

## NOTICE

### THE IOWA DISTRICT COURT FOR BUTLER COUNTY NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS IN THE MATTER OF THE ESTATE OF ORLYN L SCHELLHORN, DECEASED CASE NO. ESPRO17318

To All Persons Interested in the Estate of Orlyn L Schellhorn, Deceased, who died on or about June 6, 2022:

You are hereby notified that on June 15, 2022, the Last Will and Testament of Orlyn J Schellhorn, deceased, bearing date of June 16, 2014, was admitted to probate in the above named court and that Connie S Petersen 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 June 15, 2022.

Connie S Petersen, Executor of Estate

423 W Weare St - P O Box 76

Clarksville, IA 50619

Karl A. Nelson, ICIS#: AT0005659

Attorney for Executor

Nelson & Toenjes

PO 230

Shell Rock, IA 50670

Date of second publication 30<sup>th</sup> of June, 2022.

CS - 25, 26

### CITY OF CLARKSVILLE CITY COUNCIL DEPARTMENT MEETING JUNE 20, 2022

The Clarksville City Council met in regular session on June 20, 2022 in the City Council Chambers at 6:30 p.m. with Mayor Michael Grantham presiding and Council Members Roger Doty, Jennifer Kielman, Taran Sherburne, Wendy Brooks and Brock Lodge present. The following Department Heads and employees were in attendance: Kristen Clark, librarian, Molly Bohlen, City Clerk, and Barry Mackey, Police Chief. Members of the public present were: Rhonda Landrum, Jaxon Raymer, Carly Mennenga, and Aaron Wedeking.

Motion Sherburne, Kielman to approve discussing additional items not on the agenda. Ayes: Doty, Lodge, Kielman, Brooks and Sherburne. Nays: None. Absent: None. MC.

Mayor Topics: Street Repair and Sewer Line Repair. Mayor Grantham discussed the need to come up with a plan and prioritize streets that need repaired. Today maintenance was able to complete some cold patch to a couple of roads in town that had multiple pot holes that need repaired. Council member Brock Lodge brought up Ilgenfriz St and the need to re-visit adding storm sewer drainage on that side of town due to ongoing issues in that area. They were not part of the previous project.

Sewer Line Repair updates were discussed also. Just last week Municipal Tool had to bring jet truck up to jet sewer line that our truck couldn't take care of. Maintenance will need to get a quote on additional head for jet truck.

Mayor also states that the flag poles are going to be picked up on 06/21/2022 and a goal of 4<sup>th</sup> of July

weekend for them to be placed.

Mayor designated Lodge and Sherburne for street repair committee.

Motion Doty, Brooks to approve and adopt the items contained in the Consent Agenda and Minutes (06/06/2022) Ayes: Doty, Kielman, Sherburne, and Lodge. Nays: Brooks. MC.

Kristen Clark, librarian presented library reports for last month including activities and programs offered. Many programs were offered around Pioneer days with great public response.

Chief Mackey gave a report with calls for police service totaling 145 for the month of May. Clarification surrounding part time-reserve officer pay starting now of \$25/hour to assist with coverage. All council agrees as was stated in the temporary rate coverage presented by Police Chief Mackey.

City Clerk provided updates and building permit information in absence of maintenance. The following building permits have previously been approved by maintenance to comply with standards and were presented. Zach White, 120 E Elm St. moving a shed from one property to his property-8x12 in size, Todd Fail, 541 W Wilmans St., constructing a retaining wall to be used for additional parking and to help with run off, Nick Sinram on behalf of Keithy Doty, 320 W Poisal St. completing cement work to increase driveway area and replace sidewalk, and Jason Shirbroun, 202 W Wilmans St., replacing wood picket fence with chain link fence.

Motion Sherburne, Doty to approve all building permits as presented and previously approved by maintenance. Ayes: Doty, Lodge, Kielman, Brooks and Sherburne. Nays: None. Absent: None. MC.

Council member Brock Lodge

presented an update with the police contract regarding county coverage. Lodge states that the county doesn't want to do a contract for coverage but they would help cover when needed.

