

# Legals

## BUTLER COUNTY • PROPOSED BUDGET

NOTICE OF PUBLIC HEARING -- PROPOSED BUDGET  
Fiscal Year July 1, 2023 - June 30, 2024  
County Name: BUTLER COUNTY County Number: 12

The County Board of Supervisors will conduct a public hearing on the proposed Fiscal Year County budget as follows:

Meeting Date: 4/11/2023 Meeting Time: 09:00 AM Meeting Location: Butler County Courthouse, Basement EOC, 428 6th St, Allison, IA 50602

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the County Auditor. A copy of the supporting detail will be furnished upon request.

County budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult dom.iowa.gov/local-budget-appeals

Average annual percentage changes between "Actual" and "Budget" amounts for "Taxes Levied on Property", "Other County Taxes/ TIF Tax Revenues", and for each of the ten "Expenditure Classes" must be published. Expenditure classes proposing "Budget" amounts, but having no "Actual" amounts, are designated "NEW".

County Website (if available)  
https://butlercounty.iowa.gov

County Telephone Number  
(319) 267-2670

	Budget 2023/2024	Re-Est 2022/2023	Actual 2021/2022	AVG Annual % CHG	
<b>REVENUES &amp; OTHER FINANCING SOURCES</b>					
Taxes Levied on Property	1	8,133,640	8,097,119	7,054,910	7.37
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0	
Less: Credits to Taxpayers	3	0	0	0	
Net Current Property Taxes	4	8,133,640	8,097,119	7,054,910	
Delinquent Property Tax Revenue	5	650	650	165	
Penalties, Interest & Costs on Taxes	6	20,700	20,700	35,480	
Other County Taxes/TIF Tax Revenues	7	2,651,595	2,468,627	2,183,586	10.20
Intergovernmental	8	7,623,113	7,595,920	8,077,170	
Licenses & Permits	9	56,200	55,000	69,296	
Charges for Service	10	606,929	573,579	640,890	
Use of Money & Property	11	293,737	277,216	241,160	
Miscellaneous	12	420,750	839,561	676,474	
<b>Subtotal Revenues</b>	<b>13</b>	<b>19,807,314</b>	<b>19,928,372</b>	<b>18,979,131</b>	
Other Financing Sources:					
General Long-Term Debt Proceeds	14	0	0	5,039,684	
Operating Transfers In	15	6,275,470	3,395,000	4,459,711	
Proceeds of Fixed Asset Sales	16	0	63,375	370	
<b>Total Revenues &amp; Other Sources</b>	<b>17</b>	<b>26,082,784</b>	<b>23,386,747</b>	<b>28,478,896</b>	
<b>EXPENDITURES &amp; OTHER FINANCING USES</b>					
Operating:					
Public Safety and Legal Services	18	3,268,441	2,758,945	2,425,515	16.08
Physical Health and Social Services	19	1,665,236	1,465,757	1,270,891	14.47
Mental Health, ID & DD	20	0	0	398,023	
County Environment and Education	21	2,512,103	2,084,764	1,373,649	35.23
Roads & Transportation	22	6,916,500	6,532,800	6,363,947	4.25
Government Services to Residents	23	808,584	708,469	632,126	13.10
Administration	24	2,546,254	2,284,289	2,129,949	9.34
Nonprogram Current	25	2,000	2,000	0	
Debt Service	26	1,460,963	1,429,643	1,779,397	-9.39
Capital Projects	27	6,071,500	3,903,648	2,763,363	48.23
<b>Subtotal Expenditures</b>	<b>28</b>	<b>25,251,581</b>	<b>21,170,315</b>	<b>19,136,860</b>	
Other Financing Uses:					
Operating Transfers Out	29	6,275,470	3,395,000	4,459,711	
Refunded Debt Payments to Escrow	30	0	0	0	
Total Expenditures & Other Uses	31	31,527,051	24,565,315	23,596,571	
<b>Excess of Revenues &amp; Other Sources over (under) Expenditures &amp; Other Uses</b>					
Beginning Fund Balance - July 1,	33	14,568,564	15,747,132	10,864,807	
Increase (Decrease) in Reserves (GAAP Budgeting)	34	0	0	0	
Fund Balance - Nonspendable	35	0	0	0	
Fund Balance - Restricted	36	0	0	0	
Fund Balance - Committed	37	0	0	0	
Fund Balance - Assigned	38	0	0	0	
Fund Balance - Unassigned	39	9,124,297	14,568,564	15,747,132	
Total Ending Fund Balance - June 30,	40	9,124,297	14,568,564	15,747,132	
Proposed property taxation by type:		Proposed tax rates per \$1,000 taxable valuation:			
Countywide Levies*:	5,515,862				
Rural Only Levies*:	2,617,778	Urban Areas:	5.64650		
Special District Levies*:	0	Rural Areas:	9.46326		
TIF Tax Revenues:	1,481,947	Any special district tax rates not included.			
Utility Replacement Excise Tax:	514,178				

