

# Legals

## BUTLER CO BOS • MINUTES 4.16.2024

### MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON APRIL 16, 2024.

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

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

No public comment was received. Board canvassed the results of the April 9th City of Greene Special Election. Following the results it was declared that Rodney Fesen-

meyer was the winner for the vacant Greene City Council seat.

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

Motioned by Barnett, second by Eddy to adjourn the regular meeting at 9:08 A.M. to April 23, 2024 at 9:00 A.M. All ayes. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on April 16, 2024.

Attest: Leslie Groen, Butler County Auditor

Wayne Dralle, Chairman of the Board of Supervisors

*Published in the Butler County Star Tribune on May 2, 2024*

## PROBATE HEYENGA ESPR017530

### THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF KARL HEYENGA, A/K/A CARL W. HEYENGA, Deceased. CASE NO. ESPR017530 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Karl Heyenga, a/k/a Carl W. Heyenga, Deceased, who died on or about February 10, 2024:

You are hereby notified that on April 4, 2024, the Last Will and Testament of Karl Heyenga, a/k/a Carl W. Heyenga, deceased, bearing date of January 11, 2024, was admitted to probate in the above named court and that Lisa Russell and Thomas Heyenga 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 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 April 24, 2024.

Lisa Russell  
403 4<sup>th</sup> St.  
Parkersburg, IA 50665  
Thomas Heyenga  
116 Devlin Cir.  
Cedar Falls, IA 50613

/s// David A. Kuehner, ICIS#: AT0004469  
Attorney for Executors  
Shepard, Gibson, Lievens & Kuehner  
503 N Main St, PO BOX 158  
Allison, IA 50602

Date of second publication  
May 9, 2024  
*Published in the Butler County Star Tribune on May 2 and 9, 2024*

## REINHART CHARITABLE TRUST

### PUBLIC NOTICE

The Beth E. Reinhart Charitable Trust will be accepting Applications for grants during the period of July 1 to August 31. Charitable purposes for the benefit of children shall include educational activities, youth programs, delivery of health care services and any other charitable purpose benefiting children and acceptable to the Trustees within fifty (50) mile radius of Mason City, Iowa. For complete procedure details, please contact:

Beth E. Reinhart Charitable Trust  
c/o Sandy Benson  
P.O. Box 894  
Mason City, Iowa 50401  
Phone: 641-430-4563  
Email: bethcharitabletrust@outlook.com

Applicants must be a "public charity" within the meaning of Internal Revenue Code Section 501(c)(3) or Internal Revenue Section 170(c)(1).

*Published in the Butler County Star Tribune on May 2, 9, 16 and 23, 2024*

## PROBATE FREERKS ESPR017534

### THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF GARY L. FREERKS, Deceased. CASE NO. ESPR017534 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Gary L. Freerks, Deceased, who died on or about March 21, 2024:

You are hereby notified that on April 19, 2024, the Last Will and Testament of Gary L. Freerks, deceased, bearing the date of September 10, 2020, was admitted to probate in the above-named court and that Brent Freerks has been appointed Executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all per-

sons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above-named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated: April 23, 2024.

Brent Freerks  
443 S Governor Street  
Iowa City, IA 52240  
Beau D. Buchholz, ICIS#:  
AT0009650

Attorney for Executor  
Engelbrecht and Buchholz, PLLC  
123 First Street SE  
P.O. Box 59  
Waverly, IA 50677

Date of second publication  
May 9, 2024  
Probate Code Section 304  
\* Designate Codicil(s) if any, with date(s).

*Published in the Butler County Star Tribune on May 2 and 9, 2024*

## BUTLER CO BOS • NOTICE OF PUBLIC TEST

### LEGAL NOTICE

PUBLIC NOTICE is hereby given in accordance with Chapter 52.35 of the Iowa Code that on Thursday May 9, 2024 at 10:00 a.m., the Elections Department of the Butler County Auditor's Office will examine and test the vote tabulating

machines to be used for the June 4th Primary Election. This certification test is open to the public. Leslie Groen, Butler County Auditor & Commissioner of Elections.