Council member Taran Sherburne presented an update regarding the end loader. Matt Behrends will be meeting with Murphy's in Waterloo to discuss the existing end loader and specifics regarding it vs purchasing a newer model. Some of the items that were brought up by council members were that they would like to know specifics regarding trade in value, payoff of existing unit, extended warranty that would come with purchasing the existing unit and any maintenance agreement that would also come with it.

Council member Jen Kielman presented an update regarding the food trucks and what other towns have done which include peddler's permit, pricing and stipulations regarding where they can set up. Food trucks are becoming more popular and most communities around us are adapting to that.

Motion Brooks, Doty to table further food truck discussion until 2<sup>nd</sup> council meeting in July. Ayes: Doty, Lodge, Kielman, Brooks and Sherburne. Nays: None. Absent: None. MC.

Discussion surrounding the unappointing of Robert Landrum reserve officer between Chief Mackey, the council and the mayor were had prior to the Resolution. City Clerk brought up the resolution that was adopted that allows part time employees to purchase health insurance at their cost and how that would affect Robert's position. Council member Kielman questions whether we placed a certain number of hours into the resolution or specified part time status.

Motion Sherburne, Doty to table Resolution 22-17 unappointing Robert Landrum as a Permanent Part Time Reserve Officer. Ayes: Doty, Lodge, Kielman, Brooks and Sherburne. Nays: None. Absent: None. MC.

Motion Lodge, Kielman to approve Resolution 22-18 Setting the Salaries for FY 2022-2023.

Ayes: Doty, Lodge, Kielman, Brooks and Sherburne. Nays: None. Absent: None. MC.

Council member Brock Lodge presented quote for cemetery headstone that was damage in Jan/ Feb? Claim has been submitted to City insurance. City Clerk stated process with the insurance that they would be doing their own investigation and that process could take time.

Motion Sherburne, Brooks to approve resignation of David Skilton, City Attorney

Ayes: Doty, Lodge, Kielman, and Sherburne. Nays: Brooks. Absent: None. MC.

Motion Brooks, Kielman to approve May monthly expenditures and financial reports as presented by City Clerk. Ayes: Doty, Lodge, Kielman, Brooks and Sherburne. Nays: None. Absent: None. MC.

Motion Sherburne, Kielman to approve City Clerk expenses related to clerk school.

Ayes: Doty, Lodge, Kielman, Brooks and Sherburne. Nays: None. Absent: None. MC.

Motion Sherburne, Brooks to adjourn the regular City Council Meeting at 8:03 p.m.

Michael Grantham

Mayor

Attest: Molly Bohlen

City Clerk

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## PROCEEDINGS

### MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JUNE 14, 2022.

Meeting called to order at 9:01 A.M. by Chairman Rusty Eddy with Greg Barnett present. Tom Heidenwirth was absent. Several others were in attendance. Moved by Barnett, second by Eddy to approve the agenda. All ayes. Motion carried.

Minutes of the June 7, 2022, regular meeting were read. Motioned by Barnett, second by Eddy to approve the minutes as read. All ayes. Motion carried. Minutes of the June 9, 2022, special meeting were read. Motioned by Barnett, second by Eddy to approve the minutes as read. All ayes. Motion carried.

During public comment, Helen Bowen, Shell Rock, was present and shared her concerns with the railroad crossings being blocked. Bowen understands the tracks need to be blocked on occasion and usually allows 30 minutes, but on Saturday they were blocked in for 1.5 hours. Barnett shared that he has already spoken with the railroad and they are reviewing the situation. Bowen feels the railroad should be fined large amounts when this happens so there is some accountability. County Engineer, John Riherd, explained the County's Secondary Roads 5 Year Plan includes realigning Lake Rd to reduce road crossings which would alleviate some of these issues; however, they are in the early stages of this planning. Barnett thanked Bowen for coming to share her concerns and he will call them back with additional information.

