#### **PUBLIC NOTICE** Shell Rock City Council

**PUBLIC NOTICES** 

**ORDINANCE NO. 377AN** ORDINANCE AMENDING
THE CODE OF ORDINANCES OF THE CITY OF SHELL ROCK, IOWA, BY AMENDING PROVISIONS IN CHAPTER 160 RELATING TO FLOOD PLAIN MANAGEMENT

Be It Enacted by the City Council of the City of Shell Rock, Iowa; SECTION 1. Chapter 160 of the Code of Ordinances of City of Shell Rock, Iowa, as amended, is repealed and the following adopted

in lieu thereof: TABLE OF CONTENTS 160.01 Definitions Statutory Authority, Findings of Fact and Purpose 160.03 **General Provisions** 

Administration
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FLOODPLAIN MANAGEMENT ORDINANCE 160.01 - Definitions Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so

as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

1. APPURTENANT STRUCTURE A structure which is on the same parcel of the property as the princi-

pal structure to be insured and the use of which is incidental to the use of the principal structure. 2. BASE FLOOD - The flood having one (1) percent chance of being

equaled or exceeded in any given year. (Also commonly referred to as the "100-year flood").

3. BASE FLOOD ELEVATION 3. BASE FLOOD ELEVATION (BFE) - The elevation floodwaters would reach at a particular site during the occurrence of a base

flood event.

4. BASEMENT - Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also see

lowest floor. 5. DEVELOPMENT-Any manmade change to improved or un-improved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve fill-

ing or grading.
6. ENCLOSED AREA BELOW LOWEST FLOOR-The floor of the lowest enclosed area in a building when all the following criteria are

A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of 160.07(2)(D)(I) of this Ordinance and

The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damootential uses such as build ing access, parking or storage,

C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the base flood elevation, and

The enclosed area is not a "basement" as defined in this

7. EXISTING CONSTRUCTION -Any structure for which the "start of construction" commenced before the effective date of the first floodplain management regulations ad-

opted by the community.

8. EXISTING FACTORY-BUILT
HOME PARK OR SUBDIVISION -A factory-built home park or sub-division for which the construction of facilities for servicing the lots on which the factory built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted

by the community.
9. EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION -The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets. and either final site grading or the

pouring of concrete pads). 10. FACTORY-BUILT HOME - Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for high-

way use. 11. FACTORY-BUILT HOME PARK OR SUBDIVISION - A parcel or contiguous parcels ofland divided into two or more factory-built home lots for sale or lease. 12. FIVE HUNDRED (500) YEAR

FLOOD - A flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or ex-ceeded at least once every five hundred (500) years.

13. FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface

waters from any source.

14. FLOOD INSURANCE RATE MAP (FIRM) -The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the

community.

15. FLOOD INSURANCE STUDY (FIS) -A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM. 16. FLOODPLAIN - Any land area susceptible to being inundated by

water as a result of a flood.

17. FLOODPLAIN MANAGEMENT - An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency preparedness plans, flood control works, floodproofing and floodplain management regula-

18. FLOODPROOFING - Any combination of structural and nonstruc-tural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

19. FLOODWAY - The channel of a river or stream and those portions of the floodplains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the flood-way area will not cumulatively increase the water surface elevation of the base flood by more than one (1) foot. 20. FLOODWAY FRINGE - Those

portions of the Special Flood Hazard Area outside the floodway. 21. HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to con-struction next to the proposed walls of a structure
22. HISTORIC STRUCTURE - Any

structure that is:

A. Listed individually in the Na-

tional Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the require-ments for individual listing of the

National Register;
B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
C. Individually listed on a state

inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the in-

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either i) an approved state program as determined by the Secretary of the Interior or ii) directly by the Secretary of the Interior in states without approved programs. 23. LOWEST FLOOR - The floor of

the lowest enclosed area in a build-ing including a basement except when the criteria listed in the definition of Enclosed Area below Lowest Floor are met. 24. MAXIMUM DAMAGE POTEN-

TIAL DEVELOPMENT - Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use. 25. MINOR PROJECTS - Small de-

velopment activities (except for filling, grading and excavating) valued at less than \$500. 26. NEW CONSTRUCTION - (new

buildings, factory-built home parks) Those structures or development for which the start of construction commenced on or after the effective date of the first floodplain management regulations adopted by

the community.

27. NEW FACTORY-BUILT HOME PARK OR SUBDIVISION -A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the effective date of the first floodplain management regulations adopted by the com-

28. RECREATIONAL VEHICLE - A vehicle which is:

A. Built on a single chassis;
B. Four hundred (400) square feet or less when measured at the largest horizontal projection; C. Designed to be self-propelled or permanently towable by a light duty truck; and

D. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

29. ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FA-CILITIES - Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such

repairs include: A. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing

B. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar fin-

ish work; C. Basement sealing;

D. Repairing or replacing damaged or broken window panes; E. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repair-

ing wells or septic systems.

O. SPECIAL FLOOD HAZARD AREA (SFHA) - The land within a community subject to the "base flood". This land is identified on the community's Flood Insurance Rate Map as Zone A, Al-30, AE, AH, AO, AR, and/or A99.

31. START OF CONSTRUCTION - Includes substantial improvement, and means the date the develop ment permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.
32. STRUCTURE - Anything con-

structed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other simi-

33. SUBSTANTIAL DAMAGE Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair. SUBSTANTIAL IMPROVE-

MENT-Any improvement to a structure which satisfies either of the following criteria:

A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (i) before the "start of construction" of the improvement, or (ii) if the structure has been "substantially damaged" and is being restored,

before the damage occurred.
The term does not, however, include any project for improve-ment of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. The term also does not include any alteration of an "historic struc-ture", provided the alteration will not preclude the structure's designation as an "historic structure". B. Any addition which increases the original floor area of a building by 25 percent or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space

would exceed 25 percent.

35. VARIANCE - A grant ofreliefby a community from the terms of the floodplain management regu-

36. VIOLATION - The failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

160.02 - Statutory Authority, Findings of Fact and Purpose

1. The Legislature of the State oflowa has in Chapter 414, Code oflowa, as amended, delegated the power to cities to enact zoning regulations to secure safety from flood and to promote health and the gen-

2. Findings of Fact A. The flood hazard areas of the City of Shell Rock are subject to periodic inundation which can result in loss oflife and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood pro tection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the

community.

B. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in

flood heights and velocities. C. This ordinance relies upon engineering methodology for an-alyzing flood hazards which is consistent with the standards established by the Department of Natural Resources.

Statement of Purpose It is the purpose of this Ordinance to protect and preserve the rights. privileges and property of the City of Shell Rock and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in 160.02(2)(A) of this Ordinance with provisions designed to:

A. Reserve sufficient floodplain area for the conveyance of flood flows so that flood heights and velocities will not be increased

substantially. B. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities. C. Require that uses vulnerable

to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.

D. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.

E. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

160.03 General Provisions Lands to Which Ordinance Ap-

The provisions of this Ordinance shall apply to all lands within the jurisdiction of the City of Shell Rock shown on the Official Floodplain Zoning Map as being within the boundaries of the Floodway, Flood-Fringe, General Floodplain and Shallow Flooding (Overlay) Districts, as established in 160.05 Establishment of Official Flood-

plain Zoning Map The Flood Insurance Rate Map (FIRM) for Butler County and Incorporated Areas, City of Shell Rock, Panels 19023C0352E, 0354E, and 0375E, dated December 17, 2020. which were prepared as part of the Flood Insurance Study for Butler County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The flood profiles and all explanatory material contained with the Flood Insurance Study are also declared to be a part of this ordinance.

