

LEGALS

PUBLIC NOTICE

Butler Co Planning and Zoning Commission

NOTICE OF PUBLIC HEARING BUTLER COUNTY

Planning and Zoning Commission
The Butler County Planning and Zoning Commission will meet on March 16, 2023, at 1:30 p.m. in the basement meeting room of the Butler County Courthouse. At this meeting the Commission will:

Hold a Public Hearing on a request by Tanner Fenneman to rezone 2 acres from A-1 to C-M for a welding shop located at 30582 Hwy 188 described as Parcel D in the NE¼ of Section 28, Township 93 North, Range 15 West of the 5th P.M.

Hold a Public Hearing on a request by Brian Strelow for a Home Industry/Occupation Permit to operate an automotive repair business located at 28728 – 325th St described as the E 16 acres of the NW¼ SE¼ of Section 30, Township 90 North, Range 15 West of the 5th P.M.

Hold a Public Hearing on a request by Norm & Jan Mulder to rezone 35 acres more or less from A-1 to C for a truck stop located in the W¼ SE¼ South of Hwy 3 of Section 34, Town-

ship 92 North, Range 15 West of the 5th P.M.

Hold a Public Hearing on a request by Scott Edwards to rezone 2.86 from A-1 to M for an existing fabrication shop located at 26151 Westbrook Rd described as Lot 2 of that part of the SW¼ of Section 35, Township 90 North, Range 16 West of the 5th P.M.

Additional agenda items will include the review of J and E Corrigan Farm Minor Plat located in the NE¼ of Section 26, Township 90 North, Range 15 West of the 5th P.M. and Edward's Minor Plat in the SW¼ of Section 35, Township 90 North, Range 16 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 or via email mday@butlercounty.iowa.gov.

3/3/2023

X Misty Day

Butler County Zoning Administrator
Signed by: Misty Day

Published in the Eclipse News-Review on Wednesday, Mar. 8, 2023

PROBATE

Catherine Damm ESPR017394

THE IOWA DISTRICT COURT IN AND FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF CATHERINE DAMM, Deceased

CASE NO. 02121 ESPR017394 NOTICE OF APPOINTMENT OF ADMINISTRATOR AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Catherine Damm, Deceased, who died on or about December 27, 2022:

You are hereby notified that on February 6, 2023, the undersigned was appointed administrator of the estate.

Notice is hereby 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 pro-

vided by law, duly authenticated, for allowance, and unless so filed by the later to occur four months from the date of the second publication of this notice or one month from the date of the mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred. Dated on February 7, 2023.

Justin Damm, Administrator of the Estate

412 2nd Street
Parkersburg, IA 50665
Gary Papenheim, ICIS#: AT0006079
Attorney for the Administrator
Papenheim Law Office
234 3rd Street
P.O. Box 673
Parkersburg, IA 50665
Date of second publication
March 8, 2023
Probate Code Section 230

Published in the Eclipse News-Review on Wednesday, Mar. 1 and 8, 2023

PROBATE

Donald E. Miller ESPR017393

THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ES- TATE OF DONALD E. MILLER, Deceased

CASE NO. ESPR017393 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECU- TOR, AND NOTICE TO CREDI- TORS

To All Persons Interested in the Estate of Donald E. Miller, Deceased, who died on or about January 28, 2023:

You are hereby notified that on January 31, 2023, the Last Will and Testament of Donald E. Miller, deceased, bearing date of August 29, 2013, was admitted to probate in the above named court and that Mari Lisa Miller 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 th 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 February 24, 2023.

Mari Lisa Miller,
Executor of Estate
5913 W. 27th St.
Sioux Falls, SD 57106
Ronald J. Pepples
ICIS#AT0006140
Attorney for Executor
Ronald J. Pepples
206 4th St., P.O. Box 328
Parkersburg, IA 50665
(319) 346-1875
Date of second publication
March 8, 2023
Probate Code Section 304
* Designate Codicil(s) if any, with date(s).