Motioned by Barnett, second by Eddy to open a Public Hearing on a Proposed Reclassification from an Area Level "B" to Area Level Service "C" of that portion of Orange Ave commencing 0.25 miles East of the NW corner Sec 28, T-93N, R16W (Dayton Twp) thence running South 0.55 miles. Riherd explained the location, reason for the reclassification and invited the property owners to comment. Steve Robisky, Cedar Falls, explained the road gets many unwanted visitors doing things they shouldn't be doing. Dallas Foster shared concerns regarding a small concrete bridge at the end of that road that needs work and felt it should be done before the road is gated. They explained the bridge is their only access to a couple of fields. Riherd felt a Level B or Level

C road would be maintained in the same manner and they could repair that bridge as time allows. Riherd committed to repairing the small bridge and stated such commitment would be recorded in today's board minutes and the bridge repairs would be addressed prior to harvest. Barnett motioned to close the Public Hearing, second by Eddy. All ayes. Motion carried.

Motioned by Barnett, second by Eddy to approve Resolution #1034 as follows:

Resolution #1034

Resolution to classify road(s) to Area Service Level C of Orange Ave in Sec 28 Dayton TWP

Moved by Barnett and seconded by Eddy to approve the following resolution:

WHEREAS, Butler County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS, the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Level Service "C" roads pursuant to Iowa Code Section 309.57; and

WHEREAS, the County has previously adopted Ordinance Title IV, Number 9 Class "C" Roads; and

WHEREAS, the County has received a petition, signed by all adjoining landowners, requesting that: That portion of Orange Ave commencing 0.25 miles East of the NW corner Sec 28, T-93N, R16W (Dayton Twp) thence running South 0.55 miles.

be reclassified from an Area Level Service "B" to Area Level Service "C"; and

WHEREAS, upon reclassification to Area Service Level C, the only persons who will have access rights to the previously described road(s) shall be:

The owner, lessee, or person in lawful possession of any adjoining land,

The agent or employee of the owner, lessee or person in lawful possession of any adjoining land,

Any peace officer,

Any magistrate,

Any public employee whose duty it is to supervise the use or perform maintenance of the road,

Any agent or employee of any utility located upon the road; and

WHEREAS, upon reclassification to Area Service Level C, the mini-

um level of maintenance on the previously described road(s) shall be as follows:

Blading. Blading or dragging will not be performed on a regular basis

Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded or salted on a regular basis

Signing. Road shall be identified with a sign at all points of access to warn the public of the lower level of maintenance and except for load limit posting for bridges, other signing shall not be continued or provided

Weeds, Brush and Trees. Mowing or spraying of weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained

Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon

Road Surfacing. There will be no surfacing materials applied to Area Service System C Roads on a regular basis.

Shoulders. Shoulders will not be maintained on a regular basis

Crown. A crown will not be maintained on a regular basis

Repairs. There will be no road repair on a regular basis

Uniform Width. Uniform width for the traveled portion of the road will not be maintained

Inspections. Regular inspections will not be conducted; and

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Butler County that this County does hereby establish previously described road(s) Area Level Service "C" road(s), with restricted access and a minimal level of maintenance. Passed and Approved this 14th day of June, 2022

ATTEST: Leslie Groen

Rusty Eddy, Chairman

Butler County Auditor

Butler County Board of Supervisors

Moved by Barnett, second by Eddy to open the Public Hearing on proposed updates to Butler County Zoning Ordinances Title VI, Number 7. All ayes. Motion carried. Barnett

opened the public hearing by explained the zoning ordinance updates have been worked on by the Planning and Zoning Commission for over two years. Planning and Zoning Administrator, Misty Day, explained she has checked with INRCOG regarding the carbon pipelines

