

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MAY 24, 2022.

Meeting called to order at 8:59 A.M. by Chairman Rusty Eddy with members Tom Heidenwirth and Greg Barnett present. Moved by Heidenwirth, second by Barnett to approve the agenda. All ayes. Motion carried.

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

During public comment Rick Swarts, New Hartford, shared concerns regarding bumps on the overflow bridge near his home. County Engineer, John Riherd, stated they would take a look at it.

Planning and Zoning Administrator, Misty Day, reviewed the public hearing items listed on the agenda and explained there will no longer be a public hearing regarding the 'Dana Minor Plat'. A new date and time to Hold a Public Hearing

for each of the following was set for May 31, 2022 at 9:00 A.M.:

'Bass-Feckers Minor Plat' located in the NW ¼ NE ¼ and NE ¼ of Section 15, Township 90N, Range 15W.

Construction Permit Application by Coster Finisher Farm for a new swine facility. Location of the proposed facility is in the NE ¼ of the SE ¼ of Section 24, Township 91N, Range 16W.

A utility permit was considered for Dumont Telephone – expansion of fiber network 280th St – 270th St near HWY 14. County Engineer, John Riherd, relayed that it is a popular ask to get fiber in this location and recommended the approval of the utility permit. Barnett motioned to approve, second by Heidenwirth. All ayes. Motion carried.

Board considered setting public hearing for proposed reclassification of portion of Orange Ave south of 140th St in Dayton TWP. Riherd explained that the owners are seeking to reclassify the section of the road to a level C where a gate

can then be installed. A date and time for a public hearing was set for June 14th at 9:00 A.M.

Misty Day outlined the Butler County Zoning Ordinance updates. She explained that they would allow a 'Shouse', in-ground homes, exceptions for tiny homes, and included details on rural property. More detailed standards regarding cell phone towers, permits for small and large wind towers, solar energy, and other zoning restrictions. Day mentioned that she and County Engineer, John Riherd, would be working together on these permits and decisions. The Special events section was revised as well so that any large gatherings of more than 200 would be reviewed. Barnett asked if any updates were dedicated to addressing the pipeline. It was mentioned that most is done at the State level. Riherd mentioned that some language could be added that would address it at the County level. The Board agreed to begin the public hearing process regarding the proposed updates and Day proposed to begin those

on June 14th, 2022. Next week's agenda will include setting a formal date and time for those ordinance readings.

Barnett moved to enter closed session, to discuss the 911 Tower litigation, at 9:39 A.M., second by Heidenwirth. Moved by Barnett, second by Heidenwirth to enter open session at 10:16 A.M.

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

Motioned by Heidenwirth, second by Barnett to adjourn the regular meeting at 10:16 A.M. to May 31, 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 May 24, 2022.

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

CS - 23

NOTICE

NOTICE OF PUBLIC HEARING BUTLER COUNTY

The Butler County Board of Supervisors will meet at 9:00 A.M. on June 14th, 2022, in the EOC Conference Room, Basement of the Butler County Courthouse, Allison, Iowa. At this meeting the Board will: Hold a Public Hearing on a proposed reclassification from an Area Level

"B" to Area Level Service "C" of that portion of Orange Ave com-

mencing 0.25 miles East of the NW corner Sec 28, T-93N, R16W (Dayton Twp) thence running South 0.55 miles.

Oral or written comments may be submitted to the Butler County Courthouse; PO Box 325, Allison, Iowa, or by calling the Butler County Engineer's Office at (319) 267-2630 or via email to engineer@butlercounty.iowa.gov

CS - 23

NOTICE

NOTICE OF PUBLIC HEARING BUTLER COUNTY

Notice is hereby given that a public hearing will be held by the Butler County Board of Health in the Butler County Courthouse, Basement EOC, located at 428 6th Street in Allison, Iowa, at 4:00 PM on June 14th, 2022. The purpose of this hearing is to vote on the update to Title V, Ordinance #9 – Health Regulations (Private Sewage Disposal Systems), which is available for review on the Butler County website.

Any persons wishing to be heard on this matter will be afforded the opportunity to be heard. Written comments will be accepted through 1:00 PM the day before the public hearing. Comments may be sent to Butler County Courthouse; 428 6th Street; Allison, Iowa 50602. Oral questions or comments can be directed to Butler County Environmental Health Specialist at (319) 267-2992 or via email to mday@butlercounty.iowa.gov.

CS - 23

NOTICE

NOTICE OF PUBLIC HEARING BUTLER COUNTY

Notice is hereby given that a public hearing will be held by the Butler County Board of Supervisors in the Butler County Courthouse, Basement EOC, located at 428 6th Street in Allison, Iowa, at 9:00 AM on June 14th, 2022. The purpose of this hearing is to solicit citizen input on a proposed draft of a Butler County Zoning Ordinance Update.

