### PROBATE - HYERS

THE IOWA DISTRICT FOR BUTLER COUNTY IN THE MATTER OF THE ES-TATE OF ALBERT D. HYERS,

Deceased. CASE NO. ESPR017360 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF **EXECUTOR, AND NOTICE TO** CREDITORS

To All Persons Interested in the Estate of Albert D. Hvers. Deceased, who died on or about June

You are hereby notified that on September 29, 2022, the Last Will and Testament of Albert D. Hyers, deceased, bearing date of June 27, 2008, was admitted to probate in the above named court and that Peggy Ann Winslow has been 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 per-

sons 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 September 29, 2022. Peggy Ann Winslow, Executor of Estate

9 Briggs St. North Adams, MA 01247 Richard J. Gaumer, ICIS#: AT0002763 Attorney for Executor

GAUMER, EMANUEL, CARPEN-TER & GOLDSMITH, P.C. 111 W. Second St. Ottumwa, Iowa 52501 Date of second publication October 12, 2022

Probate Code Section 304 Designate Codicil(s) if any, with

TJ - 40.41

## NOTICE LEVY AND SALE

Notice of Sheriff's Levy and Sale
IN THE IOWA DISTRICT COURT IN AND FOR BUTLER COUNTY **Iowa District Court Butler** 

County Case#: EQCV021911 Civil #: 22-000280 X Special Execution STATE OF IOWA BUTLER COUNTY CITIZENS BANK NA F/K/A RBS **CITIZENS NA** 

vs AARON D. COOLEY; KAY J. COOLEY; PARTIES IN POSSESSION

As a result of the judgment rendered in the above referenced court case, an execution was issued by the court to the Sheriff of this county. The execution ordered the sale of defendant (s) X Real Estate

X Described Below To satisfy the judgment. The Prop-

erty to be sold is A TRACT COMMENCING AT THE NORTHEAST CORNER OF OUT LOT 84 OF THE SUBDI-VISION OF THE NORTHEAST QUARTER OF THE SOUTH-EAST QUARTER OF SECTION 25, IN TOWNSHIP 90 NORTH, P.M., THENCE WEST 120 FEET. THENCE SOUTH AT RIGHT AN-GLES 60 FEET. THENCE EAST AT RIGHT ANGLES 120 FEET. THENCE NORTH AT RIGHT AN GLES 60 FEET TO PLACE OF BE-GINNING, PARKERSBURG, BUT-LER COUNTY, IOWA

ALSO KNOWN AS: A TRACT COMMENCING AT

THE NORTHEAST CORNER OF OUT LOT 84 OF THE SUBDI-VISION OF THE NORTHEAST QUARTER OF THE SOUTH-EAST QUARTER OF SECTION 25, IN TOWNSHIP 90 NORTH, RANGE 17 WEST OF THE 5TH P.M., THENCE WEST 120 FEET. THENCE SOUTH AT RIGHT AN-GLES 60 FEET, THENCE EAST AT RIGHT ANGLES 120 FEET THENCE NORTH AT RIGHT AN-GLES 60 FEET TO PLACE OF BE-

GINNING JUDGMENT IN REM Property Address: 401-6TH ST., PARKERSBURG, IA 50665

The described property will be offered for sale at public auction for cash only as follows: 11/03/2022, 10:00, BUTLER

COUNTY SHERIFF'S OFFICE, 428 6TH ST, ALLISON, IA 50602 X This sale not subject to Re-

demption. Property exemption: Certain money or property may be exempt. Contact your attorney promptly to review specific provisions of the

law and file appropriate notice, if acceptable. Judgment Amount: \$88,352.92 Costs: \$6,457.68 Accruing Costs: PLUS

Sheriffs Fees: Pending Date: 09/19/2022 /s/ JASON S JOHNSON **BUTLER COUNTY SHERIFF** 

Attorney ANDREA DYAR 1401-50TH STREET, STE 100 WEST DES MOINES, IA 50266 TJ/CS - 39, 40

## **BUTLER CO AUDITOR'S OFFICE**

**LEGAL NOTICE** 

PUBLIC NOTICE is hereby given in accordance with Chapter 52.35 of the Iowa Code that on Wednesday October 12, 2022 at 9:30 a.m., the Elections Department of the Butler County Auditor's Office will

examine and test the vote tabulating machines to be used for the November 8th General Election. This certification test is open to the public. Leslie Groen, Butler County Auditor & Commissioner of Elections.

