR -budget Workshop.....93.08
BASE -monthly admin.....36.00
Column Software PBC -Publications.....165.24
COPY SYSTEMS INC -contract base rate charge City Hall copy machine.....354.03
BUTLER COUNTY SOLID WASTE -Disposal Fee.....4,185.00
BUTLER COUNTY SOLID WASTE -C & D disposal.....20.00
BUTLER COUNTY SOLID WASTE -C & D disposal.....10.00
CITY SANITARY SERVICE -monthly garbage-oct.....4,133.36
MC DOWELL & SONS CONTRACTORS -monthly garbage disposal service.....4,133.36
MEYER, ALAN -Recycle.....100.00
Total 001:.....30,527.54
Rotgers Farm Shop -Yearly inspection & maintenance SNOW PLOW/ dump truck.....703.31
IOWA PRISON INDUSTRIES -Street signs, stop sign.....4,187.80
Total 110:.....4,891.11
WELLMARK BLUE CROSS BLUE SHEI -Library -Alexis.....8,087.73
Total 112:.....8,087.73
IOWA RURAL WATER ASS'N -ANNUAL DUES.....355.00
NORTH IOWA AREA COMMUNITY COL -WATER CONF- Jordan.....60.00
HACH COMPANY -sensor cap replacement - water.....187.00
WINDSTREAM -water plant.....

.....129.74
CROELL REDI-MIX -CONCRETE-manhole cover on 5th.....401.00
ACCO -chlorine - WATER DEPARTMENT.....313.48
ACCO -chlorine - WATER DEPARTMENT.....260.44
HACH COMPANY -singlets water testing.....63.75
Total 600:.....1,770.41
WILDEBOER, KASSIDY -REFUND ON UTILITY BILL.....41.41
Total 601:.....41.41
BUTLER COUNTY FARM BUREAU -MEMBER RENEWAL.....45.00
MSA PROFESSIONAL SERVICES INC. -diffuser performance study 2023.....2,870.27
Iowa Falls Marine -10' jon boat for lagoon.....1,788.00
Total 610:.....4,703.27
TRIONFO Solutions -Jeff/Michelle.....42.96
BUTLER COUNTY REC -ELECTRIC.....42,237.01
BUTLER COUNTY REC -line outage 1213 Howard.....225.00
IOWA ONE CALL -LOCATES.....78.30
ELAN FINANCIAL SERVICES(city) -credit for interest charged.....664.41
HARKEN LUMBER -legerlock screws - Electric.....200.01
POSTMASTER -UTILITY BILLING.....386.52
Total 630:.....43,834.21
Grand Totals:.....93,855.68
Published in the Eclipse News-Review on November 15, 2023

PUBLIC NOTICE

City of New Hartford • Minutes and Claims 11.1.2023

NEW HARTFORD CITY COUNCIL MINUTES

NOVEMBER 1, 2023
ROLL CALL: Mayor Dennis Canfield, Tim Woods, Cindy Brewer, Jerry Ragsdale, Randy Johnson, absent Abbie Perez

Others Present: Jr Cole, Kohle Arends, Ernie Mobley, Kinon O'Neal, Mike Lane
Mayor Canfield opened the meeting leading with the Pledge of Allegiance at 5:30p

Motion by Brewer 2nd by Ragsdale to approve the agenda with vote being all ayes motion carries.

After discussions of Mobley's greenhouse building permit application reviewed by DNR and determined by Council that this project fits the city's legal criteria, a motion to approve permit application was made by Johnson 2nd by Ragsdale to proceed with project with vote being all ayes motion carries.

Clerk runs through the Iowa Inspections and Appeals explaining the rules to install above ground fuel tanks and finds this project does not meet Iowa's requirements to apply for a state permit. The City Engineer has reviewed the project; A verbal

approval of placement by Brewer the adjacent property owner was received; and Arends is also planning to place the tanks on cement with four-foot surrounding walls along with securing these tanks with anchors. After this discussion, it was moved by Woods 2nd by Johnson to approve Arends fuel tank building permit application with the vote being Ayes 3 abstained by Brewer motion carries.

It was moved by Brewer 2nd by Ragsdale to hire Arends Excavation at rates presented for snow removal on a 'need be' basis with vote being all ayes motion carries.

O'Neal from Altumint answered questions regarding the proposed traffic camera's explaining there will be no cost to the city. The council discussed the traffic study and the incredible amount of traffic at high speeds. They also discussed the high priority of safety.