The draft Butler County Zoning Ordinance Update, in addition to text, proposes to regulate land use, density, and bulk requirements (i.e. yard setbacks, height, yard area, etc.) within the unincorporated

area of the county. A copy of the proposed Ordinance is available at the County Courthouse and on the County's website.

Any persons wishing to be heard on this matter will be afforded the opportunity to be heard. Written comments will be accepted through 1:00 PM the day before the public hearing. Comments may be sent to Butler County Courthouse; 428 6th Street; Allison, Iowa 50602. Oral questions or comments can be directed to Butler County Planning and Zoning at (319) 267-2992 or via email to mday@butlercounty.iowa.gov.

CS - 23

NOTICE

NOTICE OF PUBLIC HEARING FOR IOWA CITIES, COUNTIES AND SCHOOL DISTRICTS BUTLER COUNTY PUBLIC HEALTH ADDITION BUTLER COUNTY, IA

To Whom It May Concern:

You are hereby notified that at 9:00 AM, Central Time on June 14, 2022, at the 428 6th Street, Allison, IA 50602, there will be a public hearing on the proposed plans, specifications, form of contract, and estimated cost of the project. Any persons interested may appear and file objections to the proposed plans, specifications, form of contract, or cost of such improvement.

The following is a description of

the Public Improvement. The project consists of 4256 sf addition and 1280 sf of garage area to the existing County Emergency Management Building to include exam rooms, office space, and medical support spaces for the Public Health Department.

The location of the project is as follows:

Proposed drawings, specifications, and form of contract may be examined at Butler County, IA, during the hours of 8:00 AM to 3:30 PM.

Published by order of the Board of Directors, Butler County, IA.
By: Leslie Groen
Title: Butler County Auditor

CS - 23

NOTICE

LEGAL NOTICE NOTICE OF SHERIFF'S SALE OF UNUSED PROPERTY OWNED BY BUTLER COUNTY, IA

The Board of Supervisors of Butler County, Iowa, has instructed a Sheriff's Sale of unused real property owned by Butler County, IA. The property to be sold is: LOT THREE HUNDRED THREE (303) AND THE NORTH FOUR FEET (N. 4 FT.) OF LOT THREE HUNDRED FOUR (304) IN THE TOWN OF ALLISON, BUTLER COUNTY, IOWA. Property Address: 315 NORTH MAIN ST, ALLISON, IA 50602

The described property will be offered for sale at public auction, with the building and remaining contents included, for cash only as follows:

Sale Date: June 27, 2022
Sale Time: 10:00 A.M.
Place of Sale: Butler County Sheriff's Office, 428 6th St, Allison, IA 50602
By order of the Board of Supervisors of Butler County, Iowa.
Leslie Groen
Butler County Auditor

CS - 23

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 LONNA R. CHRISTENSEN, DECEASED CASE NO. ESPR017251

To All Persons Interested in the Estate of Lonna R. Christensen, Deceased, who died on or about November 14, 2021:

You are hereby notified that on November 29, 2021, the Last Will and Testament of Lonna R. Christensen, deceased, bearing date of March 10, 2009, was admitted to probate in the above named court and that Dustin Christensen 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 to 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 December 3, 2021.
Dustin Christensen, Executor of Estate
2775 N. 152nd Dr.
Goodyear, AZ 85395
Ethan David Epley, ICIS#: AT0010211
Attorney for Executor
Stumme, Collins, Gritters & Epley, PLLC
171 E. Main St
PO Box 50
Denver, IA 50622
Date of second publication June 16, 2022.

TJ - 23,24

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 EDO W. MILLER, DECEASED CASE NO. ESPR017314

To All Persons Interested in the Estate of Edo W. Miller, Deceased, who died on or about April 20, 2022:

You are hereby notified that on May 25, 2022, the Last Will and Testament of Edo W. Miller, deceased, bearing date of August 28, 2018, was admitted to probate in the above named court and that Ryan D. Miller 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 to 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 (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated May 26, 2022.
Ryan D. Miller, Executor of Estate
341 7 Eula Drive
Urbandale, IA 50322
/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 June 9, 2022.

TJ - 22,23

NOTICE

NOTICE OF PUBLIC HEARING BUTLER COUNTY

The Butler County Board of Supervisors will meet at 9:00 A.M. on June 14th, 2022, in the EOC Conference Room, Basement of the Butler County Courthouse, Allison, Iowa. At this meeting the Board will: Hold a Public Hearing on a proposed reclassification from an Area Level

"B" to Area Level Service "C" of that portion of Orange Ave com-

mencing 0.25 miles East of the NW corner Sec 28, T-93N, R16W (Dayton Twp) thence running South 0.55 miles.

