

LEGALS

PUBLIC NOTICE Butler Co BOS

NOTICE OF PUBLIC HEARING BUTLER COUNTY BOARD OF SUPERVISORS

TO WHOM IT MAY CONCERN:
Notice is hereby given that the Board of Supervisors of Butler County, Iowa have received a petition to reclassify and improve a portion of the following described roads from Level B Service to Level A Service:
• 140th Street from a point 895 feet

west of the NE Corner of Section 30, T93N, R18W (Bennezette Twp) westerly at least 250 feet

You are notified a hearing on such reclassification will be held in the Boardroom of the Butler County Courthouse in Allison, Iowa, at 9:00 AM on the 4th day of October, 2022 and at said hearing any interested person may appear to comment on said reclassification request.

Published in the Eclipse News-Review on Wednesday, Sept. 14 and 21, 2022

PUBLIC NOTICE Notice of Farm to Lease

PUBLIC NOTICE NOTICE OF FARM TO LEASE

Bids will be taken on the leases of the two Butler County farms for a 3-year term, beginning with the 2023-2024 crop year.

1. A farm which consists of approximately 281 acres in Sections 27 & 33 of T92-R16, Jackson Township, Butler County, Iowa.

2. A farm which consists of approximately 19 acres in NW ¼ NE ¼ of Section 1, Township 92N, Range 16W of the 5th PM.

TERMS: Cash rent. Paid in full, in advance, on March 1st of each term year. Tenant will be responsible to maintain soil fertility. Sealed bids

shall state the dollar amount per acre. Bids must be received by 9:00 A.M. on September 20, 2022. Bids will be opened at 9:05 A.M. Anyone submitting a bid by the deadline shall have the option to raise their bid in increments not less than \$5 if present at the time of the opening. The Board of Supervisors reserve the right to reject any and all offers. A copy of the proposed lease is available for review at the Butler County Auditor's Office or online at www.butlercounty.iowa.gov

Sealed bids and inquiries should be directed to: Leslie Groen, Butler County Auditor, ATTN: Farm Lease, P.O. Box 325, Allison, IA 50602

Published in the Eclipse News-Review on Wednesday, Sept. 7 and 14, 2022

PROBATE Robert Neavins ESPR017353

THE IOWA DISTRICT COURT IN AND FOR BUTLER COUNTY IN THE MATTER OF THE ES- TATE OF ROBERT S. NEAVINS, Deceased

Probate No. ESPR017353 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECU- TOR AND NOTICE TO CREDI- TORS

To all persons interested in the estate of Robert S. Neavins, deceased, who died on or about June 20, 2022:

You are hereby notified that on the 1st day of September, 2022, the Last Will and Testament of Robert S. Neavins, deceased, bearing the date of November 9, 2017, was admitted to probate in the above-named court and that Margaret A. Neavins 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 there-after 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 1st day of September, 2022.

Margaret A. Neavins, Executor Of Estate
210 N Johnson St., Parkersburg, IA 50665

Amy K. Swanson
Attorney for Executor
Lawler & Swanson, P.L.C.
601 Coates Street, P.O. Box 280
Parkersburg, Iowa 50665
Date of second publication
14th day of September, 2022.

Published in the Eclipse News-Review on Wednesday, Sept. 7 and 14, 2022

PUBLIC NOTICE City of Parkersburg • Minutes 8.22.2022

CITY OF PARKERSBURG AUGUST 22, 2022

Parkersburg, Iowa
The City Council of the City of Parkersburg, Iowa met in special session on Monday, August 22, 2022 at 6:00 P.M. at the Parkersburg Civic Center. Council members present: Abkes, Bruns, Goodrich, and Johnson. Absent: Cuvelier.

Mayor Pro-tem Dan Bruns called the meeting to order and led those in attendance in reciting the Pledge of Allegiance.

There was motion by Goodrich, seconded by Abkes to approve the agenda. Upon vote, all ayes.

There was a motion by Goodrich, seconded by Abkes to approve the appointment of Quinn Edeker, Dakota Callan, and Sam Reeves to the Parkersburg Fire Department. Upon vote, all ayes.