Maintenance Dept reports the dip on Main and Mill St needs to be researched; Will be fixing Payne's driveway in the next week; seven new fire hydrants with shut offs have been installed; County has put Saratoga St road maintenance

project on their list to be repaired where culverts were fixed. This project is at city expense of \$3500; Wymore's curb stop has been replaced; fire hydrant near Post Office is on their radar as it is notorious for leaking after use; Tower mixer has electric and will be turned on within the next week; Maintenance check has been completed on both lift stations; splash pad has been prepped for winter; dangerous tree will be handled within the next week; Potholes have been filled on Maple St; Sewer pipe has been cleaned out on a section of York St.

Motion to approve grille for Packwaukee Park to be donated by the Lion's Club moved by Brewer 2nd by Ragsdale with the vote being Ayes 3 abstain Johnson motion carries.

Motion to set FY25 Budget Workshop for December 13th @ 5:30p City Hall moved by Woods 2nd by Brewer with the vote being all ayes motion carries.

Motion to approve consent agenda as presented was made by Brewer 2nd by Johnson with the vote being all ayes motion carries.
REVENUES: General \$105568.91

Road Use \$6399.43
Water Utilities \$12014.65
Sewer Utilities \$12512.45
Total All funds \$336495.44
EXPENDITURES: General \$34612.24; Road Use \$3318.08; Water Utilities \$7688.84; Sewer Utilities \$4383.13; Debt Serv \$ Total all funds \$50002.29

CLAIMS REPORT

VENDOR -REFERENCE -AMOUNT
ANGELA MARIE WIBBEN -CITY HALL.....\$120.00
ARENDS EXCAVATING LLC -BRADWAY @ WATER ST MAIN BREAK.....\$1,000.00
BAKER & TAYLOR -LIB BOOKS.....\$272.84
BLACKTOP SERVICE CO. -STREET MAINT.....\$413.00
BLUHM ELECTRIC -AERATOR MAINT.....\$40.00
BRINKS CARPENTRY -LABOR/MATERIALS NEW AMB OFFICE.....\$855.00
BUTLER CO SOLID WASTE COMM -DISPOSAL FEES OCT 2023.....\$2,137.50
C & C WELDING & SANDBLASTING -HANDRAIL FOR NEW LIB RAMP.....\$3,270.96
DAKOTA SUPPLY GROUP -FLAGS

FOR LOCATES.....\$11.85
DEMCO -LIB OFFICE SUPPLIES.....\$240.87
EFTPS -FED/FICA TAX.....\$2,545.46
EUROFINS ENVIRONMENT TESTING -TESTING.....\$94.50
GORDON FLESCHE COMP INC -LIB.....\$19.00
GRONOWSKI CONSTRUCTION -LIBRARY RAMP.....\$20,130.00
HAWKINS INC -CHLORINE.....\$1,895.92
IA ASSOC OF MUNICIPAL UT -SAFETY CLASSES.....\$259.00
IOWA MUNICIPAL WORKERS COMP -WORK COMP.....\$1,089.00
IOWA DEPT OF NATURAL RESOURCES -ANNUAL WATER USE FEE.....\$115.00
IOWA SPORTS SUPPLY -PARK MAINT.....\$30.00
IOWA WATER ENVIRONMENT ASST -JR WTR CERT.....\$40.00
IPERS -IPERS.....\$1,624.12
JILL NORTON -REIMB LIB MATERIALS.....\$172.16
MED COMPASS -14 FED FIT TESTS.....\$1,600.00
MID AMERICAN PUBLISHING CORP -PUBLICATION.....\$153.60
MILLER WINDOW SERVICE -LIB MAINT.....\$33.00

NAPA AUTO PARTS -VEHICLE MAINT.....\$162.74
NELSON & TOENUES -LEGAL.....\$188.10
PARKERSBURG HARDWARE -SHOP MAINT.....\$110.55
PEOPLE SERVICE INC -PROFESSIONAL SERVICES.....\$699.22
STATE HYGIENIC LABORATORY -TESTS.....\$137.50
STOKES WELDING -WATER MAINT.....\$28.00
UBBEN BUILDING SUPPLIES -WATER MAINT.....\$57.45
USA BLUE BOOK -WATER MAINT.....\$1,563.24
PAYROLL -WAGES.....\$8,892.71
Mayor explained hiring Complete Comfort for the FD furnace updates and Cordes Heating & Cooling to install the truck bay furnace; he also updated the work comp information. Motion to adjourn at 7:25p made by Johnson 2nd by Ragsdale with vote being all ayes motion carries.