and explained counties do not have much authority regarding zoning or enforcing County ordinances. Barnett explained the carbon pipelines are state regulated. Day suggested the County could address the pipeline in a stand-alone ordinance when those ordinances become available. County Attorney, Dave Kuehner, addressed the use of resolutions, ordinances, and petitions that were suggested throughout the meeting, regarding both carbon pipelines and wind energy. Kuehner shared concern that County ordinances that were not enforceable and could end up in litigation, which would not benefit the County. George Cummings, Charles City, shared information regarding the Summit pipeline progress with easements, surveying, local support statements, etc. Barnett shared POET has announced it will sign on with the Navigator pipeline which will expand that pipeline, require a new application and restart the public hearing process. Barnett also explained the process of hiring a company to be the County's inspector and that the pipeline in turn compensates the county to pay those inspectors. Additional discussions were held regarding the overall opposition of wind turbines and carbon pipelines and discussed the negative effects of both. Many comments included rights of non-participating landowners and the negative effects on rich farm land, bird migration and property values. Eddy and Barnett both stated they do not wish to have wind turbines in Butler County. Eddy shifted the conversation to hog farms because he feels hog farms have similarities to wind turbines and carbon pipelines does not want any more of those in the County either. Kim Junker, New Hartford, reiterated they are in attendance to request stricter ordinances regarding the wind energy because the setbacks are still too close. Junker appreciated the public hearing requirements, but would like setbacks readdressed. Barnett asked Junker to email him the setbacks they would like to see. Day explained the Planning and Zoning Commission took INRCOG guidance regarding the setbacks and felt those with were sufficient with the additional ordinance standards in place. Discussions were held regarding public notice options and the opportunity to attend and provide input throughout the zoning ordinance update process. Day explained the Planning and Zoning

Commissions held work sessions and public hearings leading up to today's Board of Supervisors Public Hearing. Ted Junker, New Hartford, reminded the board they and collected over 450 signatures opposed to wind turbines in Butler County and feels that is enough to reconsider a stricter ordinance. Crystal Klahsen, Aplington, thanked the Board for their time and mentioned they have been at Grundy County Board of Supervisors in the past and Grundy County is looking to Butler County to see how we handle these ordinances. Klahsen requested some additional time to relook at the ordinances. Motioned by Barnett to close the public hearing, second by Eddy. All ayes. Motion carried. Motioned by Barnett, second by Eddy to table the first reading of the Butler County Zoning Ordinance Title VI, Number 7.

Motioned by Barnett, second by Eddy to open the Public Hearing on the Public Health Addition Project. EMA Director, Chris Showalter, reviewed the project and bid process. With no additional questions or comments, motioned by Barnett, second by Eddy to close the public hearing.

Motioned by Eddy, second by Barnett to approve Resolution 1039 to approve the Butler County Public Health Building Project as follows:

RESOLUTION #1039  
TO APPROVE THE BUTLER COUNTY PUBLIC HEALTH BUILDING PROJECT

WHEREAS, The Butler County Board of Supervisors previously approved \$1.5 million of the American Rescue Plan Funds for a new Public Health Building Project on February 15, 2022.

WHEREAS, The Butler County Board of Supervisors held a Public Hearing on June 14, 2022, to review the Project Manual for the proposed Butler County Public Health Addition, Project #2112202420, as provided by Shive-Hattery, Inc.

THEREFORE, BE IT RESOLVED; The Board of Supervisors of Butler County, State of Iowa, hereby approves the Project Manual including the Advertisement for Bids for the Public Health Building Project as presented June 14, 2022.

Upon Roll Call the vote thereon was as follows:

AYES: Rusty Eddy

NAYS: None

ABSENT: Tom Heidenwirth

Greg Barnett

WHEREUPON, the Resolution was

declared duly adopted this 14th day of June, 2022.

Rusty Eddy\_

ATTEST:

Chairman, Board of Supervisors  
Leslie Groen, County Auditor

County Engineer requested to table the review of Resolution 1037 amending FY2023 County 5 Year Program until next week as he is waiting on some additional information. Motioned by Eddy, second by Barnett to table Resolution 1037.

County Engineer, John Riherd, recommended to approve the utility permit for MidAmerican Energy to rebuild along Hickory/Ivy near 200th St. Motioned by Barnett to approve utility permit, second by Eddy. All ayes, motion carried.

Board canvassed the results of the June 7, 2022 Primary Election with Election Deputy Matt Wilken. General Election Party nominations for Butler County are as follows:

Republican

Democratic

Supervisor District 2:

Wayne Allan Dralle

No nomination

Supervisor District 3:

Rusty Eddy

No nomination

County Treasurer:

Roxanne Nicolaus

No nomination

County Recorder:

Janice Jacobs

No nomination

County Attorney:

David Kuehner

No nomination

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

Board acknowledged receipt of Manure Management Plan Short Form Annual Updates for RIG East #69505, RIG 2 West #69512, and Millertime Finisher Farm #63822.

