

PROCEEDINGS

SPECIAL MEETING SHELL ROCK CITY COUNCIL JULY 27, 2021

Mayor Larry Young called the special meeting to order in the City ... Hall at 6:00 p.m. with the Pledge of Allegiance. Council Members Donald Bonzer, Robyn Holden, Michael Klinefelter, Jared Krull, and Garrett Schuldt were present. City Attorney Bruce Toenjes, Lyle TeKippe of Fehr-Graham Engineering, and Public Works Director Mike Tellinghuisen were in the audience. Motion by Bonzer seconded by Holden to approve the agenda with any additions. Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldt. Nays-None. Motion carried. Mayor Young opened the public hearing at 6:01 p.m. to consider the Shell Rock 2021 Street Improvements Project No. 21-382 the plans and specifications, estimate of cost and proposed form of contract to act upon bid proposals and to consider entering into a contract for said improvements. There were no comments either written or oral and the hearing was closed at 6:02 p.m. Mayor Young opened the public hearing at 6:02 p.m. to consider the Shell Rock Center Street Improvements Project No. 21-383 the plans and specifications, estimate of cost and proposed form of contract to act upon bid proposals and to consider entering into a contract for said improvements. There were no oral or written comments and the hearing was closed at 6:03 p.m. Lyle TeKippe of Fehr-Graham Engineering presented the one bid that was submitted for the 2021 Street Improvements Project Number 21-382 from Heartland Asphalt Inc. for the total bid price of \$803,139.60. Motion by

Krull seconded by Klinefelter to award the contract for the 2021 Street Improvements, Shell Rock, Iowa, Project #21-382 to Heartland Asphalt, Inc. of Mason City, Iowa in the amount \$803,139.60 for the base bid and the alternate bid. Roll Call Vote: Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldt. Nays-None. Motion carried. Lyle TeKippe of Fehr-Graham Engineering reviewed the bids for the Shell Rock Center Street Improvements, Project No. 21-383 with the council. The bids received were Mehmert Tiling Inc. base bid \$231,236.57 and with alternates \$248,785.52, Barry Smith Grading & Excavating base bid \$231,822.30 and with alternates \$249,898.80, Baker Enterprises, Inc. base bid \$239,412.80 and with alternates \$259,267.80, Cole Excavating base bid \$264,948.00 and with alternates \$282,507.00, and Vieth Const. Corp. base bid \$281,355.25 and with alternates \$303,426.75. Motion by Krull seconded by Holden to award the contract for the Center Street Improvements, Shell Rock, Iowa, Project #21-383 for the base bid only, not including the alternates to Mehmert Tiling Inc. of Lime Springs, Iowa in the amount of \$231,236.57. Roll Call Vote: Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldt. Nays-None. Motion carried. Motion by Klinefelter seconded by Holden to approve Resolution 034-2021, RESOLUTION APPROVING JOINT AGREEMENT WITH BUTLER COUNTY, STATE OF IOWA, AGREEING AND AUTHORIZING BUTLER COUNTY, IOWA, TO PROCEED WITH THE AMENDMENT OF AN URBAN RENEWAL AREA TO THE BUTLER COUNTY LOGISTICS PARK URBAN RENEWAL PLAN,

AND THE UNDERTAKING OF URBAN RENEWAL PROJECTS THEREIN WITHIN TWO MILES OF THE CITY OF SHELL ROCK, IOWA, BY AMENDING CHAPTER 52, REGARDING NOTICE TO CUT WEEDS AND GRASSES. Roll Call Vote: Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldt. Nays-None. Motion carried. Motion by Krull seconded by Bonzer to upgrade the lease contract with Gordon Flesch Company for the Canon copier in City Hall for an average annual savings based on usage of \$174.32. The new copier will be a Canon iR ADB DX C3725i. Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldt. Nays-None. Motion carried. Motion by Krull seconded by Bonzer to upgrade the lease contract with Gordon Flesch Company for the Canon copier in City Hall for an average annual savings based on usage of \$174.32. The new copier will be a Canon iR ADB DX C3725i. Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldt. Nays-None. Motion carried. Mayor Attest: Marilyn Hardee City Clerk

CS-31

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JULY 20, 2021.