Attest: Shawna Hagen, City Clerk
Signed: Mayor Dennis L. Canfield
Published in the Eclipse News-Review on November 15, 2023

PUBLIC NOTICE

City of Parkersburg • Minutes and Claims 11.6.2023

CITY OF PARKERSBURG

NOVEMBER 6, 2023
Parkersburg, Iowa
The City Council of the City of Parkersburg, Iowa met in regular session on Monday, November 6, 2023 at 7:00 P.M. at the Parkersburg Civic Center. Council members present: Bruns, Cuvelier, Goodrich, Johnson, and Simon.
Mayor Mike Timmer called the meeting to order and led those in attendance in reciting the Pledge of Allegiance.

There was a motion by Bruns, seconded by Goodrich to approve the minutes. Upon vote, all ayes.

There was a motion by Goodrich, seconded by Johnson to approve the bills. Upon vote, all ayes.

The Public Works Department provided an update on water meter installation. They stated it has been going well, over 145 meters have been installed so far with another 20 scheduled. Rod also mentioned that work will be needed to be done on the water tower in the next year or two.

Fire Chief Rus Boersma discussed the purchase of equipment for the department. Rus mentioned that two firefighters had met their requirements for their probationary period. Now that they met their requirements, Rus presented the amount needed for new bunker gear for the two firemen. He also made the council aware of upcoming repairs needed for the 902 pumper truck. After discussion, there was a motion by Goodrich, seconded by Simon to approve the purchase of equipment. Upon vote, all ayes.

There was a motion by Bruns, seconded by Simon to recognize Nancy

Brannon as a new member of the Parkersburg Ambulance Service. Upon vote, all ayes.

Julie Folken provided an update of the Library. Julie mentioned that their "Trick R Read" was a huge success, with over 100 free books given out. Julie mentioned several other upcoming programs, including a Chaucerite class, as well as Santa and a build a bear workshop. Julie also wanted to thank her great volunteers that helped make "Trick R Read" such a success.

Engineer Lee Gallentine provided a capital projects update. He spoke again about the progress on the punch list items remaining for the sanitary sewer lining project. Lee also gave updates on several requests from Hydro-Klean in regards to fixes that they would like to implement on certain punch list items. Lee gave his recommendations as to which solutions would provide the best product longevity.

There was a discussion of the Wright Street alley surveying. He stated that the preliminary work had been done on the surveying of the alleyway.

Lee provided an update of the Newell Avenue project. Lee stated that they are currently working on plans, and the initial work is showing that they will need some temporary easements needed along those properties to help with grading during the project.

There was a motion by Goodrich, seconded by Simon to approve the FY2023 Annual Finance Report. Upon vote, all ayes.

There was a motion by Bruns, seconded by Cuvelier to approve the FY2023 Annual Urban Renewal Re-

port. Upon vote, all ayes.

There was discussion about Resolution 1111. Mayor Timmer started the discussion by extending an apology to everyone attending in regards to the optics of timing for the resolution. He stated that it was something that had been worked on for almost a year now and he expressed regret that he had not taken action on this employee agreement sooner. Finally, Mayor Timmer shared it was his recommendation that all employees would eventually have agreements as well. There was discussion among the council in regards to the specifics within the employee agreement as well as why employee agreements should or should not be implemented at all. City Attorney Bruce Toenjes stated that it might be wise to consider creating an employee relation committee of two council members to help address human resource issues that may arise. Bruce also stated that hiring a city clerk for a town the size of Parkersburg is a career position and is not an easy thing to do for a town this size; this agreement is not something that specifically benefits one employee, but is recommended by the Iowa League of Cities as means of ensuring the continuity of government during changes in council and leadership roles.

After discussion, there was a motion by Bruns, seconded by Goodrich to approve the employment agreement to employ the services of Christopher Lehning as City Clerk, Finance Officer, and City Administrator, etc. Upon vote, ayes: Bruns, Goodrich, Johnson, Simon. Nays: Cuvelier.

There was a motion by Bruns, sec-

onded by Johnson to adopt Resolution 1112 entering into agreement with Carney, Alexander, Marold, and Co. for auditing services. Upon vote, all ayes.