Explanation of any significant items in the budget or additional virtual meeting information:

Published in the Butler County Star Tribune on Thursday, Mar. 30, 2023

## BUTLER CO BOS • MINUTES 3.14.2023

### MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MARCH 14, 2023.

Meeting called to order at 9:00 A.M. by Chairman Greg Barnett with member Wayne Dralle present. Member Rusty Eddy was absent. Moved by Dralle second by Barnett 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. All ayes. Motion carried.

During Public Comment, John Risher, Engineer, mentioned that he is working with the City of Greene on a bridge project, and that they are still going through agreement terms for a 28E agreement.

Motioned by Dralle, second by Barnett to open a Public Hearing to consider E911 tower land acquisition. Much discussion was had over the tower land as both parties haven't been able to agree on terms. Currently, the county is leasing the land the tower is located on and new lease negotiations have been unsuccessful. An offer was made to purchase the land although the terms were not agreed upon. Additional discussions were had regarding the life of the tower itself and other options to remove or replace the existing tower. No decisions or resolutions were made during the discussion. Dralle moved to close the Public Hearing, second by Barnett.

Board considered Resolution 1066-2023. Dralle moved to approve Resolution 1066, second by Barnett. Roll was called and Res-

olution 1066-2023 was adopted as follows:

RESOLUTION NO. 1066-2023 RESOLUTION APPROVING THE PUBLIC IMPROVEMENT PROJECT AND ACQUISITION OF REAL ESTATE OWNED BY GAYLEN WINTERBERG, IN BUTLER COUNTY

Whereas, Butler County intends to commence a public improvement project and acquire certain real property owned by Gaylen Winterberg (Owner), in Butler County shown in the proposed plat of survey. 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) Township Ninety-one (91) North Range Seventeen (17) West of the 5<sup>th</sup> P.M., Butler County, Iowa for the continued use of the Butler County Emergency Communications Tower and, if necessary, the acquisition may be through condemnation.

Whereas, Iowa law requires that the County must make a good faith effort to negotiate with the Owner to purchase the Property for the project before proceeding with acquisition of property by condemnation; Whereas, it is in the best interest of the County to acquire the property under the terms of the Offer to Buy and Acceptance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUTLER COUNTY IOWA:

Section 1. That the Butler County Board of Supervisors, Butler County, Iowa hereby approves to pro-

ceed with the 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.

UPON Roll Call the vote thereon was as follows:  
AYES: Greg Barnett  
Wayne Dralle  
NAYS: None  
ABSENT: Rusty Eddy  
WHEREUPON the Resolution was declared duly adopted this 14<sup>th</sup> day of March, 2023.

Greg Barnett  
Chairman, Board of Supervisors

ATTEST:  
Leslie Groen, County Auditor  
Board reviewed Resolution 1063-2023 approving an Invitation to Qualify (ITQ) application administered by the OCIO. Dralle moved to approve Resolution 1063, second by Barnett. The Roll was called and Resolution 1063-2023 was adopted as follows:  
RESOLUTION NUMBER 1063-2023

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BUTLER COUNTY, IOWA APPROVING AN INVITATION TO QUALIFY APPLICATION; DESIGNATING THE BOARD OF SUPERVISORS CHAIRPERSON AS THE OFFICIAL REPRESENTATIVE OF THE COUNTY AND AUTHORIZING THE CHAIRPERSON TO AFFIX THEIR SIGNATURE TO SAID APPLICATION AND CERTAIN ASSURANCES IN CONJUNCTION WITH SAME.