*Published in the Butler County Star Tribune on May 2, 2024*

## NOTICE OF PROOF OF WILL • NIXT ESPR017533

### IN THE IOWA DISTRICT COURT FOR BUTLER COUNTY

IN THE MATTER OF THE ESTATE OF MARCELLA M. NIXT, Deceased CASE NO. ESPR017533

### NOTICE OF PROOF OF WILL WITHOUT ADMINISTRATION

To All Persons Interested in the Estate of Marcella M. Nixt, Deceased, who died on or about on January 14, 2024:

You are hereby notified that on April 18, 2024, the last will and testament of Marcella M. Nixt, deceased, bearing date of November 18, 2022, was admitted to probate in the above-named court and there will be no present administration of the estate. Any action to set aside the will must be brought in the District Court of the county with-

in 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.

Dated on April 18, 2024.

Curtis E. Nixt, Proponent  
7008 NW 6<sup>th</sup> Drive  
Ankeny, IA 50023  
Attorney for estate:  
Christine B. Long, ICIS#:  
AT0004696

666 Grand Avenue, Suite 2000  
Des Moines, IA 50309  
Christine.long@brownwinick.com  
Date of second publication  
May 9, 2024

*Published in the Butler County Star Tribune on May 2 and 9, 2024*

## PROBATE STEER ESPR017531

### THE IOWA DISTRICT COURT FOR BUTLER COUNTY

IN THE MATTER OF THE ESTATE OF LUCY K. STEER, Deceased CASE NO. ESPR017531

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

To All Persons Interested in the Estate of Lucy K. Steer, Deceased, who died on or about March 18, 2024:

You are hereby notified that on April 4, 2024, the Last Will and Testament of Lucy Steer, deceased, bearing date of October 12, 2010, was admitted to probate in the above named court and that Patricia Meek and Dennis Cassmann 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 re-

quested 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 April 17, 2024.  
Patricia Meek  
1209 Mitchell  
Ackley, IA 50601  
Dennis Cassmann  
13146 Forest Ave.  
Bristow, IA 50611

/s// David A. Kuehner  
David A. Kuehner, ICIS#:  
AT0004469  
Attorney for Executors  
Shepard, Gibson, Lievens & Kuehner  
503 N Main St, PO BOX 158  
Allison, IA 50602

Date of second publication  
May 1, 2024  
*Published in the Butler County Star Tribune on April 25 and May 2, 2024*

## BUTLER CO PLANNING & ZONING • PUBLIC HEARING

### NOTICE OF PUBLIC HEARING BUTLER COUNTY

Planning & Zoning Commission  
The Butler County Planning & Zoning Commission will meet on May 9, 2024, at 1:30 p.m. in the basement meeting room of the Butler County Courthouse.

At this meeting the Commission will:

Hold a Public Hearing on a request by BMC Aggregates to rezone 72 acres from A-1 to A-2 for a sandpit dredging operation on a parcel located in the W½ NW¼ S & W of RR of Section 34, Township 92 North,

Range 15 West of the 5th P.M.

All interested parties are encouraged to attend the meeting. Written or oral comments may be submitted to the Butler County Zoning Administrator at the Courthouse, P.O. Box 325, Allison, Iowa, 319-346-6629 or via email at mday@butlercounty.iowa.gov.

4/26/2024  
X Misty Day  
Butler County Zoning Administrator  
Signed by: Misty Day  
*Published in the Butler County Star Tribune on May 2, 2024*

## CLARKSVILLE CSD • SPECIAL MEETING 4.24.2024

### CLARKSVILLE COMMUNITY SCHOOL BOARD OF EDUCATION

Special Meeting  
April 24, 2024

A special meeting was opened at 7:50 a.m. in superintendent's office. Those present were Superintendent Mark Olmstead, Business Manager/Board Secretary Shelley Bartlett, Heather Foster. Board members absent: Tim Backer, Phil

Barnett, Justin Clark, Brandon Kampman and Shelley Maiers.

Superintendent Olmstead presented the initial proposal from the Board of Education to the Clarksville Education Association for the 2024-2026 Master Contract, total package of 4.32%.

The meeting was closed at 8:00 a.m.  
*Published in the Butler County Star Tribune on May 2, 2024*

## MARCELLA M. NIXT TRUST NOTICE

### NOTICE TO CREDITORS, HEIRS, AND BENEFICIARIES OF MARCELLA M. NIXT, DECEASED, AND THE MARCELLA M. NIXT REVOCABLE TRUST

In The Matter Of:  
Marcella M. Nixt Revocable Trust  
U/A/D November 18, 2022

To: All persons regarding Marcella M. Nixt, deceased, who died on or about the 14<sup>th</sup> day of January 2024

You are hereby notified that Ellen Hart-Beckwith, Linette Brauer, and Curtis E. Nixt are serving as Trustees of the Marcella M. Nixt Revocable Trust under agreement dated November 18, 2022.