There was a motion by Bruns, seconded by Simon to adopt Resolution 1113 to approve the FY2023 Road Use Tax Report. Upon vote, all ayes. There was a motion by Bruns, seconded by Johnson to approve the five day liquor license renewal for Top of Iowa Lucky Wife, LLC (11/10/2023 - 11/15/2023). Upon vote, all ayes.

APRIL BOVY -JANITORIAL-CITY HALL.....\$100.00
BUTLER CO SOLID WASTE -GARBAGE/RECYCLE.....\$7,556.25
CARGILL -SALT.....\$6,146.74
CENTRAL IA DISTRIBUTING -SUPPLIES.....\$254.00
CENTURY LINK -TELEPHONE.....\$864.08
CHELSEA MEESTER -REIMBURSEMENT LIBRARY...\$47.94
CITY SANITARY -GARBAGE/RECYCLE.....\$7,414.00
CLAPSADDLE-GARBER -ENGINEERING-SEWER LINING.....\$2,524.70
CLAPSADDLE-GARBER -ENGINEERING-SURVEY.....\$780.00
CLAPSADDLE-GARBER -ENGINEERING-NEWELL AVE.....\$1,513.50
DOLLAR GENERAL -PROGRAMMING.....\$27.27
DUMONT TELEPHONE -TELEPHONE.....\$235.00
JULIE FOLKEN -REIMBURSE LIBRARY.....\$1,036.39
HAWKINS -CHEMICALS...\$20.00
BENJAMIN HUMPHREY -REIMBURSE CITY HALL.....\$153.00
IA FIREMEN'S ASSOCIATION

-MEMBERSHIP DUES.....\$323.00
IA HISTORY JOURNAL -MAGAZINE.....\$35.95
IA MUNICIPAL FINANCE ASSOC -TRAINING.....\$150.00
JOHNSONS PLUMBING & HEAT -GRAVE DIGGING.....\$384.60
TIM KOLDER -DED DIFF.....\$36.80
KONKEN ELECTRIC -REPAIRS.....\$115.88
RODNEY LUHRING -DED DIFF.....\$123.39
MID-AMERICAN RESEARCH CHEMICAL -SUPPLIES.....\$468.00
MEDIACOM -TELEPHONE.....\$47.10
MERCY-ONE -MUTUAL AID.....\$136.00
MID-AMERICAN PUBLISHING -PUBLICATIONS.....\$142.00
MIKE'S REPAIR -REPAIRS.....\$16.99
OUR IOWA MAGAZINE -LIBRARY SUBSCRIPTION.....\$39.98
RICOH USA -COPIER.....\$34.66
SHIELD PEST CONTROL -PEST CONTROL.....\$65.00
SPINUTECH -WEBSITE.....\$150.00
THE IOWAN MAGAZINE -LIBRARY SUBSCRIPTION.....\$24.00
THE MUSTARD SEED -LIBRARY BOOKS.....\$89.05
TRIONFO SOLUTIONS -INSURANCE.....\$851.27
UNITY POINT HEALTH -PHYSICALS.....\$220.00
US CELLULAR -TELEPHONE.....\$349.59
VAN WERT COMPANY -PARTS.....\$86.00
VERIZON WIRELESS -INTERNET.....\$80.02
WESTRUM LEAK DETECTION -CONTRACT SERVICES.....\$1,500.00
YOUNG PLUMBING & HEATING -MAINTENANCE.....\$495.00
AMAZON CAPITAL SERVICES

-SUPPLIES.....\$489.88
CRISSA BROUWER -JANITORIAL -LIBRARY.....\$250.00
NAPA -PARTS.....\$1,209.00
IPERS -WITHHOLDING.....\$6,300.31
KWIK TRIP -FUEL.....\$1,460.54
UHS PREMIUM BILLING -INSURANCE.....\$14,686.78
WAGES -OCTOBER.....\$33,302.47
EFTPS -WITHHOLDING.....\$7,046.59
IA DEPARTMENT OF REVENUE -WITHHOLDING.....\$1,627.33
EFTPS -WITHHOLDING.....\$2,491.13
IA DEPARTMENT OF REVENUE -EXCISE TAX.....\$1,582.27
REPORT TOTAL.....\$105,302.73
GENERAL FUND.....\$56,401.49
SPECIAL REVENUES.....\$15,029.65
CAPITAL PROJECTS.....\$4,038.20
WATER.....\$18,684.97
SEWER.....\$11,148.42
REVENUES
GENERAL.....\$300,118.75
SPECIAL REVENUE.....\$104,325.43
LOCAL OPTION SALES.....\$15,379.42
TAX INCREMENT FINANCING.....\$177,266.77
DEBT SERVICE.....\$44,129.69
WATER.....\$27,486.78
SEWER.....\$17,289.88
There was a motion by Goodrich, seconded by Bruns to adjourn the meeting. Upon vote, all ayes.
Mayor Michael Timmer:
Attest: Bj Humphrey, Deputy City Clerk;