Motioned by Barnett, second by Eddy to adjourn the regular meeting at 1:15 P.M. to June 21st, 2022 at 9:00 A.M. All ayes. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on June 14, 2022.

Attest: Leslie Groen

Rusty Eddy

Butler County Auditor

Chairman of the Board of Supervisors

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## NOTICE

### PUBLIC NOTICE AFFIRMATIVE FAIR HOUSING POLICY ADOPTED:

This notice is published pursuant to the requirements of Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with federal assistance, and with Title VIII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in the provision of housing because of race, color, religion, sex, national origin, or handicap or familial status.

The City of Allison, Iowa advises the public that it will administer its assisted programs and activities relating to housing and community development in a manner to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.

The City of Allison shall assist in-

dividuals who believe they have been subject to discrimination in housing through the resources of the Iowa Civil Rights Commission or the U.S. Department of Housing and Urban Development.

The City of Allison has designated the following City Clerk as the contact to coordinate efforts to comply with this policy. Inquiries should be directed to:

NAME: Alexis Wiegmann  
OFFICE: City Clerk, City of Allison  
ADDRESS: 410 North Main Street  
CITY/STATE/ZIP CODE: Allison, IA 50602  
PHONE NUMBER: (319)-267-2245  
HOURS: 8:00 AM to 4:30 PM; Monday-Friday

TJ - 26

## NOTICE

### NOTICE OF SHERIFF'S LEVY AND SAFE IN THE IOWA DISTRICT COURT IN AND FOR BUTLER COUNTY STATE OF IOWA BUTLER COUNTY CEDAR FALLS COMMUNITY CREDIT UNION VS SAMANTHA J. SCHMIDT; KARLA K. SCHMIDT AND LARRY L. SCHMIDT; IOWA NORTHLAND REGIONAL COUNCIL OF GOVERNMENTS; MIDLAND CREDIT MANAGEMENT, INC., LVNV FUNDING; STATE OF IOWA; PARTIES IN POSSESSION IOWA DISTRICT COURT BUTLER COUNTY CASE #: EQCV021870 CIVIL #: 22-000158 SPECIAL EXECUTION

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 state of defendant(s)

Real Estate  
Described Below  
To satisfy the judgment. The Property to be sold is  
LOTS FORTY-ONE (41) AND FORTY-TWO (42) IN WILLIAM ADAIR'S ADDITION TO SHELL

ROCK, BUTLER COUNTY, IOWA JUDGMENT IN REM  
Property Address: 404 E. COURTLAND ST., SHELL ROCK, IA 50670

The described property will be offered for sale at public auction for cash only as follows:  
Sale Date 07/28/2022  
Sale Time 11:00

Place of Sale BUTLER COUNTY SHERIFF'S OFFICE, 428 6TH ST, ALLISON, IA 50602  
This sale not subject to Redemption

Property exemption: Certain money or property may be exempt. Contact your attorney promptly to review specific provisions of the law and file appropriate notice, if acceptable.  
Judgment Amount \$83,342.72  
Costs \$6,704.12  
Accruing Costs PLUS Interest \$1,159.95  
Sheriff's Fees Pending Date 06/09/2022  
JASON S. JOHNSON  
BUTLER COUNTY SHERIFF  
Attorney  
DONALD B. REDFERN  
P.O. Box 627  
Cedar Falls, IA 50613

TJ - 25,26

## NOTICE

### NOTICE OF SHERIFF'S LEVY AND SALE IN THE IOWA DISTRICT COURT IN AND FOR BUTLER COUNTY STATE OF IOWA BUTLER COUNTY NATIONSTAR MORTGAGE, LLC DBA MR COOPER VS ALLAN FECKERS AKA ALLAN R. FECKERS; CHARLOTTE FECKERS AKA CHARLOTTE K. FECKERS; UNITED STATES OF AMERICA; INTERNAL REVENUE SERVICE; PARTIES IN POSSESSION; AND GMAC MORTGAGE LLC FKA GMAC MORTGAGE CORPORATION DBA DITECH. COM IOWA DISTRICT COURT BUTLER COUNTY CASE#: EQCV021533 CIVIL#: 22-000146 SPECIAL EXECUTION