Rules for Interpretation of Dis-

trict Boundaries The boundaries of the zoning district areas shall be determined by scaling distances on the Official Floodplain Zoning Map. When an

interpretation is needed as to the exact location of a boundary, the Zoning Administrator shall make the necessary interpretation. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Zoning Administrator in the enforcement or administra-tion of this Ordinance.

. Compliance

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

5. Abrogation and Greater Restrictions

It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

6. Interpretation In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the govern-ing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes. 7. Warning and Disclaimer of Lia-

bility

The standards required by this Ordinance are considered reasonable for regulatory purposes. This Ordinance does not imply that areas outside the designated Flood-plain (Overlay) District areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Shell Rock or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

8. Severability
If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby 160.04 - Administration

Appointment, Duties and Responsibilities of Local Official

A. The Zoning Administrator is hereby appointed to implement and administer the provisions of this Ordinance and will herein be referred to as the Administrator The Zoning Admin is trator shall be the Zoning Administrator designated under Section 17.09 of the City of Shell Rock

oning Ordinance. B. Duties and responsibilities of the Administrator shall include, but not necessarily be limited to

the following:

1) Review all floodplain development permit applications to assure that the provisions of this Ordinance will be satisfied. 2) Review floodplain develop-

ment applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.

3) Record and maintain a record of (i) the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved buildings or (ii) the elevation to which new or substantially improved structures have been floodproofed. 4) Notify adjacent communities/ counties and the Department of

Natural Resources prior to any proposed alteration or relocation of a watercourse and sub-mit evidence of such notifications to the Federal Emergency Management Agency. Keep a record of all permits,

appeals and such other transactions and correspondence pertaining to the administration of this Ordinance 6) Submit to the Federal Insur-

ance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Adminis trator.

Notify the Federal Insurance Administration of any annexations or modifications to the community's boundaries.

8) Review subdivision proposals to insure such proposals are consistent with the purpose of this ordinance and advise the Board of Adjustment of poten-

tial conflict. 9) Maintain the accuracy of the community's Flood Insurance Rate Maps when;

a. Development placed within the Floodway (Overlay) District results in any of the following:

(i) An increase in the Base Flood Elevations, or (ii) Alteration to the floodway boundary

b. Development placed in Zones A, AE, AH, and Al-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or c. Development relocates or al-

ters the channel. Within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.

10) Perform site inspections to ensure compliance with the standards of this Ordinance. 1I)Forward all requests for Vari-

ances to the Board of Adjustment for consideration. Ensure all requests include the information ordinarily submitted with applications as well as any additional information deemed necessary to the Board of Adjustment. Floodplain Development Permit

A. Permit Required - A Floodplain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, excavation or drilling operations), including the placement of factory built homes. B. Application for Permit - Appli-

cation shall be made on forms furnished by the Administrator and shall include the following: 1) Description of the work to be covered by the permit for which application is to be made.

2) Description of the land on which the proposed work is to be done (i.e., lot, block, track, street address or similar description) that will readily identify and locate the work to be done.

3) Location and dimensions of

all structures and additions
4) Indication of the use or occupancy for which the proposed work is intended.

5) Elevation of the base flood.6) Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of buildings or of the level to which a structure is to be floodproofed. 7) For buildings being improved

or rebuilt, the estimated cost of improvements and market value of the building prior to the improvements.

8) Such other information as the Administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of

this Ordinance.
C. Action on Permit Application -The Administrator shall, within a reasonable time, make a determination as to whether the pro-posed floodplain development meets the applicable standards of this Ordinance and shall approve or disapprove the applica-tion. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the Board of Adjustment.

D. Construction and Use to be as Provided in Application and Plans - Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construc-tion at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appro-priate, registered in the State of lowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance, prior to the use or occupancy of any structure.

60.05 - Establishment of Zon-

ing (Overlay) Districts
The floodplain areas within the jurisdiction of this ordinance are hereby divided into the following

Floodway (Overlay) District (FW) - those areas identified as Floodway on the Official Floodplain Zoning Map; 2. Floodway Fringe (Overlay) Dis-

trict (FF) - those areas identified as Zone AE on the Official Floodplain Zoning Map but excluding those areas identified as Floodway, and;
3. General Floodplain (Overlay)
District (GF) - those areas identified as Zone A on the Official Floodplain Zoning Map.

The boundaries shall be as shown on the Official Floodplain Zoning Map. Within these districts, all uses not allowed as Permitted Uses are prohibited unless a variance to the terms of this ordinance is granted after due consideration by the Board of Adjustment.

160.06 - Floodway (Overlay) District (FW) 1. Permitted Uses All development within the

Floodway District shall be permitted to the extent that they are not prohibited by any other ordinance (or underlying zoning district) and provided they meet applicable performance standards of the Flood way District.

2. Performance Standards All Floodway District uses allowed as a Permitted Use shall

meet the following standards. A. No development shall be permitted in the Floodway District that would result in any increase in the base flood elevation. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of develop ment would be allowed for simi-

larly situated lands.

B. All development within the Floodway District shall:

1) Be consistent with the need to minimize flood damage. 2) Use construction methods

and practices that will minimize flood damage. Use construction materials and utility equipment that are re-

sistant to flood damage C. No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facili-

ty or system.

D. Structures, buildings, recreational vehicles, and sanitary and utility systems, if permitted, shall meet the applicable performance standards of the Floodway Fringe District and shall be constructed or aligned to present the minimum possible resistance to flood flows.

E. Buildings, if permitted, shall have a low flood damage potential and shall not be for human habitation.

F. Storage of materials or equip ment that are buoyant, flammable, explosive or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the Floodway District within the time available after flood warning.
G. Watercourse alterations or re-

locations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources. H. Any fill allowed in the floodway

beneficial purpose and shall be limited to the minimum amount necessary.

I. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent

rupture due to channel degrada

tion and meandering or due to the

must be shown to have some

action of flood flows. 160.07 - Floodway Fringe (Overlay) District FF

Permitted Uses All development within the Floodway Fringe District shall be permitted to the extent that they are not prohibited by any other or

dinance (or underlying zoning district) and provided they meet applicable performance standards of the Floodway Fringe District.

2. Performance Standards

All development must be consistent with the need to minimize flood damage and meet the following applicable performance stan-dards. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one (1) foot. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

A. All development shall: 1) Be designed and adequate-

ly anchored to prevent flotation, collapse or lateral movement. 2) Use construction methods and practices that will minimize

flood damage.
3) Use construction materials and utility equipment that are resistant to flood damage.

B. Residential structures - All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the base flood elevation and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers or extended foundations) may be allowed subject to favorable consideration by the Board of Adjustment, where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding. All new residential structures located in areas that would be-come isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehi-cles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Admin-

istrative Code. C. Non-residential structures All new or substantially improved non-residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator.