Any action to contest the validity of the Trust must be brought in the District Court of Butler County, Iowa, within the later to occur of four (4) months from the date of the second publication of this Notice, or thirty (30) days from the date of mailing of this Notice to all heirs of the Decedent and beneficiaries under the Trust whose identities are reasonably ascertainable. Any claim not filed within this period shall be forever barred.

Notice is further given that all persons indebted to the Decedent or to the Trust are requested to make immediate payment to the under-

signed Trustee. Creditors having claims against the Trust must mail them to the Trustee at the address listed below via certified mail, return receipt requested. Unless creditor claims are mailed by the later to occur of four (4) months from the date of the second publication of this Notice or thirty (30) days from the date of mailing this Notice, a claim shall be forever barred, unless otherwise allowed or paid.

Dated this 18<sup>th</sup> day of April, 2024.  
Marcella M. Nixt Revocable Trust  
U/A/D November 18, 2022

By: Ellen Hart-Beckwith, Trustee  
2611 SE Freedom Drive  
Grimes, IA 50111  
Curtis E. Nixt, Trustee  
7008 NW 6<sup>th</sup> Drive  
Ankeny, IA 50023

Linette Brauer, Trustee  
27382 110<sup>th</sup>  
Greene, IA 50636  
Christine B. Long, AT0004696

Brown, Winick, Graves, Gross & Baskerville, PLC  
666 Grand Avenue, Suite 2000  
Des Moines, IA 50309  
Attorney for Said Trust and Trustee

Date of Second Publication:  
May 9, 2024  
*Published in the Butler County Star Tribune on May 2 and 9, 2024*

## NORTH BUTLER CSD • AMENDMENT OF CURRENT BUDGET

### NOTICE OF PUBLIC HEARING - AMENDMENT OF CURRENT BUDGET

NORTH BUTLER School District  
Fiscal Year July 1, 2023 - June 30, 2024

The NORTH BUTLER School District will conduct a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2024

Meeting Date/Time: 5/11/2024 05:30 PM Contact: Shellee Bartlett Phone: (319) 267-2005

Meeting Location: Allison Elementary Media Center  
513 Birch St, Allison, IA

There will be no increase in taxes. Any residents or taxpayers will be heard for or against the proposed amendment at the time and place specified above. A detailed statement of: additional receipts, cash balances on hand at the close of the preceding fiscal year, and proposed disbursements, both past and anticipated, will be available at the hearing. Budget amendments are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-gov-appeals>.

EXPENDITURES	Total Budget as Certified or Last Amended	Amendment Increase	Total Budget After Current Amendment	Reason
Instruction	6,345,350	0	6,345,350	
Total Support Services	4,030,514	0	4,030,514	
Noninstructional Programs	12,500	412,000	424,500	Rising food costs
Total Other Expenditures	3,472,078	0	3,472,078	
Total	13,860,442	412,000	14,272,442	

*Published in the Butler County Star Tribune on May 2, 2024*

## CITY OF ALLISON • MINUTES 4.22.2024

### CITY OF ALLISON REGULAR COUNCIL MEETING MONDAY, APRIL 22ND, 2024

Public Hearing:

Mayor Henrichs opened the Public Hearing of the Allison City Council at 5:15 p.m. and asked for a roll call. The council members present were Bangasser, Galey, Henning, Heuer, Stirling, and Zeb Stanbrough. The mayor announced that it is the place and time for the public hearing regarding consideration of adoption of the Budget for FY2025. The mayor then asked if any comments for or against the proposed budget as printed in the Tribune Journal, or if any comments were received prior to the meeting. The City Clerk stated that no comments were received prior to the meeting, and none were made during the Public Hearing. The mayor then asked for a motion to close the Public Hearing. Motion by Henning with a second by Heuer to close the public hearing. Ayes: All. Nays: None. Motion carried.