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

Real Estate  
Described Below  
To satisfy the judgment. The Property to be sold is  
LOT ONE (1), AND AN UNDIVIDED ONE-EIGHTH (1/8) INTEREST IN HORSESHOE PLACE

OF HORSESHOE SUBDIVISION, LOCATED IN NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE 1/4 SE 1/4) SECTION 20, TOWNSHIP 90 NORTH, RANGE 15 WEST OF THE FIFTH P.M.

JUDGMENT IN REM  
Property Address: 29974 HORSESHOE PLACE, NEW HARTFORD, IA 50660

The described property will be offered for sale at public auction for cash only as follows:  
Sale Date 07/28/2022  
Sale Time 10:00

Place of Sale BUTLER COUNTY SHERIFF'S OFFICE, 428 6TH ST, ALLISON, IA 50602

Redemption: After the sale of real estate, defendant may redeem the property within 120 DAYS U.S. IRS Judgment Amount \$ 227,284.01  
Costs \$10,307.11  
Accruing Costs PLUS Interest \$20,835.71  
Sherriff's Fees Pending Date 05/31/2022

JASON S. JOHNSON  
BUTLER COUNTY SHERIFF  
Attorney  
MATTHEW E. LAUGHLIN  
215 10TH ST., SUITE 1300  
DES MOINES, IA 50309  
(515)246-7828

TJ - 25,26

## PROCEEDINGS

### MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JUNE 14, 2022.

Meeting called to order at 9:01 A.M. by Chairman Rusty Eddy with Greg Barnett present. Tom Heidenwirth was absent. Several others were in attendance. Moved by Barnett, second by Eddy to approve the agenda. All ayes. Motion carried.

Minutes of the June 7, 2022, regular meeting were read. Motioned by Barnett, second by Eddy to approve the minutes as read. All ayes. Motion carried. Minutes of the June 9, 2022, special meeting were read. Motioned by Barnett, second by Eddy to approve the minutes as read. All ayes. Motion carried.

During public comment, Helen Bowen, Shell Rock, was present and shared her concerns with the railroad crossings being blocked. Bowen understands the tracks need to be blocked on occasion and usually allows 30 minutes, but on Saturday they were blocked in for 1.5 hours. Barnett shared that he has already spoken with the railroad and they are reviewing the situation. Bowen feels the railroad should be fined large amounts when this happens so there is some accountability. County Engineer, John Riherd, explained the County's Secondary Roads 5 Year Plan includes realigning Lake Rd to reduce road crossings which would alleviate some of these issues; however, they are in the early stages of this planning. Barnett thanked Bowen for coming to share her concerns and he will call them back with additional information.

Motioned by Barnett, second by Eddy to open a Public Hearing on a Proposed Reclassification from an Area Level "B" to Area Level Service "C" of that portion of Orange Ave commencing 0.25 miles East of the NW corner Sec 28, T-93N, R16W (Dayton Twp) thence running South 0.55 miles. Riherd explained the location, reason for the reclassification and invited the property owners to comment. Steve Robisky, Cedar Falls, explained the road gets many unwanted visitors doing things they shouldn't be doing. Dallas Foster shared concerns regarding a small concrete bridge at the end of that road that needs work and felt it should be done before the road is gated. They explained the bridge is their only access to a couple of fields. Riherd felt a Level B or Level

C road would be maintained in the same manner and they could repair that bridge as time allows. Riherd committed to repairing the small bridge and stated such commitment would be recorded in today's board minutes and the bridge repairs would be addressed prior to harvest. Barnett motioned to close the Public Hearing, second by Eddy. All ayes. Motion carried.