With social distancing guidelines being maintained at in-person meetings, an electronic participation option is made available. 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 Greg Barnett with members Rusty Eddy and Tom Heidenwirth present. Moved by Heidenwirth, second by Barnett to approve the agenda. All ayes. Motion carried. Minutes of the previous meeting were read. Motioned by Heidenwirth, second by Eddy to approve the minutes as read. All ayes. Motion carried. No public comment received. The Board reviewed the Treasurer's semi-annual report and it will be placed on file.

Auditor, Leslie Groen, requested a temporary increase in Auditor's office deputies/clerks due to a retirement. Groen explained a temporary increase will allow for hiring someone now to train with the retiring employee during the upcoming election season. Discussions were held regarding timing, budget and salary. Motioned by Barnett, second by Heidenwirth to approve the temporary increase in Auditor's office deputies. All ayes. Motion carried. Auditor, Leslie Groen, shared that the County is beginning a scheduled FY2021 County audit which will be conducted by the Iowa Auditor of State office. Groen mentioned the audit will begin with an entrance conference on July 26th, and the audit will be conducted through a combination of state auditors working on-site and remotely. Recorder, Janice Jacobs, confirmed they will be on-site July 28th and July 29th. Motioned by Eddy, second by Heidenwirth to go into closed session to discuss possible litigation. All ayes. Motion carried. Motioned by Eddy, second by Heidenwirth to return to open session.

All ayes. Motion carried. Barnett explained there is no action to be taken at this time. Motioned by Barnett, second by Heidenwirth to approve claims. All ayes. Motion carried. Board acknowledged receipt of Manure Management Plan Annual Updates for Leroy Finisher Farm, Greene Finisher Farm, Harken Finisher Farm, Iowa Swine Utopia - Polk Site 2, DCI Bennezette #70515, and RIG Bennezette #70601. Motioned by Heidenwirth, second by Eddy to adjourn the regular meeting at 9:38 A.M. to July 27, 2021 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 July 20, 2021. Attest: Leslie Groen Greg Barnett Butler County Auditor Chairman of the Board of Supervisors CS-31

ORDINANCE

ORDINANCE NO. 384 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHELL ROCK, IOWA, BY AMENDING CHAPTER 52, REGARDING NOTICE TO CUT WEEDS AND GRASSES

BE IT ENACTED by the City Council of the City of Shell Rock, Iowa: SECTION 1. Chapter 52 of the Shell Rock Code of Ordinances as amended, Section 52.02 OPPORTUNITY TO ABATE is repealed and the following adopted in lieu thereof: 52.02 OPPORTUNITY TO ABATE. Notice by certified mail or ordinance shall be given to the property owner when it is determined that weeds and/or grasses constitute a nuisance. Said property owner shall have seven (7) days in which to cut the weeds and/or grasses or to request a hearing before the City Council. The seven (7) day notice period time may be shortened in case of severe conditions or other emergency. Notice shall not be required in event of emergency. (Code of Iowa, Sec. 354.12(3)(g),(h))

SECTION 2. Chapter 52 of the Shell Rock Code of Ordinances as amended, Section 52.03 REQUEST FOR HEARING is repealed and the following adopted in lieu thereof: 52.03 REQUEST FOR HEARING. The property owner may request a hearing before the City Council by written request to the Mayor at City Hall. (Code of Iowa, Sec. 354.12(3)(g),(h)) SECTION 3. Chapter 52 of the Shell Rock Code of Ordinances as amended, Section 52.04 ABATEMENT is repealed and the following adopted in lieu thereof: 52.04 ABATEMENT. If, after due notice any weeds and/or grasses have not been cut, or in event of emergency, the City or its contractor shall cut the weeds and/or grasses. Notwithstanding Sections 52.02 and 52.03 above, if a nuisance of tall grasses and/or weeds as described in Section 52.01 recurs during a calendar year for a property after notice has been given once in the calendar year, the initial notice shall be sufficient notice of the nuisance condition and the requirement for

cutting, and additional notices or notices during that calendar year shall not be required before the City shall cut the weeds and/or grasses and assess the costs pursuant to Section 52.05. (Code of Iowa, Sec. 354.12(3)(g),(h)) SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law. SECTION 6. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional. Passed and approved this 27th day of July, 2021. CS-31

ORDINANCE

ORDINANCE NO. 383 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHELL ROCK, IOWA, BY ADDING OR AMENDING ZONING REGULATIONS, ACCORDING TO THE FOLLOWING SECTIONS, WHICH WERE ORIGINALLY ESTABLISHED IN ORDINANCE #364

Be it Enacted by the City Council of the City of Shell Rock, Iowa:

SECTION 1. The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended by adding or amending the following Ordinance definitions to Article I.