D. All new and substantially improved structures

1) Fully enclosed areas below the "lowest floor" (not including basements) that are subject to

flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum

criteria: a. A minimum of two (2) openings, with positioning on at least two (2) walls, having a to-tal net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

b. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves,

or other coverings or devices provided they permit the automatic entry and exit of floodwaters. Such areas shall be used solely for parking of vehicles, building

access and low damage poten tial storage. 2) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the

effects of buoyancy. 3) New and substantially improved structures shall be con-structed with electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities elevated or floodproofed to a minimum of one (1) foot above the base flood eleva-

tion). E. Factory-built homes 1) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the base flood elevation. 2) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Build-

F. Utility and Sanitary Systems 1) On-site wastewater disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

ina Code.

2) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the base flood elevation. 3) New or replacement water supply systems shall be designed to minimize or eliminate

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**PROBATE** 

**PUBLIC NOTICE** 

NOTICE OF SHERIFF'S LEVY AND SALE STATE OF IOWA

IOWA DISTRICT COURT **BUTLER COUNTY** CASE NUMBER: EQCV021748 CIVIL NUMBER: 20-000333 SPECIAL EXECUTION Greenstate Credit Union

Douglas J. Fulton, Jr: Sarah A Fulton; Unknown Spouse of Sarah A Fulton, if any N/K/A Travis Child; Greenstate Credit Union F/K/A University of Iowa Community Credit Union; Iowa Department of Human Services (CSRU): State of Iowa Clerk of Butler County; and in regards to the Real Property located at 303 Main St., New Hartford,

Iowa 50660 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 defendants' Real Estate to satisfy the judgment. The property to be sold is described below:

Lots 2, 4, 5, 6, 7, and 8 in Block 3 in the Original Town of New Hartford. Butler County, Iowa

Judgment in REM Property Address: 303 Main St., New Hartford, IA 50660 The described property will be offered for sale at public auction for cash only as follows:

Date of Sale: Dec. 17, 2020 Time of Sale: 10 a m Place of Sale: Butler County Sheriff's Office, 428 Sixth St., Allison, IA This sale not subject to Redemp-

Judgment Amount: \$32,297,54 Costs: \$5,032.48 Accruing Costs: PLUS Interest: \$658.34 Sheriff's Fees: Pending Attorney: Christopher E. Pech P.O. Box 800 North Liberty, IA 52317 Date: Nov. 2, 2020 /s/Jason S. Johnson **Butler County Sheriff** 

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#### **PROBATE**

**PUBLIC NOTICES** 

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

PROBATE NO. ESPR017112 THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF

THE ESTATE OF ROGER D. FECKERS, DE-CEASED

To all persons interested in the estate of Roger D. Feckers, Deceased, who died on or about the 26th day of September, 2020.

You are hereby notified that on the 19th day of October, 2020, the Last Will and Testament of Roger D. Feckers, deceased, bearing date of March 17, 2016, was admitted to probate in the above named Court and that Michael D. Feckers, 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 for ever 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 this 3rd day of November,

Michael D. Feckers, Executor 28371 Ridge Avenue Parkersburg, IA 50665 Larry L. Anfinson AT0000570 Attorney for the Executor Anfinson & Luce, P.L.C. 726 W. 4th Street Waterloo, IA 50702 Date of second publication: 19th day of November, 2020 TJ-46, 47

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

PROBATE NO. ESPR017121 THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF

THE ESTATE OF DAVID W. MERNER, DECEASED To All Persons Interested in the Estate of David W. Merner, Deceased who died on or about October 24,

You are hereby notified that on November 2, 2020, the Last Will and Testament of David W. Merner, Deceased, bearing date of July 11, 2012, was admitted to probate in the above named court and that U.S. Bank, N.A. 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 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 November 2, 2020. U.S. Bank, N.A., Executor of Estate By: Carolyn A. Rafferty, Vice President

Address: 425 Cedar Street Waterloo, IA 50701

John C. Larsen, ICIS#: AT0004541 Attorney for executor 415 Clay Street, Cedar Falls, IA 50613

Redfern, Mason, Larsen & Moore

Date of second publication November 19, 2020

Probate Code Section 304

TJ-46, 47

### **PROCEEDINGS**

#### NORTH BUTLER COMMUNITY proved as School Board Vice Pres-SCHOOL BOARD OF EDUCATION SPECIAL MEETING **NOVEMBER 9, 2020** The regular board meeting was

called to order by President Laurie Shultz at 6:00 p.m. in the Allison School Media Center. Board members present via Zoom were John Endelman, Addison Johnson, Amanda Lund and Laurie Shultz: others present were Superintendent Joel Foster, Business Manager/Board Secretary Shellee Bartlett and 4 visitors. Board member ab-

sent: Eric Bixby. Moved by Johnson, seconded by Endelman, to approve the agenda. Carried unanimously.

Moved by Endelman, seconded by Lund, to approve the minutes from October 6, 2020 & October 12, 2020 meetings. Carried unanimously.

Moved by Endelman, seconded by Johnson, to approve October 2020 financial reports and November 2020 bill listing. Carried unanimously

Moved by Lund, seconded by Johnson, to appoint Shellee Bartlett, Board Secretary as President Pro-Tem. Carried unanimously.

Moved by Endelman, seconded by Shultz, to adjourn at 6:04 p.m.

ORGANIZATIONAL MEETING The organizational board meeting was called to order by Board Secretary Shellee Bartlett at 6:04 p.m. in the Allison HS Media Center. Board members present via Zoom were John Endelman, Addison Johnson, Amanda Lund and Laurie Shultz: others present were Superintendent Joel Foster, Business Manager/Board Secretary Shellee Bartlett and 4 visitors. Board mem-

ber absent: Eric Bixby. Nominations were received for Laurie Shultz for the office of board president. Nominations were ceased and Laurie Shultz was approved as School Board President. Roll call for Laurie Shultz for School Board President: Ayes -Johnson, Lund, Endelman, Shultz; Navs - None.

Nominations were received for Eric Bixby for the office of board vice president. Nominations were ceased and Eric Bixby was ap-

ident. Roll: Ayes – Johnson, Endelman, Hewitt, Shultz; Navs - None. Moved by Johnson, seconded by Lund, monthly board meetings will be held the second Monday of the month at 6:00 p.m. Carried unan-

imously Moved by Endelman, seconded by Lund, to appoint Ahlers Cooney Attorneys as the school attorney. Carried unanimously.

Moved by Johnson, seconded by Lund, to appoint Butler County Tribune and Greene Recorder as the official publications. Carried unan-

Moved by Endelman, seconded by Johnson, to appoint Lincoln Savings Bank as the official depository and set \$15 million limit. Carried unanimously.

The following were appointed to the county conference boards: Amanda Lund, Butler County Conference Board Representative and Laurie Shultz, Floyd County Conference Board Representative; the following were appointed to the negotiations team: Eric Bixby and Laurie Shultz.

Moved by Endelman, seconded by Johnson, to approve ClaimAid for Medicaid billing. Carried unan-

Moved by Endelman, seconded by Johnson, to approve 55" Touchwell from Varsity Group Marketing & Signs @ \$14,200. Carried unanimously Moved by Johnson, seconded by

Endelman, to approve the FS Fuel Card program. Carried unanimously.
Moved by Lund, seconded by

Johnson, to approve an alternative school program. Carried unanimously. Moved by Endelman, seconded by

Johnson, to approve adding a 3rd coach for boys basketball, softball and baseball. Carried unanimously Moved by Johnson, seconded by Endelman, to approve the application to the School Budget Review Committee in the amount \$9,590.92 for special education administrative costs associated with River Hills Consortium program for the 2021-22 school year. Carried

unanimously. Moved by Endelman, seconded by Johnson, to approve the application to the School Budget Review Committee in the amount of \$4,792.45 for special education administrative costs associated with Lied Center Consortium program for the 2021-22 school year.