Published in the Eclipse News-Review on Wednesday, Mar. 1 and 8, 2023

NOTICE OF HEARING CON- CERNING THE COMMENCING OF A PUBLIC

IMPROVEMENT PROJECT TO ACQUIRE REAL PROPERTY FOR THE CONTINUED USE OF THE BUTLER COUNTY EMERGENCY COMMUNICATIONS TOWER INCLUDING SELECTION OF LOCATION, FUNDING OF FINAL SITE-SPECIFIC DESIGN, AND TO ACQUIRE AGRICULTURAL LAND AND/OR OTHER LAND FOR THE PROJECT, AND TO AUTHORIZE THE ACQUISITION OF PROPERTY BY EMINENT DOMAIN IF NECESSARY

TO: The Public and:
Property Owner
..... Location of Affected Property
Gaylen Winterberg.....
..... Parcel Number 10-13-200-046
and tenants, parties in possession
and/or other parties with any interest
in the properties
identified above.

Under the provisions of Chapter 6B of the Iowa Code, a governmental body which proposes to acquire agricultural land under power of eminent domain for a public improve-

ment project is required to give notice of its intent to commence the project to all owners of such agricultural land whose properties may be acquired in whole or in part for the project. A notice must be mailed to the owners, and contract purchasers, as reflected in the records of the Butler County Auditor, and published in accordance with Iowa law. (See Sections 6A.21(a) and 6B.2A of the Iowa Code)

1. GENERAL NATURE OF THE PROJECT.

NOTICE IS HEREBY GIVEN to the above identified owners of land (agricultural and other), contract purchasers and any tenant known to be occupying the property that Butler County, Iowa will consider authorizing the commencement of a project to acquire property to maintain the current use of the existing emergency communications tower without the risk of interruption.

The General Location of the Project is described as:

The Project is approximately 4.74 acres in the Southeast Quarter of the Northeast Quarter (SE ¼ NE ¼) of Section Thirteen (13) Township

Ninety-one (91) North Range Seventeen (17) West of the 5th P.M., Butler County, Iowa

2. PRIVATE PROPERTY MAY BE ACQUIRED BY PURCHASE OR CONDEMNATION.

If the above-described project is approved by the Butler County, Iowa, the County may be required to acquire property for the project improvements. Upon review of Butler County property records, it appears that land (agricultural and other) owned by the above-identified persons, or entities, may have to be acquired in whole, or in part, for the project. Butler County, Iowa will attempt to purchase the required land through good faith negotiations, and it may condemn those properties that it is unable to purchase. The proposed location of the above described public improvement is further shown on a proposed plat of the project location which is now on file in the office of the Auditor of Butler County, Iowa and available for public inspection.

3. PROCESS TO DECIDE WHETHER TO PROCEED WITH THE PROJECT; FUND A SITE

SPECIFIC DESIGN; ROUTE SELECTION; AND TO ACQUIRE PROPERTY BY PURCHASE OR EMINENT DOMAIN; BOARD OF SUPERVISORS ACTION REQUIRED TO PROCEED WITH PROJECT; OPPORTUNITY FOR PUBLIC INPUT.

In making the decision to proceed with the above described project, to fund the final site specific project, to select the design and route of the project and to authorize the acquisition of property and property interests, the Butler County Board of Supervisors will hold a public hearing giving persons interested in the proposed project the opportunity to present their views regarding the project, project location, and views and objections regarding the proposed acquisition of property for the project by eminent domain. The public hearing on the project will be held during the Board of Supervisors regularly scheduled meeting on the 14th day of March, 2023, at the Butler County Courthouse, 428 Sixth Street, Allison, Iowa, 50602 commencing at 9:00 A.M. The public and persons receiving this notice

have a right to provide input concerning the final decision to fund the site-specific design of the project, to make final selection of the route or site location, or to acquire or condemn, if necessary, all or portion of the property or property interest for the Project. In order for the Board of Supervisors to proceed with the above-described project and commence the acquisition of property for the project, the Board of Supervisors will be required to approve the project, funding of the site-specific design, its location and route, and authorize the acquisition, or condemnation, if necessary, of private property for the project by resolution. The Board of Supervisors is scheduled to consider adoption of a resolution making final decision to fund the site-specific design of the project, to make final selection of the route or site location for the project, and/or to acquire or condemn, if necessary, all or portion of the property or property interest for the Project following the public hearing.

If the project is approved by the Board of Supervisors, an appraiser retained by Butler County, Iowa will

determine the compensation to be paid for property or property interests that are needed for the project. Butler County, Iowa will offer no less than the appraised value and will attempt to purchase the property or property interests needed for the project by good faith negotiations. If Butler County, Iowa is unable to acquire properties needed for the project by negotiation, Butler County, Iowa will acquire those properties by condemnation.

4. CONTACT PERSON.

Persons desiring further information regarding the proposed public improvement project or its impact on the properties identified above may contact Leslie Groen by mail at 428 Sixth Street, Allison, Iowa, 50602, or by telephone at (319) 267-2670.