## CITY OF ALLISON • MINUTES 9.26.2022

CITY OF ALLISON REGULAR COUNCIL MEETING MONDAY, SEPTEMBER 26TH.

2022

Regular Meeting: Mayor Henrichs opened the regular meeting of the Allison City Council at 5:45 p.m. Council members present were Bangasser, Carlson, Davis, Henning, Heuer Also present was Chris Graser, Coby Bangasser, Trent Stirling, Mike Stirling, Zeb Stanbrough, Brad Cooper Mark Steffes and Randy Moad. Davis made a motion to approve the agenda with a second by Bangasser. Ayes: All. Nays: None. Motion carried.

Open Forum: Mike Stirling representing the Fair board let us know that they are working on cleaning up the South end of the Fair grounds.

An infrastructure qu brought up and Alexis is going to reach out and see if the City qualifies for the grant in regards to protection against cyberattacks with

Randy Moad provided an update in regards to Wilder Park. The railroad ties that were bad were pulled to be in compliance with ICAP, and other cleanup was done around the park. He also brought up that they are talking about doing an increase in fees on all of the sites for the 2023 season.

Consent Agenda: Motion by Henning with a second by Carlson to approve the consent

agenda as follows: Minutes from the meeting held on

09/12/2022 Approve building permit for Robert Whiteside - 512 Cherry St. - Porta-

Ayes: All. Nays: None. Motion Carried. **New Business:** 

ble Storage Shed

Brad Cooper came and discussed the possibility of concreting the alley way between his driveway and the bank to help fix the pothole issue in the alley. At this time Council will look into the issue and address it further at the next meeting

Zeb Standbrough and Mark Steffes discussed the road construction issue that took place during the street project. The issue at hand is that there was a manhole that was buried that was hit during the street project that needs to be fixed and brought up to the surface. Two options were proposed during the meeting to fix the manhole. Option 1 came to a total of \$2,689 and option 2 came to a total of \$3.895. Both options included adjusting the castings to the proper grade with adjusting rings, and the main dif-ference was option 1 included using hot mix asphalt for around the manhole, whereas option 2 included furnishing and reinstalling a reinforced concrete patch. After looking at both options, Council voted to go with option 1 in the amount of \$2,689. With this, Blacktop Services requested a two week extension on the project to complete this; in which council approved.

Motion by Davis with a second by Heuer to approve option 1 in the amount of \$2,689 to fix the manhole issue and to give Blacktop Services a two week extension on the project to complete this. Ayes: Bangasser, Davis, Henning, Heuer. Nays: Carlson. Motion carried.

Council discussed an option for

housing development off of Cherry Street. At this time, we will be contacting the land owner to see if they would be interested in selling.

Motion by Bangasser with a second by Davis to approve the contract for VC3. Ayes: All. Nays: None. Motion carried. Motion by Henning with a second

by Heuer to approve the proposal from Larry Pumps office in the amount of \$3,200 to complete the City's yearly examination on October 4th. Ayes: All. Nays: None. Motion carried.

The water loss issue was discussed with Council. Around March, the Public Works director noticed that more water was being pumped than normal. After investigating, it was noted that two commercial accounts were using significantly more water than what was being reported. The situation has now been corrected, and Council has made the decision to correct the billing to the correct amount from August 1st going forward as the issue was an error made by the City.

Motion by Bangasser with a second by Carlson to approve correcting the billing from August 1st going forward for the two commercial sites that were incorrectly billed. Ayes: All. Nays: None. Motion car-

The water expectations were discussed with the changes that are being made effective October 1st. A copy of the ordinance was sent out with the letter to the citizens of Allison. With this, no partial payments will be accepted. That being said, all water bills must be paid in full by the 4th Monday of the month, or the

water will be shut off until payment is received in full which includes an additional \$50 fee for disconnecting and reconnecting. A discussion was held in regards

to the dog complaints at 420 Lo-

cust St. and Apartment 9 of Locust Square: in which Council made the decision to request to have the dogs tested. Motion by Bangasser with a second by Henning to approve resolution #22-09.1 resolution approv-

ing the City Street Finance Report for FY 2022. Ayes: All. Nays: None. Motion carried. Motion by Bangasser with a second by Davis to approve resolution

#22-09.2 resolution approving the Urban Renewal Report. Ayes: All. Nays: None. Motion carried. Motion by Davis with a second by Henning to approve resolution #22-