New Definitions:

Section 1.05
 Accessory Dwelling Unit: An accessory dwelling unit, or ADU, is an additional residential building that occupies the same lot as the principal or primary residence. ADUs are typically smaller, independent residential dwelling units located on the same lot as a standalone single-family home.

Section 1.05
 Patio: A patio is a structure or surface built at ground level from bricks, concrete, or tile.

Section 1.05
 Porch: A porch is a structure made of concrete or wood, extending from the front door that is level with the front of the house. A porch may be covered or have a roof. An attached porch, covered or not, shall be considered part of the principal building for setback measurement purposes and, if covered, shall not be allowed the exceptions outlined in Article XVI of this Ordinance.

Section 1.05
 Restaurants, mobile (Also known as a food truck) (excludes farmers markets and fresh produce stands). A temporary, mobile food service that is constructed on a trailer or within a vehicle and can be parked legally in a District that allows restaurants as a principal permitted use. This use requires a permit from the City with a copy of the vendor's state permit attached.

Section 1.05
 Shipping Container: A large, strong container, or portable compartment in which freight is placed (as on a truck, train, or ship), which is usually constructed of metal and is used to store goods during movement, transport, or shipment. A shipping container may also be known as an "intermodal freight container".

Section 1.05
 Shouse: A shouse (combining the terms 'shop' and 'house') is a personal workshop and/or storage space connected to a house or living quarters. The house/living quarters can be a primary residence or part-time residence (i.e. used for weekends or serve as vacation property) and is often located on land utilized for hunting, fishing, or other recreational purposes.

Section 1.05
 Terrace: A terrace is a relatively level paved or planted area adjoining a building that may be serving as an outdoor living area. A terrace may also be a raised, nearly level, area created by wood, masonry, or turf.

Section 1.05
 Tiny House: A tiny house is considered a dwelling that is four hundred (400) square feet in floor area or less, excluding lofts.

Amended Existing Definitions:

33.
 Deck: An outdoor structure that is attached to a house or accessory building which is generally constructed of wood and used for recreational or relaxation purposes. A freestanding deck is not an accessory building unless it is a minimum

of six (6) feet away from other buildings or structures. An attached deck shall be considered part of the principal building for setback measurement purposes. A deck shall not include a roof that is attached to the principal building or use.

37
 Lot, Corner: A lot abutting upon two (2) or more streets at their intersections (See Figure 4). For the purposes of this Ordinance, 'corner lots' shall have one (1) front yards, as determined by the side of the principal use from which the address is derived.

SECTION 2.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended by adding or amending the following Zoning Districts to address the definitions proposed in the prior Section of this Ordinance.

"A-1" LARGE LOT RESIDENTIAL DEVELOPMENT DISTRICT
 Section 4.01
PRINCIPAL PERMITTED USES
 12. Shouse, provided they meet the "Other Permitted Use" Bulk Requirements

"R-4" MOBILE HOME PARK DISTRICT
 Section 8.00
GENERAL DESCRIPTION
 The "R-4" Mobile Home District is intended and designed for mobile and tiny home development. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each use permitted in the district.

"C-1" CENTRAL COMMERCIAL DISTRICT
 Section 12.01
PRINCIPAL PERMITTED USES
 58. Restaurants (permanent or mobile), taverns, and cafes.

"M-1" LIGHT INDUSTRIAL AND/OR MANUFACTURING DISTRICT
 Section 12.01
PRINCIPAL PERMITTED USES
 20. Shipping containers used for storage purposes

SECTION 3.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended by adding an additional district to Article II, as well as adjusting the titles or labels of the two Agricultural Districts.