Carried unanimously. Moved by Johnson, seconded by Lund, to approve SBRC application for additional allowable growth for the 2020-21 fiscal year in the amount of \$92.880 for increase open enrollment out students & \$5,692 for increased enrollment. Carried unanimously.

Moved by Endelman, seconded by Johnson, to approve snow removal bid from DME Snowplowing & Sanding for the Greene site. Carried unanimously.

Moved by Johnson, seconded by Endelman, to approve selling old uniforms. Carried unanimously. Moved by Endelman, seconded by Lund, to approve the substitute teacher rate as follows: \$120 full day; \$150 long-term to begin on the

ried unanimously. Moved by Johnson, seconded by Endelman, to approve sell the 1999 Dodge Ram truck to Cooper Motors

11th day, effective 11/1/2020. Car-

for \$100. Carried unanimously. Moved by Endelman, seconded by Lund, to approve suspending facility use for outside groups when the school is in hybrid model. Carried unanimously.

Moved by Johnson, seconded by Endelman, to approve the update to the Return to Learn Plan as follows: the district will stay in hybrid model thru the 11/20/20 unless positivity numbers increase. Hybrid model changes include student will attend face-to-face two to three days per week on alternating days and rest of time via online learning. Carried unanimously.

Moved by Endelman, seconded by Johnson, to approve the following personnel recommendations: Adam Holm. .2 FTE JH Wrestling @ \$345. Carried unanimously.

Moved by Endelman, seconded by Johnson, to adjourn at 7:07 p.m. Carried unanimously. The tentative date for the next reg-

ular board meeting is December 14, 2020 at 6:00 p.m. in Greene. **Board President** 

**Board Secretary** 

North Butler Community School October 2020 Vendor Report Vendor, Description ...... Amount A Momentus Group, Inc., Year-... 1,760.00 book AABLE Pest Control, Pest Control ...45.00

Agvantage FS, Inc., Fuel. ...2,454.24 Ahlers & Cooney PC, Legal. ... 847.50 Airgas USA, LLC, Cylinder Rental Alliant Energy, Electric.....5,914.88

Allison Hardware, Supplies ... .....162.33 Amazon, Supplies..... .3,704.02 Anderson Erickson Dairy Co., ...2,307.09 Anderson-Bogert Engineers, Site Review ..... .....736.50 Aramark Uniform Services Inc.

Cleaning Services ...... 292.10 Billie Buss, Official..... .120.00 Bimbo Bakeries USA, Bread. ...572.05 Black Hills Energy, Natural Gas. ..2,033.48 Blick Art Materials, Supplies

... 31.95 Bouillon Flowers, Graduation. ..270.00 Brinkman, Elizabeth, Official.. .. 180.00 Business Insurers of the Carolinas,

Insurance..... .....200.00 CDW Government, Supplies ...330.00 Cedar Falls Community Schools River Hills Tuition ....... 54,390.00 Central Iowa Distributing Inc, Sup-... 7,670.50

Central Rivers AEA, Repairs. ..3,278.30 Century Laundry Distributing, Supplies ......504.01 ment......21,972.92 City Of Allison, Water/Sewer......

.... 124.36 City of Greene, Water/Sewer.. Clarksville Community School, Open Enrollment .........68,359.07 Cooper Motors, Parts .....120.68 Cordes Excavating, Rock ... 400.00 Crawford-Miller Lumber, Supplies.

...755.97 Decker Sporting Goods, Supplies. .6,313.85 Dralle's Dept Store Inc., Supplies...

Dumont Telephone, Telephone ..492.83 Flinn Scientific Inc, Supplies . 941.73

Freeze Frame Bowl, Staff Meals.. Garner-Hayfield-Ventura CSD, Entry Fee.... ....75.00 Greene Recorder, Publications..

356 05 H2I Group, Supplies ...... .820.00 Haddock Core, Supplies...4,649.00 Hawkeye Community College, STOP Class......30.00 ...30.00 Heartland Paper Co, Custodial inders..... Iowa Association Of Track Coach-...50.00 es, Membership..... Iowa Communications Network, Union, Reg VB......2,130.00 Iowa Prison Industries, Supplies..

.223.24 Iowa Radiant Electric Heat, Inc, Supplies......
J&C Grocery, Supplies..... .326.26 ... 16.97 Jacobs, Justin, Official .. Jazz Educators Of Iowa, Registra-.20.00 tion. Joe's Heating, Cooling and Plumb-..... 674.32

Landers Hardware Hank, Supplies .....221.86 Lasher, Lance, Official.....70.00 Lincoln Electric Company, Supplies ......343.28 Marco, Printer Lease ...... .254.57 Marco Inc, Copier Lease ... 2,070.73 Martin Bros Dist Co, Food/Sup-.....15,301.43 Math Stackers, Supplies.....543.00

Medical Enterprises, Inc, Dues Mel's TV & Appliance, Supplies .. 14.95 Menards Cedar Falls, Supplies ....

....22.40 Mid American Energy, Electric. Mid-American Publishing, Publications. ....206.25 NAPA Auto Parts - Greene, SupNashua-Plainfield CSD, Medals National SAM Innovation Project, ... 22,408.86

North Iowa High School, Fees ..

O'Brien's Service & Towing, Supplies ......606.65 OmniTel Communications, Tele-....330.90 phone..... Oriental Trading Company, Inc., Pepsi Beverages Company, Concessions..... . 284.10 Ploneer Valley Books, Supplies

Read Naturally, Supplies .... 690.00 Roffman Band Instrument Service, Supplies......45.00 RRMR Community Schools, Open School Bus Sales, Parts/Repairs.. 

School Specialty, Supplies...55.44 Student Assurance Ins. Co., Insur-.....1,080.40 ance.. Sweet Water, Supplies......99.99 Taylor Physical Theraphy Associates LLC, Assessments ....900.00 Teacher Synergy LLC, Supplies. .72.99 Truck Centers Inc., Parts.... 171.72

Verizon, Online Learning Hotspots .800.72 Vidigami Inc, Supplies .....2,831.00 VISA, Supplies..... Waste Management, Waste Removal ..... ....879.20 Waverly-Shell Rock School Dis-

Weber Paper Co, Supplies ... ..682.00 Wedeking Electric LLC, Supplies West Forty Market, FCS Supplies 147.89

West Music, Supplies ......309.00 Williams, Rhonda, Scorebook.... ... 180.00 Wix Water Works, Softner Salt/ Water ......240.50 Report Total: .....\$306,916.77 ..240.50

Approved by Board of Education

## **PROCEEDINGS**

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

OCTOBER 27, 2020. With limited public access to the courthouse due to COVID-19, this meeting was held telephonically with the public able to participate on a limited basis. This complies with Iowa Code section 21.8 that outlines the guidelines to hold an electronic meeting when there are valid concerns that an in-person meeting is

"impossible or impractical" Meeting called to order at 9:00 a.m. by Chairman Tom Heidenwirth with members Greg Barnett and Rusty Eddy present.

