

LEGALS

PROBATE BEVERLY ANN OLDENBURGER ESPRO

Patrick C. Galles ICIS Pin #AT0002637

THE IOWA DISTRICT COURT BUTLER COUNTY

IN THE MATTER OF THE ESTATE OF BEVERLY ANN OLDENBURGER, Deceased.

Probate No. ESPRO

NOTICE OF PROBATE OF WILL, APPOINTMENT OF EXECUTOR AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Beverly Ann Oldenburger, Deceased, who died on or about the 7th day of May, 2024:

You are hereby notified that on the 30th day of May, 2024, the Last Will and Testament of Beverly Ann Oldenburger, deceased, bearing date of the 24th day of December, 2019, was admitted to probate in the above named court and that Joyce Harrenstein 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 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 this 30th day of May, 2024.
Joyce Harrenstein
Patrick C. Galles
For Correll, Sheerer, Benson, Engels, Galles & Demro, P.L.C.
Attorney for Executor
Address: 411 Main St., Cedar Falls, IA 50613
Date of second publication
June 19, 2024

Published in the Eclipse-News-Review on June 12 and 19, 2024.

PROBATE KENNETH D. THORNE ESPRO17541

THE IOWA DISTRICT COURT FOR BUTLER COUNTY

IN THE MATTER OF THE ESTATE OF KENNETH D. THORNE, Deceased

CASE NO. ESPRO17541

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTORS, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Kenneth D. Thorne, Deceased, who died on or about April 30, 2024:

You are hereby notified that on May 23, 2024, the Last Will and Testament of Kenneth D. Thorne, deceased, bearing date of January 14, 2010, was admitted to probate in the above named court and that Leon Thorne and Delores Adolphs have been appointed Executors 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 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 form 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 May 24, 2024.
Leon Thorne, Executor of Estate
412 2nd Street
Parkersburg, IA 50665
Gary Papenheim, ICIS#: AT0006079
Attorney for Executors
Papenheim Law Office
234 3rd Street
P.O. Box 673
Parkersburg, IA 50665
Date of second publication
June 12, 2024
Probate Code Section 304
* Designate Codicil(s) if any, with date(s).

Published in the Eclipse-News-Review on June 5 and 12, 2024.

PUBLIC NOTICE

Butler Co BOS • Minutes 5.28.2024

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON

MAY 28, 2024.

Meeting called to order at 9:00 A.M. by Chairman Wayne Dralle with members Rusty Eddy and Greg Barnett present. Moved by Eddy second by Barnett to approve the agenda. All ayes. Motion carried. Minutes of the previous meeting were read. Motioned by Barnett, second by Eddy to approve the minutes as read. All ayes. Motion carried.

During public comment Eddy commended John Riherd, Engineer, on meeting him in New Hartford to discuss potential flooding and ideas to improve the situation there.

Motioned by Eddy, second by Barnett to open a Public Hearing on an FY24 Budget Amendment. Leslie Groen, Auditor, stated that she has not received any oral or written comments. Groen detailed the amendment line items and read the explanation provided in the publication. Hearing no additional comments, motioned by Barnett, second by Eddy to close the Budget Amendment Public Hearing. All ayes. Motion carried.

RECORD OF HEARING AND DETERMINATION ON THE AMENDMENT TO THE FY24 COUNTY BUDGET

The County Board of Supervisors met on May 28, 2024, to adopt an amendment to the current County budget as summarized below. The amendment was adopted after compliance with the public notice, public hearing and public meeting provisions as required by law.