Mayor Pro-tem Bruns opened the public hearing for rezoning application number one to rezone property from "U-1" Unclassified District to "B-1" Commercial District for the legal description described as Parcel letter "V" located in portions of Parcel 1 and Parcel K of Outlot A, Legend Trail Development to the City of Parkersburg, Butler County, Iowa as surveyed in County Recorder's Instrument No. 2016-2253. The Zoning Administrator described the rezoning location as the parcel that Legend Trail Inns and Suites currently is on. There were questions concerning the reason(s) to rezone the property and whether the zoning classification makes a difference. Special City Attorney Bruce Toenjes described the current and proposed zoning classifications and the differences. Upon no other oral or written comments being provided, the public hearing was closed by Mayor Pro-tem Bruns.

There was a motion by Goodrich, seconded by Johnson to approve the 1st reading of Ordinance 373. Upon roll call vote, all ayes.

There was a motion by Goodrich, seconded by Bruns to waive the 2nd reading requirement of Ordinance 373. Upon roll call vote, all ayes.

There was a motion by Abkes, seconded by Goodrich to waive the 3rd reading requirement of Ordinance 373. Upon roll call vote, all ayes.

There was a motion by Bruns, seconded by Abkes to approve the 3rd reading and to adopt Ordinance 373 to rezone the property as described to "B-1 Commercial District. Upon roll call vote, all ayes.

Mayor Pro-tem Bruns opened the public hearing for rezoning application number two to rezone property from "U-1" Unclassified District to "B-1" Commercial District for the legal description described as Parcel Letter 'I' as surveyed in County Recorder's Instrument No. 2007-1582 located in Outlot 'A', Legend Trail Development to the City of Parkersburg, Butler County, Iowa EXCEPT any portion contained within Parcel V as surveyed in County Recorder's Instrument No. 2016-2253. Special City Attorney Toenjes described the conditions that could be placed on the parcel under consideration to allow business/commercial use on the south part of the parcel only, the size and extent to be decided upon prior to the closing of the public hearing. The Zoning Administrator read

the written comments submitted by Lee Klinkenborg. Mr. Klinkenborg's concerns focused on the safety of those that live in the area, the safety of the roadway, noise, and light pollution. Resident Steve Wicks stated his opposition to the rezoning. Mr. Wicks thanked the City Council for the improvements done throughout the community in recent years but stated the rezoning of the parcel to B-1 does not make sense to him. He stated his safety concerns for bicyclist, runners, and walkers due to increased traffic. He also voiced his concerns about the aesthetics of the area as well. Councilman Goodrich clarified that the city did not solicit Dollar General to the parcel and that Dollar General approached the owners of the property to purchase it. Councilman Goodrich also stated the owner is in support of conditions being placed on the property to allow B-1 business/commercial use on the south part of the parcel only.

The owner of the parcel, DJ Ellis, stated he also does not intend or desire for the entire parcel to be used for business/commercial use. He described the use of the property since it was developed, the drainage issues that exist in the area, and the landscaping and work done in the past to beautify the area. Mr. Ellis described the plans to residentially develop the parcel to the north for additional housing, including possibly constructing a retirement village. He also stated his goal is to clean up the property at the corner of Highway 57 and Highway 14.

There was additional discussion about the current "U-1" zoning classification and what the parcel currently could be used for. There was discussion about the condition to limit the business/commercial "B-1" use to the south 3.5 acres and how site planning could address the public's concerns discussed later. There was also questions asked about why Dollar General does not build in the Industrial Park. Resident Mavis Wicks also voiced her opposition to the rezoning of the parcel, that the parcel was not a good place for a Dollar General, and her concern that Dollar General appears to be calling the shots in town.

Attorney Bruce Toenjes described the condition already agreed upon to allow B-1 use in the south 3.5 acres of the parcel only. After discussion, it was agreed upon to also require that any building in the B-1 portion of the parcel to be constructed with brick exterior on four sides to improve the area, and that an all-natural buffer must be placed along the north boundary of any part of the parcel used for B-1 to offer a buffer between the commercial use of the property and the residential neighborhood(s). These conditions were agreed to in writing by the owner prior to the close of the public hearing. Upon no other oral or written comments being provided, the public hearing was closed by Mayor Pro-tem Bruns.

There was a motion by Goodrich, seconded by Abkes to pass the 1st reading of Ordinance 374 with the approved conditions applied. Upon a roll call vote, all ayes.