09.3 resolution approving the Tax Increment Financing Indebtedness Certification Report to the County Auditor. Ayes: All. Nays: None. Motion carried. Old Business: The action to discuss the pur-

chase of the Jaws of Life with the Fire Department was tabled. The action to discuss street repair

for next year was tabled. Adjournment: Motion by Davis with a second by Bangasser to adjourn at 7:35 p.m

Ayes: All. Nays: None. Motion car-Scot Henrichs - Mayor Attest: Alexis Wiegmann - City

TJ/CS - 40

# PROBATE - KROMMINGA

THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE **ESTATE OF DONNA M** KROMMINGA, Deceased CASE NO ESPR017355 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF **EXECUTORS, AND NOTICE TO** CREDITORS

To All Persons Interested in the Estate of Donna M Kromminga, Deceased, who died on or about September 5, 2022:

You are hereby notified that on September 13, 2022, the Last Will and Testament of Donna M Kromminga, deceased, bearing date of August 11, 2017, was admitted to probate in the above named court and that Kathy Gallmeyer, Jeffrey Kromminga and Daryl Kromminga 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 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 if further given that all persons indebted to the estate are requested to make immediate pay-

THE IOWA DISTRICT COURT

FOR BUTLER COUNTY

IN THE MATTER OF THE

ESTATE OF PATRICIA E.

WENTWORTH, Deceased

CASE NO. ESPR017351

NOTICE OF PROBATE OF

WILL, OF APPOINTMENT OF

**EXECUTORS, AND NOTICE TO** 

**CREDITORS** 

Estate of Patricia E. Wentworth.

August 1, 2022:

forever barred.

Deceased, who died on or about

You are hereby notified that on

To All Persons Interested in the

ment 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 September 19, 2022. Kathy Gallmeyer. **Executor of Estate** Clarksville, IA 50619

> Jeffrey Kromminga, Executor of Estate 302 W Weare Clarksville, IA 50619

Daryl Kromminga. Executor of Estate 103 S Traer

Clarksville, IA 50619 Bruce J. Toenjes, ICIS#: AT0007936 Attorney for Executors

Nelson & Toenjes PO Box 230 Shell Rock, IA 50670 Date of second publication October 6, 2022.

PROBATE - WENTWORTH

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### **BUTLER CO BOS • MINUTES** 9.20.2022 MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD

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

OF SUPERVISORS HELD ON

**SEPTEMBER 20, 2022.** 

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

A question was presented to the board asking about the compensation commission and if the pipeline goes to eminent domain, how might that be handled. Barnett explained that to his understanding there are individuals pulled from five different groups within the County's Compensation Commission in Eminent Domain. If it goes to court, a judge will appoint out of this pool of individuals. Eddy also commented that he received a phone call from the landowner next to the McDivitt's junkvard. He was pleased by the progress made by Mr. McDivitt and

appreciates his efforts. The board received sealed bids for Butler County farm leases. The board opened one bid regarding the 19 acres in NW1/4 NE1/4 of Section 1, Jackson Township. The one bid was received from Steve Henning for \$150/acre. Barnett made a motion to award the bid to Steve Henning, second by Eddy, All ayes, Motion carried, The board opened five sealed bids regarding the 281 acres in Sections 27 and 33 of Jackson Township, After a brief bidding process, the final bid had been reached and Barnett motioned to award the bid to John Wessels for \$505/acre, second by Eddy. All ayes. Motion carried.

Board reviewed the updated Memorandum of Agreement between lowa DOT and Butler County. Treasurer. Roxie Nicolaus explained that the agreement had not been updated since 2018 and needed some minor changes to be cleaned up. Moved by Heidenwirth, second by Barnett to approve the updates. All aves. Motion carried.

Susie Jacobs, Engineers Office

Manager, discussed holding a Flu Shot Clinic in October. This is for full time employees and families on county insurance. Eddy motioned to allow employees to receive flu shots in October, second by Heidenwirth. All ayes. Motion carried. Misty Day, Planning and Zoning Administrator, discussed zoning

ordinance updates. Day met with the Butler County/Grundy County Citizens Against Turbines to implement some updates which Day shared. The public meeting process was updated to include private expense covering an easement that need to be negotiated. The setbacks were updated to include all property lines at 1,640 feet from turbines. Day commented that this setback will be very difficult to meet and there is some room to negotiate if property owners are in favor of having a turbine built within that setback. The decommission plan has moved from 1 year to 6 months if parameters are not met. An escrow account will be set up for decommissioning costs and this will be reviewed every three years. Additional changes regarding legality issues were updated as well. An official public hearing will be held in October to recommend the new updates, and Day is targeting

