

# Legals

## CLARKSVILLE CSD • MINUTES 2.28.2023

**CLARKSVILLE COMMUNITY SCHOOL BOARD OF EDUCATION**  
Special Meeting February 28, 2023

A special meeting was opened at 8:00 a.m. in superintendent's office. Those present were Superintendent Mark Olmstead, Business Manager/Board Secretary Shellee Bartlett, Cindy Gates. Board mem-

bers absent: Tim Backer, Phil Barnett, Justin Clark, Brandon Kampman and Shelley Maiers. Superintendent Olmstead presented the initial proposal from the Board of Education to the Clarksville Education Association for the 2023-24 Master Contract, total package of 4.22%. The meeting was closed at 8:02 a.m.

Published in the Butler County Star Tribune on Thursday, Mar. 9, 2023

## LAURENCE BROCKA ESPR017400

**THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF LAURENCE C. BROCKA, Deceased**  
**CASE NO. ESPR017400**  
**NOTICE OF APPOINTMENT OF ADMINISTRATOR AND NOTICE TO CREDITORS**

To All Persons Interested in the Estate of Laurence C. Brocka, Deceased, who died on or about February, 2023:

You are hereby notified that on February 17, 2023, the undersigned were appointed administrators 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 provided 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 21, 2023.  
Mary A. Brocka  
Administrator of the Estate  
28593 320<sup>th</sup> St.  
New Hartford, IA 50660  
Loren E. Brocka  
Administrator of the Estate  
9770 Taylor Rd.  
Janesville, IA 50647  
Russell J. Hinze, ICIS#:  
AT0003505  
Attorney for the Administrator  
Snow, Knock, Sevcik & Hinze  
120 Hudson Rd.  
PO Box 607  
Cedar Falls, IA 50613  
Date of second publication  
March 9, 2023  
Probate Code Section 230

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## CITY OF ALLISON • MINUTES 2.27.2023

**CITY OF ALLISON REGULAR COUNCIL MEETING**  
**MONDAY, FEBRUARY 27TH, 2023**

Regular Meeting:  
Mayor Henrichs opened the regular meeting of the Allison City Council at 5:45 p.m. Council members present were Carlson, Henning, Heuer, and Stirling Absent: Bangasser. Also present was: Coby Bangasser, Trent Stirling, Chris Graser, Don Moore – City Engineer, Isaiah Corbin – INRCOG, Chip Schultz, Randy Moad, Zeb Stanbrough, Dan Bruns, Mark Jacobs, Joe Conlon, and Nicholas Vassios. Stirling made a motion to approve the agenda with a second by Henning. Ayes: All. Nays: None. Motion carried.

Open Forum:  
Randy Moad gave an update on Wilder Park and let Council know that REC is going donate a water heater for the shower house.

Consent Agenda:  
Motion by Carlson with a second by Heuer to approve the consent agenda which was as follows:  
Approve minutes from meeting on 02/13/2023

Ayes: All. Nays: None. Motion Carried.

New Business:  
Chip Schultz came to the meeting and presented financing options for the lagoon project. It was presented that utility rates will need to increase to help fulfill the financing. Council made the decision to phase in the increases over a two-year period. Due to this, the ordinance will be updated and published at a later date.

Motion by Carlson with a second by Stirling to approve Resolution #23-02.4 – Resolution approving option 1A presented by Chip Schultz to raise the rates to pay for the Lagoon Project contract. This option allows for an overall increase of 48% which will be phased in over a two-year period. This will also allow the city to contribute more money to avoid taking out more in

a loan. Ayes: All. Nays: None. Motion carried.  
Motion by Carlson with a second by Henning to approve Resolution #23-02.6 – Resolution approving the bid from Boomerang Corporation in the amount of \$3,672,450.00 contingent upon the approval of the easement. Ayes: All. Nays: None. Motion carried.

The action to approve the easement agreement with Mark Jacobs was tabled.

Zeb Stanbrough representing Clapsaddle-Garber came and discussed preliminary plans for the 2023 street project; in which he was able to make clarifications with Council on what they would prefer to do.

Council discussed Cemetery mowing and decided to go out for bids. Bids will be do March 27<sup>th</sup> at 4:00 p.m. at Allison City Hall and reviewed that night at the Council meeting.

Council looked at dates for clean up days in which it was decided that they would be held on Friday June 9<sup>th</sup> from 7 a.m. – 3 p.m. and Saturday June 10<sup>th</sup> from 8 a.m. – 12 p.m.

Old Business:  
Dan Bruns representing Kendall Obermeier came to discuss a possible business location in Industrial Park with Council. At this time Council is waiting for a business proposal before a decision is made.

The city engineer, Don Moore, discussed with Council that the bid for the Lagoon project will need to be approved prior to March 9<sup>th</sup>.

The action to approve Resolution #23-02.4 – Resolution approving the Allison Pool Fundraising Committee to open a Certificate of Deposit with Lincoln Savings Bank was tabled.

Adjournment:  
Motion by Henning with a second by Stirling to adjourn at 7:10 p.m. Ayes: All. Nays: None. Motion carried.

*Scot Henrichs - Mayor*  
*Attest: Alexis Wiegmann - City Clerk*

## 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 Tetra 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 motioned 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 Lühring, 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. Lühring 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 .....

.....%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 21<sup>st</sup> 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 Butler County Star Tribune on Thursday, Mar. 9, 2023

## BUTLER CO • NOTICE OF PUBLIC HEARING

**NOTICE OF HEARING CONCERNING 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 improvement 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) Town-

ship Ninety-one (91) North Range Seventeen (17) West of the 5<sup>th</sup> 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 14<sup>th</sup> 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

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