WHEREAS, it is in the best interest of the Board of Supervisors of the County of Butler, Iowa, to avail itself to the Invitation to Qualify ap-

plication as administered by the Office of the Chief Information Officer (OCIO);

WHEREAS, the County is seeking assistance qualifying for future funding to support broadband development;

WHEREAS, the ITQ process allows the County the opportunity to self-identify their need for broadband development; WHEREAS, the County recognizes the important need for increasing broadband capacity within its community and supports future broadband development;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF Butler County, Iowa, as follows:

1. The Invitation to Qualify application is hereby approved.

2. The Chairman of the Board of Supervisors is hereby designated as the official representative of the County and is further hereby directed and authorized to affix their signature to said application and certain assurances in conjunction with same.

Passed and adopted this 14<sup>th</sup> day of March, 2023.

Greg Barnett, Chairperson  
ATTEST: Leslie Groen, County Auditor

Board reviewed Resolution 1064-2023 granting financial assurance in conjunction with the Invitation to Qualify (ITQ) application administered by the OCIO. Leslie Groen, Auditor, explained the resolution and that a dollar amount needs to be decided to be included. Barnett stated that he would feel better if Eddy was included and made a motion to table until next week, second by Dralle. All ayes. Motion

## REHABILITATION CENTER OF ALLISON

### THE REHABILITATION CENTER OF ALLISON AND ELM SPRINGS INDEPENDENT & ASSISTED LIVING:

Internal activities, admissions, employment, and housing are not based on race, color, creed, age, sex, sexual orientation, gender

identity, national origin, religion, pregnancy, veteran status, or disability, in compliance with the Title VI of Public Law 88-352 the Civil Rights Act of 1964, and 1991, as amended, and section 216 Code of Iowa, as amended.

Published in the Butler County Star Tribune on Thursday, Mar. 30, 2023

## BUTLER CO BOS • PUBLIC HEARING

### NOTICE OF PUBLIC HEARING BUTLER COUNTY

The Butler County Board of Supervisors will meet at 9:00 A.M. on April 4, 2023 in the EOC Conference Room, Basement of the Butler County Courthouse, Allison, Iowa. At this meeting the Board will: Hold a second Public Hearing on a request by Norm & Jan Mulder to rezone 35 acres more or less

from A-1 to C for a truck stop located in the W½ SE¼ South of Hwy 3 of Section 34, Township 92 North, Range 15 West of the 5<sup>th</sup> P.M.

Oral or written comments may be submitted to the Butler County Auditor, Leslie Groen, at the Courthouse, P.O. Box 325, Allison, Iowa, by calling 319-267-2670 or via email to lgroen@butlercounty.iowa.gov

Published in the Butler County Star Tribune on Thursday, Mar. 30, 2023

## MARLENE MILLER ESPR017408

### THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF MARLENE MILLER, Deceased CASE NO. ESPR017408 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Marlene Miller, Deceased, who died on or about February 23, 2023:

You are hereby notified that on March 14, 2023 the Last Will and Testament Marlene Miller, deceased, bearing date of December 23, 1980, was admitted to probate in the above named court and that Rodney Miller and Jodee Miller was appointed Executors of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be 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 March 15, 2023.  
Rodney Miller, Executor of Estate 190 Tonneff Dr.  
Elk Run Heights, IA 50707  
Jodee Miller  
221 Huntington Dr.  
Iowa City, IA 52245  
/s/ David A. Kuehner  
David A. Kuehner, ICIS#: AT0004469  
Attorney for Executor  
Shepard, Gibson, Lievens & Kuehner  
503 N Main St, PO BOX 158  
Allison, IA 50602  
Date of second publication  
March 30, 2023

Published in the Butler County Star Tribune on Thursday, Mar. 23 and 30, 2023