Oral or written comments may be submitted to the Butler County Courthouse; PO Box 325, Allison, Iowa, or by calling the Butler County Engineer's Office at (319) 267-2630 or via email to engineer@butlercounty.iowa.gov

TJ - 23

NOTICE

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area of the county. A copy of the proposed Ordinance is available at the County Courthouse and on the County's website.

Any persons wishing to be heard on this matter will be afforded the opportunity to be heard. Written comments will be accepted through 1:00 PM the day before the public hearing. Comments may be sent to Butler County Courthouse; 428 6th Street; Allison, Iowa 50602. Oral questions or comments can be directed to Butler County Planning and Zoning at (319) 267-2992 or via email to mday@butlercounty.iowa.gov.

TJ - 23

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MAY 24, 2022.

Meeting called to order at 8:59 A.M. by Chairman Rusty Eddy with members Tom Heidenwirth and Greg Barnett present. Moved by Heidenwirth, second by Barnett to approve the agenda. All ayes. Motion carried.

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

During public comment Rick Swarts, New Hartford, shared concerns regarding bumps on the overflow bridge near his home. County Engineer, John Riherd, stated they would take a look at it.

Planning and Zoning Administrator, Misty Day, reviewed the public hearing items listed on the agenda and explained there will no longer be a public hearing regarding the 'Dana Minor Plat'. A new date and time to Hold a Public Hearing

for each of the following was set for May 31, 2022 at 9:00 A.M.: 'Bass-Feckers Minor Plat' located in the NW ¼ NE ¼ and NE ¼ of Section 15, Township 90N, Range 15W.

Construction Permit Application by Coster Finisher Farm for a new swine facility. Location of the proposed facility is in the NE ¼ of the SE ¼ of Section 24, Township 91N, Range 16W.

A utility permit was considered for Dumont Telephone – expansion of fiber network 280th St – 270th St near HWY 14. County Engineer, John Riherd, relayed that it is a popular ask to get fiber in this location and recommended the approval of the utility permit. Barnett motioned to approve, second by Heidenwirth. All ayes. Motion carried.

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can then be installed. A date and time for a public hearing was set for June 14th at 9:00 A.M.

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on June 14th, 2022. Next week's agenda will include setting a formal date and time for those ordinance readings.

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

Motioned by Heidenwirth, second by Barnett to adjourn the regular meeting at 10:16 A.M. to May 31, 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 May 24, 2022.

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

TJ - 23

NOTICE

THE IOWA DISTRICT COURT BUTLER COUNTY NOTICE OF APPOINTMENT OF ADMINISTRATOR AND NOTICE TO CREDITORS IN THE MATTER OF LARRY DEAN JUNGILING, DECEASED.

Case No. ESPR017311
To All Persons Interested in the Estate of LARRY DEAN JUNGILING, Deceased, who died on or about April 21, 2022:

You are hereby notified that on May 6, 2022, the last will and tes-

tament of Larry Dean Jungiling, deceased; bearing date of January 6, 2021 admitted to probate in the above named court and that Melissa Jungiling is 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 to 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 al-

lowed or paid) a claim is thereafter forever barred.

Dated on May 9, 2022.
Brian D. Miller, ICIS PIN No: AT0005428
Attorney for the Executor
123 Federal Street North, Hampton, IA
Melissa Jungiling
1211 N. Elm Street
Dumont, IA 50625
Date of second publication June 16, 2022

TJ - 23,24

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 OBA MR COOPER VS ALLAN R. 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 EDITION

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
Sheriffs 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 - 23, 24

NOTICE

LEGAL NOTICE NOTICE OF SHERIFF'S SALE OF UNUSED PROPERTY OWNED BY BUTLER COUNTY, IA

The Board of Supervisors of Butler County, Iowa, has instructed a Sheriff's Sale of unused real property owned by Butler County, IA.

The property to be sold is: LOT THREE HUNDRED THREE (303) AND THE NORTH FOUR FEET (N. 4 FT.) OF LOT THREE HUNDRED FOUR (304) IN THE TOWN OF ALLISON, BUTLER COUNTY, IOWA. Property Address: 315 NORTH MAIN ST, ALLISON, IA 50602

The described property will be offered for sale at public auction, with the building and remaining contents included, for cash only as follows:

Sale Date: June 27, 2022
Sale Time: 10:00 A.M.
Place of Sale: Butler County Sheriff's Office, 428 6th St, Allison, IA 50602

By order of the Board of Supervisors of Butler County, Iowa.

Leslie Groen
Butler County Auditor

TJ - 23