Regular Meeting:  
Mayor Henrichs opened the regular meeting of the Allison City

Council at 5:16 p.m. The council members present were Bangasser, Galey, Henning, Heuer, Stirling. Also present: Trent Stirling, Coby Bangasser, Chris Graser, and Zeb Stanbrough. Stirling made a motion to approve the agenda with a second by Heuer. Ayes: All. Nays: None. Motion carried.

Open Forum:  
Felicia Schrage from the Cemetery Board brought it to the attention of the City Clerk that there were several flowers blowing around at the Cemetery that would need to be picked up before the mowers came to mow. That being said, the Public Works guys will go and pick up the loose flowers in the next couple of days so that it is completed before it needs to be mowed.

There will not be a second meeting in May as it falls on Memorial Day.

Deputy Clerk, Chris Graser, presented the six water shut offs to the Council.

The Council would like to move forward with completing a water audit for the town of Allison. A letter will be sent to each resident in town with what is needing to be done for us to complete this. It is being

asked that residents take a photo of their water meter so that the city can have an accurate reading on all meters in town. The picture will then need to be brought into City Hall for the number to be recorded, or a photo can be emailed with the resident's address. More information will be coming in the near future.

Consent Agenda:  
Motion by Bangasser with a second by Stirling to approve the consent agenda as follows:

Approve Minutes from the meeting held on 04/08/2024.  
Ayes: All. Nays: None. Motion Carried.

New Business:

Fair Board President, Mike Stirling, brought up the City property that was located on the Fair Grounds. The horse arena at the Fair Grounds is owned by the city, and the Fair board is wondering if the City would be willing to transfer ownership of the land to them. At this time, it was proposed that if the fair board would put up the needed privacy fence, then the city would be willing to transfer the ownership of the land.

The Pool opening date was dis-

cussed with the Council, as it is getting to be the time for the Public Works guys to start filling the pool and treating the water. The Council is planning to have the Pool set to open Memorial Day weekend.

Motion by Stirling with a second by Henning to donate \$500 to Wilder Days as has been done in the past. Ayes: All. Nays: None. Motion Carried.

City Clerk, Alexis Wiegmann discussed a printer upgrade for City Hall, and talked about a possible phone upgrade. The current printer at City Hall is having several issues and is no longer scanning as it should. It is a Xerox which is no longer supported by Gordon Flesch, so we are unable to get any parts to fix it. The new printer that is being looked at is a cannon and would be under a lease program for 5 years at \$105.00 per month. After the 5 years are up, the city can have the equipment swapped out and continue leasing so that the equipment is always up to date. A new phone system was also discussed, which would allow for all the city buildings to potentially be under the same number, and has features such as fax, messaging, transferring, and

more that is currently not able to be done. At this time, the Council agreed to move forward with leasing the new printer due to the issues that we are having with the current one but will hold off on the phone for now.

Motion by Stirling with a second by Heuer to approve moving forward with leasing a new printer from Gordon Flesch. Ayes: All. Nays: None. Motion Carried.

Two bids were received for the steel roof replacement for the garage by the Sheriff's office. The first bid received was from Bob Schipper Construction in the amount of \$4,662.05. The second bid received was from Randy Miller with RM construction in the amount of \$4,100.00. The Council gave the bid award to Randy Miller as he was the lowest bid.

Motion by Bangasser with a second by Stirling to award the bid to Randy Miller with RM construction for the steel roof replacement in the amount of \$4,100.00. Ayes: All. Nays: None. Motion Carried.

One bid was received for the curb and gutters that need to be done in town. The bid came from K&M Enterprise, LLC in the amount of

\$21,004.00. The council awarded the bid to K&M Enterprise, LLC as long as the work can be completed after July 1 of this year.

Motion by Galey with a second by Bangasser to award the curb and gutter bid to K&M Enterprise, LLC. in the amount of \$21,004.00 if the work can be completed after July 1 of this year. Ayes: All. Nays: None. Motion Carried.

Motion by Bangasser with a second by Henning to approve Resolution #24-04.3 - Resolution adopting the budget for FY 2025. Ayes: All. Nays: None. Motion Carried.

Old Business:  
No action was discussed.  
Adjournment:

Motion by Henning with a second by Bangasser to adjourn at 6:37 p.m. Ayes: All. Nays: None. Motion carried.

Scot Henrichs - Mayor  
Attest: Alexis Wiegmann - City Clerk  
*Published in the Butler County Star Tribune on May 2, 2024*