There was a motion by Johnson, seconded by Abkes to adjourn the meeting. Upon vote, all ayes.

Mayor Pro-tem Dan Bruns:
Attest: Christopher M. Luhring
City Administrator/Clerk:

Published in the Eclipse News-Review on Wednesday, Sept. 14, 2022

PUBLIC NOTICE Butler Co BOS • Minutes 8.30.2022

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON AUGUST 30, 2022.

Meeting called to order at 8:59 A.M. by Chairman Rusty Eddy with members Tom Heidenwirth and Greg Barnett present. Moved by Heidenwirth, second by Eddy to approve the agenda. All ayes. Motion carried.

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

Roger Kregel, Dumont Telephone, inquired about a location in the New Hartford area for putting up a building. He is looking for options that cover a 40 X 60 feet area with a standby generator. County Engineer, John Riherd, mentioned that he would look into the county-owned land and Kregel asked to be placed on the September 13th agenda to revisit the request.

Board discussed the McDivitt junkyard. County Zoning, Misty Day, explained the situation and inspected the area yesterday. She stated that he has cleaned much of the area and is working on compliance. She indicated that McDivitt has vehicles on the property that are not registered and he has some that are waiting to be taken off the property. McDivitt was in attendance and discussed his intentions with the vehicles and the property. Day outlined a process to stay in compliance and avoid a fine. McDivitt mentioned that the neighbor that filed the complaint lives in California and is only in Iowa for 30 days per year. He stated that he does not want to come to the courthouse again. He had 150 vehicles and is down to 45 vehicles at this point. Day mentioned that there is a fully fenced-in area that he can move the remaining vehicles into. She needs to see the registrations for all vehicles and to have the rest of the vehicles moved indoors or in the fenced area. Eddy stated that the board appreciates the effort he has made so far and that the issue will be revisited down the road. McDivitt said he did not need an extension to get the vehicles taken care of. Day reiterated that any unlicensed vehicles need to be moved into a shed or within the fenced-in area.

Board discussed the farm lease bids. There are two leases that will be up for bid. The board set the bids for September 20, 2022, during the regular supervisors meeting. It will be published in the newspapers for the two weeks leading up to the meeting. Eddy motioned to accept bids on September 20th, second by Barnett. All ayes. Motion carried.

Board discussed the IT survey software. IT Director, Sara Trepp, commented that the software for the survey is \$384 per year and can be used for any surveys and statistics that are included. Barnett mentioned that it had received over

400 responses since it has been online. Trepp is going to cover the cost through her budget.

A utility permit was considered for Butler County REC – underground service to Longhorn Acres (C55 and Spring Ave). Riherd explained that service is being brought in and recommends approval. Eddy motioned to approve, second by Heidenwirth. All ayes. Motion carried.

Iowa DOT federal aid funding agreement was considered for bridge replacement on Cedar Ave – Sec 28 Washington Township. Riherd mentioned that this is west of Austinville and plan on using federal and/or state funds for the replacement of the bridge. Barnett moved to approve, second by Eddy. All ayes. Motion carried.

County Engineer, John Riherd discussed West Fork Cedar River overflow on T55, Sinclair Ave resurfacing funding, and Title VI updates. Riherd explained that there will be some expenses associated with these projects including a wetland credit as they will need to utilize a section of designated wetlands. Riherd is looking for approval to use funds from capital projects which would be around \$12,000 for the credits. The Sinclair Ave project, with a budgeted \$3.9 Million, is complete and set to cost \$80,000 less than the original plan. Riherd is looking for a way to complete the funding of the project. In 2012, the Title VI program was initiated in Butler County which calls for the assurance of spending the aid in the correct way. They are transitioning into using more federal funds which have more strings attached than the state funds.

Board discussed County property sale of easements. Conservation Director, Mike Miner, was present to explain an easement that would go through a portion of the rolling prairie bike trail. Barnett noted that he is 1000% against signing an easement with the pipeline. The pipeline offered a \$1,740 price to bore through that area. Miner mentioned that he wanted to be on the same page as the board and it is ultimately the decision of the conservation board whether or not to sign and accept the sale. This will be revisited in the future.