Minutes of the previous meeting were read. Moved by Barnett, second by Eddy to approve. All ayes. Motion carried.

No public comment received. Director of Public Health Jennifer Becker reported 37 new cases of COVID-19 this week with 20 having recovered and 5 hospitalized for an 8.3 percent positivity rate. Total cases are 381 in Butler County. Board reviewed Butler County

COVID-19 Policy 20-04. Moved by Eddy, second by Heidenwirth to approve changes and additions to the Butler County COVID Policy 20-04. All Ayes. Motion carried. Moved by Eddy, second by Barnett

to set November 10, 2020 at 9:35 A. M. as the date and time for a public hearing on the first reading of an amendment to update the Floodplain Management Ordinance. All ayes. Motion carried.

Board held a public hearing on an amendment to the Zoning Ordinance Title VI, No. 23. Present were Heidenwirth, Eddy and Barnett. Auditor reported no written or oral comments received. At the close of the public hearing it was moved by Barnett, second by Heidenwirth to approve. All ayes. Motion carried. It was further moved by Eddy, second by Heidenwirth to waive the second and third readings and approve as

#### **ORDINANCE Title VI. No. 23** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF BUTLER COUNTY, IOWA ZONING ORDINANCE (ORDINANCE

TITLE VI, NUMBER 7, ADOPTED ON MAY 25, 2004) Section 1. RESCISSION. This Ordinance rescinds the current zoning designation, "A-1" Agriculture, on the property legally described as:

The North Half of the Northwest

Quarter (N1/2 NW 1/4) and the

west Quarter (SW 1/4 NW 1/4), all

on Section 4, Township 91 North, Range 15 West of the 5th P.M., Butler County, Iowa. AND

The North Fractional Half of the Northeast Fractional Quarter (Nfr1/2) NEfr1/4) lying South and West of the Chicago, Rock Island and Pacific Railroad right of way; and the East Half of the Southeast Quarter of the Northeast Quarter (E1/2 SE1/4 NE1/4), all in Section Four (4), Township Ninety-one (91) North, Range Fifteen (15) West of the 5th P.M., Butler County, Iowa, EXCEPT the following described tracts:

a) A tract commencing at the Northeast corner of said Sec. 4. thence South 588.7 feet along the East line of the NE1/4 to the south line of the Chicago, Rock Island Railroad which is the point of beginning, thence due South 331.22 feet, thence due West 183 feet, thence due North 596.25 feet to the south line of the railroad, thence South 34°37' East along the south line of the railroad 322.07 feet to the point

of beginning. b) A tract commencing at the Northeast corner of said Sec. 4, thence due South 969.92 feet to the point of beginning, thence due South 447.18 feet, thence North 88°50' West 158.47 feet to a pipe, thence North 1°38' East 37.16 feet to a pipe, thence North 88°29' West 102.59 feet to a pipe, thence North 4°27' West 421.37 feet to a pipe, thence South 86°52' East 293.02 feet to the point of beginning.

on the Official Zoning Map as was originally adopted. Section 2. ADOPTION. This Ordi-

nance adopts in lieu thereof a new zoning designation "M", Manufacturing, 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 Number 7, adopted on May 25, 2004) 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 RE-PEALER. 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 FFFECTIVE DATE This Ordinance shall be in full force and effect after its final passage and publication as provided by law UPON Roll Call the vote thereon

was as follows: AYES: Tom Heidenwirth, Rusty Eddy, Greg Barnett

WHEREUPON the Resolution was declared duly adopted this 27th day of October, 2020. ATTEST: Lizbeth Williams, County

Auditor Moved by Barnett, second by Eddy to set November 10, 2020 at 9:15 A.M. as the date and time for the

**RESOLUTION NO. 972** RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PRO-POSAL TO ENTER INTO A DEVEL-OPMENT AGREEMENT WITH TRINITYRAIL MAINTENANCE SERVICES, INC., AND PROVIDING FOR PUBLICATION OF NO-

TICE THEREOF WHEREAS, by Resolution No. 692, adopted April 27, 2010, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the **Butler County Logistics Park Urban** Renewal Plan (the "Plan") for the Butler County Logistics Park Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan, as amended, is on file in the office of the Recorder of Butler

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said Plan: and WHEREAS, the County has re-

ceived a proposal from TrinityRail Maintenance Services, Inc. (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the County and the Developer, pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Butler County Logistics Park Urban Renewal Area as defined and legally described in the Agreement and consisting of the construction of the construction of approximately 9 buildings with a combined footprint of approximately 376,497 square feet, on-site rail tracks, and related improvements on the Development Property, together with all related site improvements, as outlined in the proposed Development Agree-

WHEREAS, the Agreement further proposes that the County will make up to fifteen (15) consecutive annual payments of Economic Development Grants to Developer consisting of a percentage of the Tax Increments pursuant to Section 403.19. Code of lowa, and generated by the construction of the Minimum Improvements, the cumulative total for all such payments not to exceed the lesser of \$9,000,000, or the amount accrued under the formula outlined in the proposed Development Agreement, under the terms and following satisfaction of the conditions set forth in the Agree-

WHEREAS, one of the obligations of the Developer relates to employment retention and/or creation; and WHEREAS, Chapters 15A and 403, Code of Iowa, (the "Urban Renewal Law") authorize counties to make grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapter, and to levy taxes and assessments for such purposes;

WHEREAS, the Board has determined that the Agreement is in the best interests of the County and the residents thereof and that the performance by the County of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein; and

WHEREAS, neither the Urban Renewal Law nor any other Code provision sets forth any procedural action required to be taken before said economic development activities can occur under the Agreement, and pursuant to Section 331.301(5), Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the County Auditor publish notice of the proposal and of the time and place of the meeting at which the Board proposes to take action thereon and

to receive oral and/or written objections from any resident or property owner of said County to such action NOW THEREFORE, BE IT RE-SOLVED, BY THE BOARD OF SU-PERVISORS OF BUTLER COUN-TY IN THE STATE OF IOWA:

That this Board meet in the Emergency Operations Center, 428 - 6th Street, Allison, Iowa, at 9:25 A.M. on November 10, 2020, for the purpose of taking action on the matter of the proposal to enter into a Development Agreement with TrinityRail Maintenance Services, Inc.

That the County Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language. published at least once weekly, and having general circulation in said County, said publication to be not less than four (4) clear days nor more than twenty (20) days before

the date of said public meeting. The notice of the proposed action shall be in substantially the follow-

NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVI-SORS OF BUTLER COUNTY IN THE STATE OF IOWA, ON THE MATTER OF THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH TRINITYRAIL MAINTENANCE SERVICES, INC., AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors for Butler County will hold a public hear ing on November 10, 2020, at 9:25 a.m. in the Emergency Operations Center, 428 - 6th Street, Allison, lowa, at which meeting the Board proposes to take action on the proposal to enter into a Development Agreement (the "Agreement") with TrinityRail Maintenance Services. Inc. (the "Developer"). The Agreement would obligate the

Developer to construct certain Minimum improvements (as defined in the Agreement) on certain real property located within the Butler County Logistics Park Urban Renewal Area as defined and legally described in the Development Agreement, consisting of the construction of the construction of approximately 9 buildings with a combined footprint of approximately 376,497 square feet, on-site rail tracks, and related improvements on the Development Property, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Agreement. One of the obligations of Developer relates to employment retention and/or creation.