Published in the Eclipse News-Review on November 15, 2023

PUBLIC NOTICE
Butler Co BOS • Minutes 10.31.2023

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON OCTOBER 31, 2023.

Meeting called to order at 9:00 A.M. by Chairman Greg Barnett with members Rusty Eddy and Wayne Dralle present. Moved by Dralle second by Eddy to approve the agenda. All eyes. Motion carried.

Minutes of the previous meeting were read. Motioned by Eddy, second by Dralle to approve the minutes as read. All eyes. Motion carried.

No public comment was received. Board considered Resolution 1089-2023 fixing date for a public hearing on the proposal to enter a Development Agreement with Butler-Grundy Development Alliance. Leslie Groen, Auditor, outlined the Resolution and stated that the date for public hearing is set for November 14, 2023. Motioned by Dralle, second by Eddy to approve Resolution 1089-2023. Roll call: Ayes – Eddy, Barnett, Dralle. Nays – None. RESOLUTION NO. 1089-2023

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH BUTLER-GRUNDY DEVELOPMENT ALLIANCE, 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 "Urban Renewal Area" or "Area") described therein, which Plan, as amended, is on file in the office of the Recorder of Butler County, Iowa; and

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall re-development area covered by said Plan; and

WHEREAS, the County has received a proposal from Butler-Grundy Development Alliance (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the County and the Developer, pur-

suant to which, among other things, the Developer would agree to expand and prepare for development the Logistics Industrial Park ("Park") within the Urban Renewal Area in order to promote economic development and create and maintain jobs within the County; and

WHEREAS, in furtherance of this goal, the Iowa Regional Utilities Association (the "Association") has expended \$1,283,076.00 to construct and install public water supply services and public wastewater services to serve the Park and advance development therein, and the Developer is considering an agreement to reimburse the Association up to \$1,000,000 of those costs ("IRUA Agreement"); and

WHEREAS, Developer has also entered into a purchase agreement to acquire additional property within the Park and Urban Renewal Area for the price of \$260,000 ("Purchase Agreement") and Developer purchased such land in order to increase the availability of industrial sites for employers in the County; and

WHEREAS, the County is willing to provide Developer with economic development grants comprised of available incremental tax revenues from the Urban Renewal Area to reimburse the Developer for the obligations Developer has assumed under the IRUA Agreement and the Purchase Agreement; and

WHEREAS, the activities of IRUA and Developer described in these preambles were previously identified as urban renewal projects in the Plan; and

WHEREAS, the Agreement proposes that the County will make up to ten (10) consecutive annual payments of IRUA Economic Development Grants to Developer, the cumulative total for all such payments not to exceed the lesser of \$1,000,000, or the amount accrued under the schedule outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, the Agreement also proposes that the County will make up to ten (10) consecutive annual payments of Purchase Agreement Economic Development Grants to Developer, the cumulative total for all such payments not to exceed the lesser of \$260,000, or the amount

accrued under the schedule outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, Chapters 15A and 403, Code of Iowa, (the "Urban Renewal Law") authorize counties to make grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapter, and to levy taxes and assessments for such purposes; and

WHEREAS, the Board has determined that the Agreement is in the best interests of the County and the residents thereof and that the performance by the County of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein; and

WHEREAS, neither the Urban Renewal Law nor any other Code provision sets forth any procedural action required to be taken before said economic development activities can occur under the Agreement, and pursuant to Section 331.301(5), Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the County Auditor publish notice of the proposal and of the time and place of the meeting at which the Board proposes to take action thereon and to receive oral and/or written objections from any resident or property owner of said County to such action.

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

That this Board meet in the Board Room, Butler County Courthouse, 428 Sixth Street, Allison, Iowa, at 9:00 A.M. on November 14, 2023, for the purpose of taking action on the matter of the proposal to enter into a Development Agreement with Butler-Grundy Development Alliance.