Motioned by Barnett, second by Eddy to approve Resolution #1034 as follows:

Resolution #1034  
Resolution to classify road(s) to Area Service Level C of Orange Ave in Sec 28 Dayton TWP

Moved by Barnett and seconded by Eddy to approve the following resolution:

WHEREAS, Butler County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS, the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Level Service "C" roads pursuant to Iowa Code Section 309.57; and WHEREAS, the County has previously adopted Ordinance Title IV, Number 9 Class "C" Roads; and WHEREAS, the County has received a petition, signed by all adjoining landowners, requesting that That portion of Orange Ave commencing 0.25 miles East of the NW corner Sec 28, T-93N, R16W (Dayton Twp) thence running South 0.55 miles.

be reclassified from an Area Level Service "B" to Area Level Service "C"; and WHEREAS, upon reclassification to Area Service Level C, the only persons who will have access rights to the previously described road(s) shall be:

The owner, lessee, or person in lawful possession of any adjoining land,

The agent or employee of the owner, lessee or person in lawful possession of any adjoining land,  
Any peace officer,  
Any magistrate,  
Any public employee whose duty it is to supervise the use or perform maintenance of the road,

Any agent or employee of any utility located upon the road; and WHEREAS, upon reclassification to Area Service Level C, the mini-

mum level of maintenance on the previously described road(s) shall be as follows:

Blading. Blading or dragging will not be performed on a regular basis  
Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded or salted on a regular basis

Signing. Road shall be identified with a sign at all points of access to warn the public of the lower level of maintenance and except for load limit posting for bridges, other signing shall not be continued or provided

Weeds, Brush and Trees. Mowing and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained

Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon

Road Surfacing. There will be no surfacing materials applied to Area Service System C Roads on a regular basis.

Shoulders. Shoulders will not be maintained on a regular basis  
Crown. A crown will not be maintained on a regular basis

Repairs. There will be no road repair on a regular basis  
Uniform Width. Uniform width for the traveled portion of the road will not be maintained

Inspections. Regular inspections will not be conducted; and THEREFORE, BE IT RESOLVED by the Board of Supervisors of Butler County that this County does hereby establish previously described roads(s) Area Level Service "C" road(s), with restricted access and a minimal level of maintenance. Passed and Approved this 14th day of June, 2022

ATTEST: Leslie Groen  
Rusty Eddy, Chairman  
Butler County Auditor

Butler County Board of Supervisors  
Moved by Barnett, second by Eddy to open the Public Hearing on proposed updates to Butler County Zoning Ordinances Title VI, Number 7. All ayes. Motion carried. Barnett opened the public hearing by explained the zoning ordinance updates have been worked on by the Planning and Zoning Commission for over two years. Planning and Zoning Administrator, Misty Day, explained she has checked with INRCOG regarding the carbon pipelines

and explained counties do not have much authority regarding zoning or enforcing County ordinances. Barnett explained the carbon pipelines are state regulated. Day suggested the County could address the pipeline in a stand-alone ordinance when those ordinances become available. County Attorney, Dave Kuehner, addressed the use of resolutions, ordinances, and petitions that were suggested throughout the meeting, regarding both carbon pipelines and wind energy. Kuehner shared concern that County ordinances that were not enforceable and could end up in litigation, which would not benefit the County. George Cummings, Charles City, shared information regarding the Summit pipeline progress with easements, surveying, local support statements, etc. Barnett shared POET has announced it will sign on with the Navigator pipeline which will expand that pipeline, require a new application and restart the public hearing process. Barnett also explained the process of hiring a company to be the County's inspector and that the pipeline in turn compensates the county to pay those inspectors. Additional discussions were held regarding the overall opposition of wind turbines and carbon pipelines and discussed the negative effects of both. Many comments included rights of non-participating landowners and the negative effects on rich farm land, bird migration and property values. Eddy and Barnett both stated they do not wish to have wind turbines in Butler County. Eddy shifted the conversation to hog farms because he feels hog farms have similarities to wind turbines and carbon pipelines does not want any more of those in the County either. Kim Junker, New Hartford, reiterated they are in attendance to request stricter ordinances regarding the wind energy because the setbacks are still too close. Junker appreciated the public hearing requirements, but would like setbacks readdressed. Barnett asked Junker to email him the setbacks they would like to see. Day explained the Planning and Zoning Commission took INRCOG guidance regarding the setbacks and felt those with were sufficient with the additional ordinance standards in place. Discussions were held regarding public notice options and the opportunity to attend and provide input throughout the zoning ordinance update process. Day explained the Planning and Zoning