EXPENDITURES

Public Safety & Legal Services, \$41,500
.....New Car, School of Instruction Roads and Transportation, \$520,000
.....Project wage changes, culvert materials, slurry patching, piling
TOTAL EXPENDITURES\$561,500
WHEREUPON, it was moved by Eddy, seconded by Barnett to adopt

the Amendment and Resolution 2005-2024. Upon roll call the Chairperson declared the motion carried, Amendment and Resolution 2005-2024 duly adopted as follows:

RESOLUTION #2005-2024
WHEREAS, it was moved by Eddy, seconded by Barnett to approve increasing appropriations for the following:
Service Area/Department
... Additional Appropriation FY2024
05 Sheriff\$40,000
28 Medical Examiner.....\$1,500
20 Secondary Roads.....\$520,000
The roll was called and the vote thereon was:
AYES: Rusty Eddy, Wayne Dralle, Greg Barnett
NAYS: None
ABSENT: N/A
THEREFORE, be it resolved that the motion was carried.
WHEREUPON the Resolution was declared duly adopted this 28th day of May 2024
Wayne Dralle, Chair, Board of Supervisors
ATTEST: Leslie Groen, County Auditor

Motioned by Barnett, second by Eddy to open a Public Hearing on a request from BMC Aggregates to rezone 72 acres from A-1 to A-2 for a sandpit dredging operation on a parcel located in the W1/2 NW1/4 S & W of RR of Section 34, Township 92 North, Range 15 West of the 5th P.M. Misty Day-Kofron, Planning & Zoning, detailed the request and explained any concerns regarding the rezoning. The Planning & Zoning Commission recommended approval of the rezoning. Sherman Lundy, BMC Aggregates, was present and explained that it was a dredging operation and that there should not be any concerns with wells. It was also stated that this area is in a flood plain and is a good fit for the land. Motioned by Eddy, second by Barnett to close the Public Hearing.

Board considered Ordinance Title VI, Number 35 – An Ordinance Amending the Official Zoning Map. Motioned by Barnett, second by Eddy to approve the first reading of the Ordinance Amending the Official

Zoning Map. Roll call was taken: Ayes – Eddy, Dralle, Barnett. Nays – None. Motioned by Eddy, second by Barnett to waive a second and third reading. All ayes. Motion carried and the ordinance was adopted as follows:

ORDINANCE TITLE VI, NUMBER 35
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF BUTLER COUNTY, IOWA ZONING ORDINANCE (ORDINANCE TITLE VI, NUMBER 28, ADOPTED ON NOVEMBER 1, 2022)

Section 1. RESCISSION. This Ordinance rescinds the current zoning designation, "A-1" Agriculture, on a parcel legally described as follows:
All that part of the Northwest Quarter (NW¼) of Section Thirty-four (34), Township (92) North, Range Fifteen (15) West of the 5th P.M. in Butler County, Iowa, lying southwest of Highway #3 and consisting of 73 acres, more or less.

on the Official Zoning Map as was originally adopted.

Section 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation "A-2" Limited Agricultural for the property legally described above, on the Official Zoning Map.

Section 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Butler County Zoning Ordinance (Ordinance No. Title VI, Number 28, adopted on November 1, 2022) as indicated by said section number and hereafter shall be cited by reference to said section number.

Section 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

Section 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

Section 6. SEVERABILITY. If any section, provision, or part of this

ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part not adjudged invalid or unconstitutional.

Section 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on May 28, 2024.

SECOND PASSAGE (READING) waived on May 28, 2024.

THIRD AND FINAL PASSAGE (READING) waived on May 28, 2024, AND ADOPTION waived on May 28, 2024.

BUTLER COUNTY BOARD OF SUPERVISORS
Wayne Dralle, Chair
Leslie Groen, County Auditor
Riherd provided an Engineer's update and stated that there is some damage from the flooding that needs repairing. Work is progressing on C13 with a cold in place, and bridge work is continuing. He commented that he had a concern from a farmer who stated that his neighbor has made changes that are causing soil loss on his land. Riherd mentioned that there is an ordinance and he will be investigating the situation more to see what can be done.

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

Motioned by Eddy, second by Barnett to adjourn the regular meeting at 9:33 A.M. to June 4, 2024 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 May 28, 2024.

Attest: Leslie Groen, Butler County Auditor

Wayne Dralle, Chairman of the Board of Supervisors

Published in the Eclipse-News-Review on June 12, 2024.