November to have this completed. Board discussed a carbon pipeline resolution. David Kuehner. County Attorney, mentioned that this may need to go through the zoning department. Day commented that guidance was received during ISAC meetings that zoning should not be involved at this point. Kuehner indicated that the law says the Iowa Utility Board has the authority in the matter. Barnett stated that he is for doing anything within their power to stop the pipeline. Eddy commented that everybody he has spoken to is not in favor of it. Day believes that the Emergencv Management Director should

Board considered ARPA Committee Project recommendations. Leslie Groen, Auditor, explained that the initial ARPA funds had more strings attached to how the money could be used. It was later stipulated that the funds could be used for a broader scope. Groen outlined

be brought into the conversation

how the funds have been allocated and that \$74,000 is remaining from the initial balance. Barnett moved to approve the allocation of funds with Resolution 1044, second by Heidenwirth. Roll call taken. All ayes. Motion carried and Resolution 1044 was approved as follows: **RESOLUTION #1044** 

#### TO APPROVE AMERICAN RES-**CUE PLAN ACT (ARPA)** DISBURSEMENT OF FUNDS

WHEREAS, in March 2021, the federal government established the American Rescue Plan Act of 2021 (ARPA) which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide state, local and Tribal governments with the resources needed to respond to the pandemic and its economic effects; and

WHEREAS, Butler County applied for and has received \$2,804,606 from the American Rescue Plan Act and:

WHEREAS, the Butler County ARPA Committee and Board of Supervisors have reviewed the Butler . County American Rescue Plan Act (ARPA) Funding Project Request forms received prior to December

WHEREAS, based on the distribution guidelines from the U.S. Department of Treasury at that time, the following committed dollars were approved on February 15, 2022, for use of the American Rescue Plan Funds: Dumont Telephone for Broadband Grant NOFA #7 project (providing broadband to underserved areas of Butler County) for \$200,000, a new Public Health building project for \$1.5 million, and Butler County Conservation new shower houses for

WHEREAS, on January 6, 2022, the Treasury issued a final rule for the SLFRF program which took effect on April 1, 2022. The final rule included a standard allowance for revenue loss of up to \$10,000,000, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation.

WHEREAS, on April 19th, 2022. the Butler County Board of Supervisors elected to use the standard allowance for identifying revenue loss for its total SLFRF. Recipients

that select the standard allowance may use that amount for government services, with streamlined reporting requirements. WHEREAS, based on the stan-

dard allowance for identifying revenue loss for our total SLRFR allocation for government services. the Butler County ARPA Committee and Board of Supervisors have identified and committed American Rescue Plan Funds for the follow

Courthouse parking lots and driveways - Repaving and updates for \$600.000 · Courthouse HVAC updates for

E911 Tower land purchase for

\$100,000 THEREFORE, BE IT RESOLVED; The Board of Supervisors of Butler County. State of Iowa, hereby approves of the disbursement of

American Rescue Plan Act funds

for the amounts listed and autho-

rizes the Auditor to make payments for qualified expenses. Upon Roll Call the vote thereon

was as follows: AYES: Tom Heidenwirth Rustv Eddv Greg Barnett

NAYS: None WHEREUPON, the Resolution was declared duly adopted this 20th day of September, 2022. ATTEST:

Rusty Eddy, Chairman, Board of Supervisors

Leslie Groen. County Auditor Motioned by Barnett, second by Eddy to approve claims. All ayes Motion carried.

Motioned by Heidenwirth, second by Eddy to adjourn the regular meeting at 9:36 A.M. to September 27, 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 adiourned meeting of the Board of Supervisors of Butler County, Iowa on September 20, 2022.

Attest: Leslie Groen, Butler Countv Auditor Rusty Eddy, Chairman of the

Board of Supervisors TJ/CS - 40

#### August 26, 2022, the Last Will and Testament of Patrricia E. Wentworth, deceased, bearing date of April 15, 2013, was admitted to probate in the above named court and that Christena Wickwire and Steven Wentworth 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 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

Notice if 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 September 12, 2022. Christena Wickwire P.O. Box 157 Shell Rock, IA 50670 Steven Wentworth 512 N Public Road

Shell Rock, IA 50670 Beau D. Buchholz ICIS#: AT0009650 Attorney for Executors Engelbrecht and Buchholz, PLLC 123 First Street SE P.O. Box 59 Waverly, IA 50677

Date of second publication Octo-

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