The Agreement would further ob-

ligate the County to make up to fifteen (15) consecutive annual payments of Economic Development Grants to Developer consisting of a percentage of the Tax Increments pursuant to Section 403 19 Code of lowa, and generated by the construction of the Minimum Improvements, the cumulative total for all such payments not to exceed the lesser of \$9,000,000, or the amount accrued under the formula outlined in the proposed Development Agreement, under the terms and following satisfaction of the conditions

set forth in the Agreement. A copy of the Agreement is on file for public inspection during regular business hours in the office of the County Auditor, Courthouse, Butler

At the above meeting the Board shall receive oral or written objections from any resident or property owner of said County, to the proposal to enter into the Agreement with the Developer. After all objections have been received and considered the Board will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize

said Agreement. This notice is given by order of the Board of Supervisors of Butler County in the State of Iowa, as provided by Sections 331.301(5) and 331.305, Code of Iowa.

PASSED AND APPROVED this 27th day of October, 2020. Tom Heidenwirth, Chairperson,

**Board of Supervisors** ATTEST: Lizbeth Williams, County Moved by Eddy, second by Bar-

Prairie Lake Data Center for \$1,383 monthly. All ayes. Motion carried. Board authorized Auditor to transfer \$409,809 from Capital Projects to Secondary Roads.

nett to approve an Agreement with

Moved by Barnett, second by Heidenwirth to approve claims. All ayes. Motion carried. Board acknowledged receipt of Manure Management Plan Annual

Updates for DC Farms and David

Brinkman. Moved by Heidenwirth, second by Eddy to adjourn the meeting at 9:55 a.m. to Tuesday, November 3, 2020 at 9:00 a.m. 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 October 27, 2020.

TJ-46

Send us your address *before* you move...
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Ave.

280th St.

Superior St.

block of 6th St.

Hwy. 3.

•10:14 a.m.: Report of a theft

in the 500 block of Wemple St.

•11 a.m.: Report of a grass/

field fire in the 28700 block of

•4:20 p.m.: Report of a struc-

ture fire in the 300 block of E

•4:29 p.m.: Report of an acci-

dental 9-1-1 cell call in the 400

•4:44 p.m.: Report of a missing

person in the 900 block of York

•6:03 p.m.: Report of a fraud in

•6:45 p.m.: Report of a suspi-

cious vehicle/person/activity

in the area of Butler Ave. and

• 10:17 p.m.: Officers had a re-

port of an animal issue in the

· Officers executed three traf-

fic stops, assisted with five

medical calls, assisted one

motorist, received a report for

two controlled burns and re-

•6:50 a.m.: Report of harass-

ment by phone/mail/person in

•7:33 a.m.: Report of a suspi-

cious vehicle/person/activity in

•9:46 a.m.: Report of a phone

scam call in the 400 block of N

•1:55 p.m.: Report of a grass/

field fire in the area of 220th

•3:45 p.m.: Report of a suspi-

cious vehicle/person/activity in

•5:35 p.m.: Report of an acci-

dent with property damage in

the area of Hwy. 57 and Spring

•5:49 p.m.: Report of an acci-

dent with property damage in

the area of 150th St. and Hwy.

•6:35 p.m.: Officers had a re-

port of an animal issue in the

area of 200th St. and Newell

•10:09 p.m.: Report of harass-

ment by phone/mail/person in

the 400 block of W Main St.

Saturday, November 7:

the 400 block of 6th St.

the 200 block of Truax St.

Main St.

St. and Hwy. 14.

the 27900 block of 290th St.

ceived 13 general calls.

500 block of N 4th St.

Friday, November 6:

the 29100 block of Vail Ave.

# **PUBLIC NOTICES**

### **Deaths**

James Chantrill, 81, Chapin, died on Oct. 27. Mary Danger, 73, Ackley, died on Oct. 21.

#### Marriages

Jonathan Youngblut, Shell Rock, to Lisa Forcier, Shell Rock, on Oct. 24. Ryan Bixby, Parkersburg, to Alexandra Turcotte, Parkersburg, on Oct. 24.

#### **Traffic Court**

Speeding 55 or Und Zone (1 thru 5 over): Kimberly Carey, Charles City.

Speeding 55 or Und Zone (6 thru 10 over): Colleen Martindale, Parkersburg; Rachel Mennenga, Clarksville; Gary Buresh, Waverly; Mark Reiter, Sheffield; Emily Rust, Greene; Daniel Williams, Waverly; Randy Davis, Dubuque; Robert Burr Jr., Rockwell; Trisha Garcia, Dumont; Ryley Seymour, Bellevue.

Failure to Maintain or Use Safety Belts-Adult: Kayla Doty, Clarksville; Paul Reints, Bristow; Scott Soldwisch, Shell Rock.

Operators Licensed: Lanndon Gast, Hubbard.

Permitting Unauthorized Minor to Drive: Rhonda Alden, Dumont.

#### Civil Court

The court handled one child support matter.

Nationstar Mortgage vs. Darren and Shelli Grapp et al. Case dismissed without prejudice on Nov. 2.

#### **Small Claims**

Absolute Resolutions LLC vs. Natalie Gomez, Clarksville. Judgment for the plaintiff on Oct. 28 in the amount of \$3,675.81 with pre-judgment interest at 2.13 percent plus court costs.

Michael and Kayla Stirling, Parkersburg, vs. Zachary Penning, Allison. Judgment for the plaintiff on Oct. 28 in the amount of \$1,800 with pre-judgment interest at 2.13 percent plus court costs.

Elizabeth Wayne, Parkersburg, vs. Cameo Kerr, La Porte City. Judgment for the plaintiff on Oct. 28 in the amount of \$870.15 with pre-judgment interest at 2.13 percent plus court costs.

Hauge Associates, Inc. vs. Cheryl and Robert Homeister, Shell Rock. Judgment for the plaintiff on Oct. 28 in the amount of \$2,861.25 with pre-judgment interest at 2.13 percent plus court costs.

## **District Court**

The court handled one probation matter.

April Simkins, 41, Allison, pled quilty to Operating While Under the Influence First Offense

ivate Purpose Trust Funds

General Obligation Debt

TIF Revenue Debt

Indebtedness at June 30, 2020

and was sentenced on Oct. 28 to 90 days of jail with 88 days suspended and credit for time served; the two days may be served in a DOT OWI program. Simkins was also sentenced to a \$1250 fine and a year of probation and must pay \$100 in court costs and a \$187.40 Crime Services Surcharge.

**BUTLER COUNTY COURTHOUSE NEWS** 

John Pugh, 57, Shubuta, Mississippi, pled guilty to Operating While Under the Influence First Offense and was sentenced on Oct. 29 to two days of jail with credit for time served. The jail time may be served in a DOT Approved OWI program. Pugh was also sentenced to a \$1250 fine and must pay \$100 in court costs and a \$187.50 Crime Services Surcharge.

James Choate, 45, Latimer, pled guilty to Burglary Third Degree - Motor Vehicle, and was sentenced on Oct. 28 to two years of suspended prison, two years of probation with conditions and a \$625 suspended fine. The sentence is concurrent with other sentences. Choate must also pay \$100 in court costs.