PUBLIC NOTICE

City of New Hartford • Minutes and Claims 6.5.2024

NEW HARTFORD CITY COUNCIL MINUTES JUNE 5, 2024

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

Others Present: Deputy Lane Bass, Deb Canfield, Caleb Granzow, Jason Rogers, Ashley Rogers, Brett Walters, Barbara Walters, Chris Adams, Brad Swarts Dylan Boecker

Mayor Canfield opened the meeting at 5:30p leading with the Pledge of Allegiance and requesting approval of the agenda which brought a motion from Brewer 2nd by Ragsdale to approve June 5, 2024 agenda with vote being all ayes motion carries.

During Public Forum Adams presented a petition he put together requesting an updated flood mitigation procedure. During discussions the Mayor and Fire Department members explained there has been briefing meetings and conversations with engineers putting into motion an action plan. The informational inconsistencies received during the water event and the reactions that had taken place were above and beyond. This unexpected situation teamed together with many experts such as Chris Showalter the Butler County Emergency Management, John Riherd Butler County Engineer, Jon Beiderman Fehr Graham Engineering, Rusty Eddy County Supervisor, New Hartford Fire Dept and many citizens jumping into action helping with sandbags and volunteering equipment.

Motion made by Ragsdale to approve road closure from north side

of Main Street starting at Packwaukee St down to Martin Memorial Library for the annual Fireman's Dance scheduled for July 20th 2nd by Perez with vote being all ayes motion carries. Swarts adds the Omelet breakfast and spaghetti dinner for the Fireman's gear fundraisers was very successful.

Motion made by Woods 2nd by Brewer to approve Walter's garage building permit application at 1120 Main St as long as the project is reduced to 600 sq ft so the garage can be constructed at grade with flood vents that provide one square inch of opening for every square foot subject to flooding; the project needs to be anchored to stay in compliance with the Flood Ordinance with the vote being all ayes motion carries.

Motion to approve Kugel's backdoor step building permit 810 Saratoga St made by Johnson 2nd by Ragsdale with the vote being all ayes motion carries.

With the quest of a new city pick-up and the possibility that the prospective truck will be sold by next council meeting a motion was made to give the Mayor authority to purchase truck by Johnson 2nd by Perez with the vote being all ayes motion carries. Additional conversations brought the idea of Deluxe Auto checking out chassis for rust and simply replacing the motor. This will come after additional research of the existing engine for a possible fix has been made.

Clerk explained the trees are being planted with the exception of a few; Sampler Project is moving forward with quotes received from Konken

for the electric \$2461.72 and Eden Plumbing for the plumbing \$3000 to complete project; also explains the stainless-steel tank for Well #2 is being made.

Street Maintenance was discussed and quotes from Blacktop Services and Aspro were presented.

Motion to approve Consent Agenda made by Brewer as presented including the omitted motion made during May meeting minutes that should have included the 'motion made by Woods 2nd by Brewer for the Royal Blue liquor license after dram shop approval with the vote being all ayes motion carries.' 2nd by Perez with the motion being all ayes motion carries.

REVENUES: General \$26237.44
Road Use \$6491.20 Water Utilities \$6568.05 Sewer Utilities \$8490.61
Total All funds \$47787.30
EXPENDITURES: General \$32422.63;
Road Use \$11008.23 ; Water Utilities \$8592.34; Sewer Utilities \$12668.74; Debt Serv \$ Total all funds \$64691.94

CLAIMS REPORT

VENDOR-REFERENCE -AMOUNT
AHLERS & COONEY PC -LEGAL.....\$480.00
ALANA HEGRE -MML PROGRAMMING.....\$95.00
ANGELA MARIE WIBBEN -CITY HALL MAINT.....\$80.00
ANN MARIE SCHAEFER -LIB HISTORICAL SCANNING.....\$180.00
ARENDS EXCAVATING LLC -1010 YORK ST SEWER MAINT.....\$2,500.00
BAKER & TAYLOR -LIB BOOKS.....\$824.63
BARNES & NOBLE BOOKS -LIB