That the County Auditor is hereby

directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

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

NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF BUTLER COUNTY IN THE STATE OF IOWA, ON THE MATTER OF THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH BUTLER-GRUNDY DEVELOPMENT ALLIANCE, AND THE HEARING THEREOF

PUBLIC NOTICE is hereby given that the Board of Butler County in the State of Iowa, will hold a public hearing on November 14, 2023, at 9:00 A.M. in the Board Room, Butler County Courthouse, 428 Sixth Street, Allison, Iowa, at which meeting the Board proposes to take action on the proposal to enter into a Development Agreement (the "Agreement") with Butler-Grundy Development Alliance (the "Developer").

Developer is working in conjunction with the County to expand and prepare for development the Logistics Industrial Park ("Park") within the Butler County Logistics Park Urban Renewal Area in order to promote economic development and create and maintain jobs within the County.

In furtherance of this goal, the Iowa Regional Utilities Association (the "Association") has expended \$1,283,076.00 to construct and install public water supply services and public wastewater services to serve the Park and advance development therein, and the Developer is considering an agreement to reimburse the Association up to \$1,000,000 of those costs ("IRUA Agreement").

The Developer has also entered into a purchase agreement to acquire property within the Park and Urban Renewal Area for the price of \$260,000 ("Purchase Agreement") and Developer purchased such land in order to increase the availability of industrial sites for employers in the County.

The Agreement proposes that the County will make up to ten (10) consecutive annual payments of IRUA Economic Development Grants to Developer, the cumulative total for all such payments not to exceed the lesser of \$1,000,000, or the amount accrued under the schedule outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement.

The Agreement also proposes that the County will make up to ten (10) consecutive annual payments of Purchase Agreement Economic Development Grants to Developer, the cumulative total for all such payments not to exceed the lesser of \$260,000, or the amount accrued under the schedule outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement.

A copy of the Agreement is on file for public inspection during regular business hours in the office of the County Auditor, Courthouse, Butler, Iowa.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of said County, to the proposal to enter into the Agreement with the Developer. After all objections have been received and considered, the Board will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Agreement.

This notice is given by order of the Board of Supervisors of Butler County in the State of Iowa, as provided by Sections 331.301(5) and 331.305, Code of Iowa.

Dated this 31st day of October, 2023.

Leslie Groen, County Auditor, Butler County in the State of Iowa

(End of Notice)

PASSED AND APPROVED this 31st day of October, 2023.

Greg Barnett, Chairperson, Board of Supervisors

ATTEST: Leslie Groen, County Auditor

Misty Day, Planning and Zoning Administrator, discussed a Septic Complaint. Day stated that this has been an ongoing issue since 2016 and now a recent complaint was received regarding raw sewage pooling near the bike trail. The indi-

vidual has paid the \$100 fines assessed in the past. County Attorney, David Kuehner, mentioned it could be declared a nuisance, cleaned up by the County and cost recuperated through property taxes billing. With a scheduled court case in the near future, Eddy suggested that during court he could be allowed a certain amount of time before the complaint/fines are pushed out at a more consistent basis.

Board discussed compensation of township trustees. County Auditor, Leslie Groen stated the current pay for township trustees and clerks and that a township trustee would like the supervisors to also set an hourly rate for business outside of meetings. Township officials had a fence dispute has come up which lead the township to reviewing Iowa Code regarding hourly pay. Groen suggested that a rate be established similar to that of Precinct Election Official pay. Eddy suggested a pay of \$13.50 / hour for township trustees. Groen will draft a resolution for the Board to consider at a future meeting.

John Riherd, Engineer, provided an Engineer's update. Projects are under way and they are up against the weather when getting some of the work completed. A Secondary Roads employee has resigned this week and they will be seeking to hire a replacement for fall and winter.

Motioned by Eddy, second by Dralle to approve claims. All eyes. Motion carried.

Board acknowledged receipt of Manure Management Plan Short Form Annual Updates for David Brinkman #58474 and DC Farms #64608.

Motioned by Eddy, second by Dralle to adjourn the regular meeting at 9:26 A.M. to November 7, 2023 at 9:00 A.M. All eyes. 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 October 31, 2023.

Attest: Leslie Groen, Butler County Auditor

Greg Barnett, Chairman of the Board of Supervisors

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