James Choate, 45, Latimer, pled guilty to Operate Vehicle Without Owner's Consent, and was sentenced on Oct. 28 to two years of suspended prison and a \$750 fine. He also pled guilty to Driving While License Denied or Revoked and was sentenced to 365 days of suspended jail, a \$1,000 suspended fine and two years of probation. The sentence is concurrent with other sentences. Choate must also pay \$100 in court costs. An additional charge was dismissed.

James Choate, 45, Latimer, pled guilty to Theft Fifth Degree and was sentenced on Oct. 28 to 30 days of suspended jail with credit for time served, concurrent with other sentences. He was also sentenced to a year of self-probation with conditions and must pay \$60 in court costs. An additional charge was dismissed. Benjamin Grandon, 20, Holmen. Wisconsin, received a deferred judgment for a charge of Assault Causing Bodily Injury or Mental Illness. Grandon was sentenced to a \$315 civil penalty and a year of self-probation with conditions. Grandon must also pay \$100 in court costs and \$181.26 in local sheriff's fees.

Brenda Hewitt, 54, Clarksville, pled guilty on Oct. 28 to Possession of Controlled Substance Marijuana First Offense and was sentenced to two days of jail with credit for time served. Hewitt must also pay \$100 in court costs.

William Kramer, 48, Shell Rock, pled guilty to Possession of Controlled Substance Methamphetamine First Offense, and was sentenced on

Oct. 23 to 30 days of suspended jail, a year of probation with conditions, concurrent with another sentence. Kramer must also pay a \$125 Law Enforcement Initiative Surcharge, \$40 in court costs and a \$100 fine.

#### **Property Transfer**

Warranty Deed: Deanne and Lloyd Stevens, Steven Reints, Rhonda Budlong-Reints, and Pamela and Charles Droste to Shell Rock Soy Processing LLC; N1/2 Lying S and W of RR Row Exc NE 4-91-15, E1/2 Exc SE NE 4-91-15; 2020-3070; 2020-3070.

Warranty Deed: Larry Sherburne to Larry and Tarren Sherburne; Exc W43Ft Clarksville Orig Twn and Ch Blks Lot: 1 Block: 3, N1/4 Clarksville Orig Twn and Ch Blks Lot: 4 Block: 3: 2020-3078.

Quit Claim Deed: Paul and Norleen Willis to Shawn and Amy Heitland; Beg NW Cor NE N1/2 Exc 23-90-18; 2020-3082.

Warranty Deed: Bart and Debra Lodge to Pro Crafters LLC; Comm SW Cor S1/2 SW 29-92-16, Parcel A SW SW 29-92-16, Deed Restriction to Tyson Foods 20-17-2454; 2020-3088.

Quit Claim Deed: Adams and Lisa Ostby, Lisa Kruse to Adam and Lisa Ostby; Comm SE Cor SE 17-90-16; 2020-3089.

Court Off Deed: Darlene Dreesman Estate, Lois Ohlendorf Ex to Curtiss and Kathy Buseman; Parkersburg Sunset Knoll Add Lot: 13, N1/2 Parkersburg Sunset Knoll Add Lot: 14; 2020-3090.

Joint Ten Deed: Curtiss and Kathy Buseman to Allen and Kelly Kisling; Parkersburg Savages Add Lot: 7 Block: 4; 2020-3092.

Warranty Deed: Beverly Tuve Trust, Beverly Tuve Trustee to Charles and Judith Becker; Parcel S of Parcel P NW SW 29-90-16; 2020-3094

Warranty Deed: John, Douglas and Mark Debuhr and Nanci Rewerts to Richard and Melissa Dennis; Parcel B SE 18-90-15: 2020-3097.

Warranty Deed: Colby and Darcie Elliott to McKenzie Wood; Clarksville Railroad Add Lot: 1 Block: 1, Clarksville Railroad Add Lot: 2 Block: 1; 2020-3104.

Warranty Deed: Clint Cordes to Steven and Barbara Brunsma; Nwly 45 Ft Greene Original Town Lot: 11 Block: 1; 2020-3108.

Court Off Deed: Helene Mennen Estate. Dennis Mennen Ex to Dennis and Debra Mennen; W10A NW NW 23-92-18; 2020-3113.

Warranty Deed: Gerald and Cynthia Keller to Matthew and Mary Ward; Parcel A SW SE 35-93-15; 2020-3120.

#### Monday, November 2:

14 general calls.

•12:22 a.m.: Report of an accidental 9-1-1 cell call in the 400 block of 6th St.

Douglas Ave.

•7:29 a.m.: Officers had a report of an animal issue in the

dent with property damage in the 15400 block of 230th St. • 10:01 a.m.: Officers executed an arrest warrant in the 200

block of N Kelly St.

•3:33 p.m.: Report of a domestic/family matter in the 100 block of E South St.

•4:06 p.m.: Report of an accident with property damage in the area of Diagonal Rd. and West Brook St.

Douglas Ave.

•6:34 p.m.: Report of an accident with property damage in the area of 110th St. and For-•7:33 p.m.: Report of an as-

block of 6th St. •9:10 p.m.: Report of an assault/fight in the 200 block of

Officers executed two traffic

•6:12 a.m.: Report of a missing person in the 500 block of Montrose Ave.

dental 9-1-1 cell call in the 400 block of 6th St.

•8:20 a.m.: Report of a vehicle fire in the 12200 block of Floyd Line St.

dent with unknown injuries in the area of 4th St. and Coates

dalism/criminal mischief in the 1100 block of York St.

field fire in the area of 140th

St. and Ivy Ave. •2:51 p.m.: Officers had a re-

200 block of N 5th St.

port of an animal issue in the

## 265th St.

· Officers executed one traffic stop, assisted with five medical calls, received a report for one controlled burn and received

•6:12 a.m.: Report of an accident with property damage in the area of 310th St. and

•6:30 a.m.: Report of a theft in the 300 block of E Iowa St.

300 block of 9th St. •9:35 a.m.: Report of an acci-

block of N Elizabeth St. •11:04 a.m.: Report of an unknown problem in the 500

• 11:36 a.m.: Report of vandalism/criminal mischief in the 800 block of N Public Rd. •2:23 p.m.: Report of a theft in

the 1000 block of Railroad St.

•6:03 p.m.: Report of an accident with property damage in the area of 240th St. and

sault with injuries in the 400

Miners St.

### Tuesday, November 3:

stops, assisted with four medical calls, assisted one motorist, received a report for three controlled burns and received 14 general calls.

•7:28 a.m.: Report of an acci-

•9:54 a.m.: Report of an acci-

•12:09 p.m.: Report of van-

12:36 p.m.: Report of a grass/

•5:31 p.m.: Report of a hazmat/anhydrous ammonia situation in the 15600 block of

**BUTLER COUNTY SHERIFF'S REPORT** 

•5:46 p.m.: Report of an accident with property damage in

the 200 block of S Cherry St. •9:17 p.m.: Officers conducted a security check in the 400 block of N Main St.

#### Wednesday, November 4:

·Officers executed two traffic stops, assisted with three medical calls, assisted two motorists, received a report for seven controlled burns and received 11 general calls.

•3:32 a.m.: Officers conducted a security check in the 400 block of N Cherry St.

•4:47 p.m.: Report of an accident with property damage in the area of Forest Ave. and Hwy. 57.