This Notice is given by authority of Butler County, Iowa.

/s/ Leslie Groen
Butler County Auditor
Mailed to all affected Property Owners on March 2, 2023

Published in the Eclipse News-Review on Wednesday, Mar. 8, 2023

PUBLIC NOTICE

Butler Co BOS • Minutes 2.21.2023

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON FEBRUARY 21, 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 ayes. Motion carried.

Minutes of the previous meeting were read. Motioned by Dralle, second by Barnett to approve the minutes as read, with one correction to the Access Systems second motion. All ayes. Motion carried.

No public comment was received. Board discussed pricing for Cordes culvert project. A bid for the project from Tetro was received for \$12,280. Barnett read a statement prepared by John Riherd, County Engineer. Riherd's concern is that taking part in a project like this may lead to more inquiries of the same nature and this is something that is not budgeted for. Nick Cordes mentioned that he would provide half of the total cost in order to complete the project. Dave Scanlan, Assistant County Engineer, commented that the other side of the road does not have much grade so the water will still puddle up. Barnett said he would like to have Riherd present before making a formal decision and will be placed on next week's

agenda.

Leslie Groen, Auditor, provided an update on SF 181. Groen commented that the bill has been signed and guidance on how to move forward will be given from the Department of Revenue and Department of Management. Chris Luhning, Parkersburg City Clerk, was present to deliver his thoughts on the bill. He stated that the city will lose around \$20,000 based on his calculations. Luhning commented that he believes this will be extremely hurtful for rural counties in Iowa. He was adamant that citizens need to contact and put pressure on our State legislators.

Board reconsidered a motion for adopting Resolution 858-23 – Compensation Board on February 14, 2023. Clarification was needed on the motion as it did not coincide with the adopted Resolution. Barnett stated that the original motion wording was not correct as the numbers did not add up to the intended outcome of the resolution. Eddy motioned to reduce the compensation board's recommendation percentages by 4%, as reflected in Resolution 858-23, second by Dralle. Roll call was taken and Resolution 858-23 was adopted as follows:

RESOLUTION #858-23
WHEREAS, the Butler County Compensation Board meets annually to recommend a compensation schedule for elected officials for the

fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and WHEREAS, the Butler County Compensation Board met on December 20, 2022, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2023:

Elected Official -Current Salary	
-Proposed Increase
..... Recommended Salary*	
Auditor -\$67688.00 -6750.00 (% 9.97).....	\$74438.00
County Attorney -\$95002.00 -9500.00 (% 10.00).....	\$104502.00
Recorder -\$67688.00 -6750.00 (% 9.97).....	\$74438.00
Sheriff -\$90242.00 -12500.00 (% 13.85).....	\$102742.00
Supervisors -\$33410.00 -1650.00 (% 4.93).....	\$35060.00
Treasurer -\$67688.00 -6750.00 (% 9.97).....	\$74438.00
*See Compensation Board minutes for full explanations regarding recommended salaries.	
THEREFORE, BE IT RESOLVED that the Butler County Board of Supervisors approves the following salary adjustments for the following elected officials for the fiscal year beginning July 1, 2023:	
Elected Official -Approved Salary...	
..... Approved Increase	
Auditor -\$71729.00.....	%5.97
County Attorney -\$100702.00.....	%6.00

Recorder -\$71729.00.....	%5.97
Sheriff -\$99131.00.....	%9.85
Supervisors -\$33721.00.....	%0.93
Treasurer -\$71729.00.....	%5.97

Approved the this 21st day of February, 2023

BUTLER County Board of Supervisors

ATTEST: Leslie Groen, Auditor
Greg Barnett, Chairman of the Board

AYE: Rusty Eddy
Greg Barnett
Wayne Dralle

NAY:

During FY24 Budget Workshop Groen shared the Notice of Public Hearing Proposed Property Tax Levy notice that is being published this week.

Motioned by Barnett, second by Dralle to approve claims. All ayes. Motion carried.

Motioned by Eddy, second by Dralle to adjourn the regular meeting at 9:37 A.M. to February 28, 2023 at 9:00 A.M. All ayes. 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 February 21, 2023.

Attest: *Leslie Groen, Butler County Auditor*

Greg Barnett, Chairman of the Board of Supervisors

Published in the Eclipse News-Review on Wednesday, Mar. 8, 2023