Commissions held work sessions and public hearings leading up to today's Board of Supervisors Public Hearing. Ted Junker, New Hartford, reminded the board they and collected over 450 signatures opposed to wind turbines in Butler County and feels that is enough to reconsider a stricter ordinance. Crystal Klahsen, Aplington, thanked the Board for their time and mentioned they have been at Grundy County Board of Supervisors in the past and Grundy County is looking to Butler County to see how we handle these ordinances. Klahsen requested some additional time to relook at the ordinances. Motioned by Barnett to close the public hearing, second by Eddy. All ayes. Motion carried. Motioned by Barnett, second by Eddy to table the first reading of the Butler County Zoning Ordinance Title VI, Number 7.

Motioned by Barnett, second by Eddy to open the Public Hearing on the Public Health Addition Project. EMA Director, Chris Showalter, reviewed the project and bid process. With no additional questions or comments, motioned by Barnett, second by Eddy to close the public hearing.

Motioned by Eddy, second by Barnett to approve Resolution 1039 to approve the Butler County Public Health Building Project as follows:

RESOLUTION #1039  
TO APPROVE THE BUTLER COUNTY PUBLIC HEALTH BUILDING PROJECT

WHEREAS, The Butler County Board of Supervisors previously approved \$1.5 million of the American Rescue Plan Funds for a new Public Health Building Project on February 15, 2022.

WHEREAS, The Butler County Board of Supervisors held a Public Hearing on June 14, 2022, to review the Project Manual for the proposed Butler County Public Health Addition, Project #2112202420, as provided by Shive-Hattery, Inc.

THEREFORE, BE IT RESOLVED; The Board of Supervisors of Butler County, State of Iowa, hereby approves the Project Manual including the Advertisement for Bids for the Public Health Building Project as presented June 14, 2022.

Upon Roll Call the vote thereon was as follows:

AYES: Rusty Eddy  
NAYS: None  
ABSENT: Tom Heidenwirth  
Greg Barnett  
WHEREUPON, the Resolution was

declared duly adopted this 14th day of June, 2022.

Rusty Eddy\_  
ATTEST:  
Chairman, Board of Supervisors  
Leslie Groen, County Auditor  
County Engineer requested to table the review of Resolution 1037 amending FY2023 County 5 Year Program until next week as he is waiting on some additional information. Motioned by Eddy, second by Barnett to table Resolution 1037.

County Engineer, John Riherd, recommended to approve the utility permit for MidAmerican Energy to rebuild along Hickory/Ivy near 200th St. Motioned by Barnett to approve utility permit, second by Eddy. All ayes, motion carried.

Board canvassed the results of the June 7, 2022 Primary Election with Election Deputy Matt Wilken. General Election Party nominations for Butler County are as follows:

Republican  
Democratic  
Supervisor District 2:  
Wayne Allan Dralle  
No nomination  
Supervisor District 3:  
Rusty Eddy  
No nomination  
County Treasurer:  
Roxanne Nicolaus  
No nomination  
County Recorder:  
Janice Jacobs  
No nomination  
County Attorney:  
David Kuehner  
No nomination  
Motioned by Barnett, second by Eddy to approve claims. All ayes. Motion carried.

Board acknowledged receipt of Manure Management Plan Short Form Annual Updates for RIG East #69505, RIG 2 West #69512, and Millertime Finisher Farm #63822.

Motioned by Barnett, second by Eddy to adjourn the regular meeting at 1:15 P.M. to June 21st, 2022 at 9:00 A.M. All ayes. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on June 14, 2022.

Attest: Leslie Groen  
Rusty Eddy  
Butler County Auditor  
Chairman of the Board of Supervisors

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