4:50 a.m.: Officers had a report of an animal issue in the area of Hwy. 14 and Sandhill

•7:33 a.m.: Report of an accidental 9-1-1 cell call in the 29700 block of Willow Ave. •8:46 a.m.: Officers had a report of an animal issue in the area of Hwy. 57 and Jay Ave.

•11:05 a.m.: Officers had a report of an animal issue in the 17300 block of Marsh Ave. •11:52 a.m.: Report of a vehi-

cle fire in the area of 200th St. and Keystone Ave. •1:20 p.m.: Report of a theft in

the 300 block of Locust St. •2:14 p.m.: Jade Elizabeth Gaffney, 29, Clarksville, arrested in the 300 block of W Wilmans St., for possession of a controlled substance.

3:38 p.m.: Report of a grass/ field fire in the 11200 block of 195th St. 4:26 p.m.: Report of harass-

ment by phone/mail/person in the 400 block of 6th St. •6:56 p.m.: Report of a suspicious vehicle/person/activity in the 700 block of Conn St. •6:58 p.m.: Report of an unknown problem in the 400 block of Boeckemeier St. • 11:40 p.m.: Officers conducted a routine transfer in the 900 block of 3rd St.

## Thursday, November 5:

 Officers executed four traffic stops, assisted with one medical call, received a report for 10 controlled burns and received eleven general calls. 12:35 a.m.: Jordan Maurice Kellogg, 23, Ionia, arrested for driving without a license, possession of drug paraphernalia, and possession of a controlled substance; held to appear. •2:29 a.m.: Report of an accidental 9-1-1 cell call in the 500

block of W Wamsley St. •6:22 a.m.: Officers had a report of an animal issue in the area of Floyd Line St. and Packard Ave.

•6:48 a.m.: Report of an accident with property damage in the area of Hwy. 57 and Quail

**PROBATE** 

NOTICE OF PROBATE OF

WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO

CREDITORS

PROBATE NO. ESPR017118

THE IOWA DISTRICT COURT

ALEASA MAE KAMPMAN, DE-

To All Persons Interested in the

Estate of Aleasa Mae Kampman,

deceased, who died on or about

You are hereby notified that on the 27th day of Ocober, 2020, the last

will and testament of Aleasa Mae

Kampman, deceased, bearing date of the 14th day of March, 1984, was

admitted to probate in the above

named court and that Marianne J.

Folkerts 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

are requested to make immediate

FOR BUTLER COUNTY

IN THE MATTER OF

THE ESTATE OF

October 19, 2020:

CEASED

 Officers executed one traffic stop, assisted with one medical call, received a report for one controlled burn and received five general calls •7:04 a.m.: Report of harass-

ment by phone/mail/person in the 27900 block of 290th St. •10:10 a.m.: Marty Jean Tim-

son-Kramer,46, Parkersburg, arrested in the 200 block of Miners St. for assault and theft in the 2nd degree; held to ap-

•12:46 p.m.: Report of an assault/fight in the 500 block of 5th St.

• 12:58 p.m.: Report of a grass/ field fire in the 29700 block of Superior Rd.

•2:03 p.m.: Officers assisted with a routine transfer in the 100 block of S High St.

•5:40 p.m.: Report of an accident with property damage in the area of Hwy. 14 and Hwy.

in the area of 230th St. and Douglas Ave. •7:03 p.m.: Report of an acci-

•5:53 p.m.: Report of an ac-

cident with property damage

dent with property damage in the area of 265th St. and Sinclair Ave. •10:41 p.m.: Report of an acci-

dent with property damage in the area of Vail Ave. and West Brook St.

•11:18 p.m.: Report of a domestic/family matter in the 21500 block of Walnut Ave.

## Sunday, November 8:

 Officers assisted with eight medical calls, received a report for two controlled burns and received five general •7:09 a.m.: Officers had a re-

port of an animal issue in the 31800 block of Dodge Ave. •12:21 p.m.: Report of a vehicle fire in the 19800 block of

Walsh St. • 12:45 p.m.: Report of a suspicious vehicle/person/activity in the 900 block of Elm St.

•5:03 p.m.: Report of a suspicious vehicle/person/activity in the 1400 block of Hwy. 57. •6:06 p.m.: Report of an accident with property damage in

the 200 block of W Traer St. •6:44 p.m.: Report of an accident with property damage in the area of Hwy. 57 and Jay

•7:40 p.m.: Report of harassment in the 800 block of Wemple St.

## **PUBLIC NOTICE**

STATE OF IOWA 2020

FINANCIAL REPORT

FISCAL YEAR ENDED JUNE 30, 2020 CITY OF ALLISON, IOWA CITY OF ALLISON 410 N Main POPULATION: 1029

DUE: December 1, 2020 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

ALL FUNDS				
	Governmental (a)	Proprietary (b)	Total Actual (c)	Budget (d)
Revenues and Other Financing Sources				
Taxes Levied on Property	416903		416,903	433,24
Less: Uncollected Property Taxes-Levy Year	0		0	(
Net Current Property Taxes	416,903		416,903	433,24
Delinquent Property Taxes	0		0	(
TIF Revenues	64,610		64,610	71,190
Other City Taxes	77,016	0	77,016	70,38
Licenses and Permits	12,188	0	12,188	12,35
Use of Money and Property	52,742	11,645	64,387	51,400
Intergovernmental	317,580	123,123	440,703	398,33
Charges for Fees and Service	94,931	497,247	592,178	610,61
Special Assessments	0	0	0	(
Miscellaneous	141,759	1,685	143,444	146,77
Other Financing Sources, Including Transfers in	1,213,322	369,625	1,582,947	1,672,51
Total Revenues and Other Sources	2,391,051	1,003,325	3,394,376	3,466,80
Expenditures and Other Financing Uses				
Public Safety	141,817		141,817	181,354
Public Works	135,862		135,862	337,54
Health and Social Services	5,519		5,519	7,00
Culture and Recreation	383,762		383,762	412,82
Community and Economic Development	2,097		2,097	5,20
General Government	170,990		170,990	179,39
Debt Service	331,801		331,801	332,14
Capital Projects	942,019		942,019	942,22
Total Governmental Activities Expenditures	2,113,867	0	2,113,867	2,397,68
Business type activities		891,267	891,267	975,78
Total All Expenditures	2,113,867	891,267	3,005,134	3,373,46
Other Financing Uses, Including Transfers Out	373,732	48,524	422,256	511,54
Total All Expenditures/and Other Financing Uses	2,487,599	939,791	3,427,390	3,885,00
Excess Revenues and Other Sources Over (Under) Expenditures/and Other Financing Uses	-96,548	63,534	-33,014	-418,19
Beginning Fund Balance July 1, 2019	1,475,158	1,483,932	2,959,090	3,230,08
Ending Fund Balance June 30, 2020	1,378,610	1,547,466	2,926,076	2,811,88
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			

Amount

1,001,342

175,65

Indebtedness at June 30, 2020

Other Long-Term Debt

General Obligation Debt Limit

Short-Term Debt

Amount

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

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 this 29th day of October, 2020 Marianne J. Folkerts Executor of estate 20107 - 245th St. Allison, IA 50602 Gregory M. Lievens

Attorney for executor

Allison, IA 50602

Shepard, Gibson & Lievens

503 N. Main St., PO Box 158

Date of second publication 19th day of November, 2020 Probate Code Section 304