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

Motioned by Eddy, second by Heidenwirth to adjourn the regular meeting at 9:55 A.M. to September 6, 2022 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 August 30, 2022.

Attest:
Leslie Groen
Butler County Auditor
Rusty Eddy
Chairman of the Board of Supervisors

Published in the Eclipse News-Review on Wednesday, Sept. 14, 2022

PUBLIC NOTICE Parkersburg Board of Adjustment

PUBLIC NOTICE

The public and the residents of Parkersburg are hereby notified that the Parkersburg Board of Adjustment will hold a public hearing on Thursday, September 22, 2022 at 7:00 p.m. at Parkersburg City Hall at 608 Highway 57, Parkersburg, Iowa. The reason for the public hearing will be to consider a special exception application to allow the property at 702 Grant Street in

Parkersburg, Iowa to be used for a child care center.

You are hereby notified that you may appear at said time and place either in support of or to object to the proposal. Written comments will be accepted until 4:00 PM on the day of the public hearing at City Hall. Oral questions or comments can be directed to Parkersburg City Hall by calling (319) 346 – 2262.

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PUBLIC NOTICE City of Parkersburg • Financial Report

STATE OF IOWA					
2022					
FINANCIAL REPORT					
FISCAL YEAR ENDED					
JUNE 30, 2022 CITY OF PARKERSBURG, IOWA					
DUE: December 1, 2022					
NOTE - The information supplied in this report will be shared by the Iowa State Auditor's Office, the U.S. Census Bureau, various public interest groups, and State and federal agencies.					
ALL FUNDS					
	Governmental (a)	Proprietary (b)	Total Actual (c)	Budget (d)	
Revenues and Other Financing Sources					
Taxes Levied on Property	964,210		964,210	950,409	
Less: Uncollected Property Taxes-Levy Year	0		0	0	
Net Current Property Taxes	964,210		964,210	950,409	
Delinquent Property Taxes	0		0	0	
TIF Revenues	477,763		477,763	478,647	
Other City Taxes	229,389	0	229,389	176,345	
Licenses and Permits	11,832	0	11,832	8,600	
Use of Money and Property	9,235	0	9,235	11,175	
Intergovernmental	1,428,180	0	1,428,180	1,184,404	
Charges for Fees and Service	200,918	579,503	780,421	778,550	
Special Assessments	2,584	0	2,584	0	
Miscellaneous	62,644	0	62,644	32,400	
Other Financing Sources, Including Transfers in	1,213,747	0	1,213,747	204,911	
Total Revenues and Other Sources	4,600,502	579,503	5,180,005	3,825,441	
Expenditures and Other Financing Uses					
Public Safety	436,251		436,251	470,603	
Public Works	485,821		485,821	690,827	
Health and Social Services	100		100	5,630	
Culture and Recreation	311,841		311,841	365,294	
Community and Economic Development	399,535		399,535	443,212	
General Government	248,470		248,470	224,218	
Debt Service	301,887		301,887	302,637	
Capital Projects	1,994,969		1,994,969	1,576,841	
Total Governmental Activities Expenditures	4,178,874	0	4,178,874	4,079,262	
Business type activities		359,410	359,410	546,075	
Total All Expenditures	4,178,874	359,410	4,538,284	4,625,337	
Other Financing Uses, Including Transfers Out	1,003,022	210,725	1,213,747	204,911	
Total All Expenditures/and Other Financing Uses	5,181,896	570,135	5,752,031	4,830,248	
Excess Revenues and Other Sources Over (Under) Expenditures/and Other Financing Uses	-581,394	9,368	-572,026	-1,004,807	
Beginning Fund Balance July 1, 2021	2,608,152	847,041	3,455,193	3,542,362	
Ending Fund Balance June 30, 2022	2,026,758	856,409	2,883,167	2,537,555	
NOTE - These balances do not include the following, which were not budgeted and are not available for city operations:					
Non-budgeted Internal Service Funds			Pension Trust Funds		
Private Purpose Trust Funds			Agency Funds		
Indebtedness at June 30, 2022		Amount	Indebtedness at June 30, 2022		Amount
General Obligation Debt		2,155,000	Other Long-Term Debt		0
Revenue Debt		0	Short-Term Debt		0
TIF Revenue Debt		0	General Obligation Debt Limit		7,167,788

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