MATERIALS.....\$155.91
BLAINE JORDAN BECKER -FIRE HYDRANT MAINT LANDSCAPING.....\$780.50
BMC AGGREGATES LC -STREET MAINT.....\$1,129.20
BUTLER CO ENGINEER'S OFFICE -T55 & MAIN ST MILL & FILL.....\$7,000.00
BUTLER CO SOLID WASTE COMM -MAY DISPOSAL FEES.....\$2,137.50
CHRISTIE DOOR COMPANY -CITY SHOP DOOR MAINT.....\$270.20
CITY SANITARY SERVICE -MAY GARBAGE SERV.....\$2,207.04
COOLEY PUMPING -JETTING SEWER.....\$360.00
EFTPS -FED/FICA TAX.. \$2,640.36
ELIZABETH KARSJENS -MML PROGRAMMING.....\$38.48
EUROFINS ENVIRONMENT TESTING -TESTING.....\$136.96
GORDON FLESCH COMP INC -LIB.....\$125.03
HELMUTH'S COUNTRY STORE -NHLRC.....\$1,177.90
IA ASSOC OF MUNICIPAL UT -SAFETY TRAINING.....\$277.00
IPERS -IPERS.....\$1,613.11
JETCO, INC -RADIO UPGRADES TO WATER TOWERS..\$19,926.00
JILL NORTON -REIMB LIB MATERIALS.....\$276.72
KONKEN ELECTRIC INC -ELECTRICAL.....\$553.31
MENDARDS-CEDAR FALLS -MAINTENANCE.....\$19.78
MID AMERICAN PUBLISHING CORP -PUBLISHING.....\$456.26
MID IOWA CONCRETE & CONSTRUCTI -GRAVE OPENING.....\$500.00
MILLER WINDOW SERVICE -CITY

HALL MAINT.....\$26.00
OFFICE DEPOT -OFFICE SUPPLIES.....\$319.79
PARKERSBURG HARDWARE -MAINTENANCE.....\$42.61
PATTY BENINGA -FIRE HYDRANTS.....\$2,000.00
PEOPLE SERVICE INC -PROFESSIONAL SERVICES.....\$735.00
POPULAR WOODWORKING -LIB BOOKS.....\$29.25
PRINT INNOVATIONS -PRINTING.....\$380.00
RADIO COMMUNICATIONS CO -TORNADO SIREN MAINT-BY SHOP.....\$297.50
TOM FOBIAN -LIB REPAIRS.....\$100.00
UBBEN BUILDING SUPPLIES -NHLRC.....\$325.36
UNTIY POINT HEALTH - ALLEN HOS -FD PHYSICALS ..\$2,821.00
UTILITY EQUIPMENT CO. -CONCRETE DONUT.....\$131.75
VAN WERT COMPANY -WATER METERS.....\$1,716.68
PAYROLL -WAGES.....\$9,825.41
Motion made by Brewer 2nd by Ragsdale to approve Dollar General Cigarettes/Tobacco license application with the vote being all ayes motion carries.

Motion made by Brewer 2nd by Perez to approve Casey's General Store liquor license that is set to renew with vote being all ayes motion carries.

Mayor presents a Can Redemption Fundraising Policy which brought a motion by Perez 2nd by Ragsdale to approve as presented with the vote being all ayes motion carries.

Clerk explains the importance of Golf Cart and Pet licensing and the expression made by citizens to

make sure all are accountable to this law.

Clerk explains updated ordinances and city fees are still in the works.

Brewer wants to make sure that Mosquito Control has been contact and asks about city-wide cleanup. Clerk explains that Mosquito Control has been notified to start annual spraying however rain will postpone the coverage. Clerk also explains that unfortunately city-wide cleanup has been suspended indefinitely as it creates properties to become nuisances by leaving junk on their yards throughout the year.

Motion to approve RESOLUTION 940AF2024 YEAREND TRANFERS moved by Brewer 2nd by Woods with vote being all ayes motion carries.

Mayor explains there has been habitual utility delinquent offenders and request council make a motion to send out letters giving them four days to comply or utilities will be shut off until rectified. Motion by Johnson 2nd by Woods to approve list as presented with vote being all ayes motion carries.

Meeting adjourned at 7:54 pm moved by Brewer 2nd by Perez with vote being ayes motion carries.

Attest: Shawna Hagen, City Clerk

Signed: Mayor Dennis L. Canfield

Published in the Eclipse-News-Review on June 12, 2024.