Section 2.00 ESTABLISHMENT OF DISTRICTS
 For the purposes of this Ordinance, the City of Shell Rock is hereby organized into the following zoning districts:

Agricultural District
 "A-1" Large Lot Residential Development District
 "A-2" Suburban Agricultural District
 Residence Districts
 "R-1" Single Family Residential District
 "R-2" Low Density Residential District
 "R-3" Multiple Residential District
 "R-4" Mobile Home Park District
 "R-5" Planned Residential Development District
 Commercial Districts
 "C-1" Central Commercial District
 "C-2" Commercial District
 Manufacturing Districts
 "M-1" Light Industrial and/or Manufacturing District "M-2" Heavy Industrial and/or Manufacturing District

SECTION 4.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended in the following manner regarding Accessory Buildings, under Article III.

Section 3.02 ACCESSORY BUILDINGS,

STRUCTURES, AND USES (INCLUDING SWIMMING POOLS)

1
 Time of Construction: No accessory building or structure shall be constructed on any lot prior to the completion of the foundation of the principal building to which it is accessory.

2
 Percentage of Rear Yard Occupied Within an "R" District: No detached accessory building or buildings shall occupy more than thirty (30) percent of the area of a yard.

3
 Height of Accessory Buildings Within an "R" District: No detached accessory building or structure shall exceed eighteen (18) feet in height, and the side walls shall not exceed twelve (12) feet in height.

4
 Location on Lot: Accessory buildings are allowed in all types of yards in all districts, with the exception of in the Commercial Districts. No accessory building or structure shall be erected in any front yard of any Commercial District. Accessory buildings or structures shall be no closer than six (6) feet from any principal buildings, measured from the wall of each structure.

5
 Number of Accessory Structures Allowed Within an "R" District: A maximum of three (3) accessory structures shall be allowed per lot.

6
 Materials Used for Accessory Buildings Within an "R" District: Accessory building walls or roofs shall not be constructed of any type of fabric, plastic, vinyl, or fibrous materials, nor shall the structure be constructed or supported primarily of PVC or similar plastic tubing. Further, an accessory building shall not be constructed of any used or salvaged materials. Temporary garden awnings are exempted from this requirement.

7
 Swimming Pools Requiring a Permit: Permanent swimming pools shall be considered an accessory building or structure for the purposes of this ordinance and shall require a city issued permit. Fencing of a permanent swimming pool shall be the responsibility of the owner and will not be inspected by the city.

8
 Swimming Pools Not Requiring a Permit: Temporary swimming pools that are removed seasonally shall not be considered an accessory building or structure for the purposes of this ordinance and are not regulated by the city.

SECTION 5.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended in the following manner to allow more than one principal structure per lot in certain zoning districts, as described in Article III.

Section 3.03 PRINCIPAL STRUCTURE(S) ON A LOT
 Unless otherwise allowed, only one principal use or structure will be allowed on a lot. However, in the "A-1", "A-2", and "R-2" Districts, two (2) principal structures, each containing the same principal permitted use, may be erected on a single lot provided that the area, yard, and other requirements are met for each. This shall include Accessory Dwelling Units.

SECTION 6
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended in the following manner regarding fence requirements within Article III.

Section 3.12 Fences
 1.

Fences in an "R" District: Residential fences or landscape features such as sculpture or walls may be erected or constructed. No portion of the fence shall extend onto adjacent property or right-of-way, however it may be built on a property line provided the location of which is known. Fences are must follow setbacks areas. No such fence in any side, or rear yard having street frontage shall exceed four (4) feet in height and eight (8) feet in height in the case of side and rear yards not having street frontage. Fences are Rat allowed in a front yard, including on a corner lot. For corner lots, there shall be one (1) recognized front yards for the purposes of this Ordinance, and a fence, which may not exceed four (4) feet in height, may be allowed in the front or side yard; front yard is defined as the side of the principal use from where the property in question's address is derived. Fences shall not be constructed of used or salvaged materials, nor shall they have barbed wire. Fences shall have the finished side facing out, or away from the owner's property, with the support poles on the inside, or facing the owner's property.

2.
 Fences in Other Districts or Where the Use is Other than a Residential Use: Nonresidential fences located in a district other than an "R" District shall not be less than four (4) feet nor exceed eight (8) feet in height. No portion of the fence shall extend onto adjacent property or right-of-way, however it may be built on a property line provided the location of which is known. Fences are allowed in setback areas. Fences shall not be constructed of used or salvaged materials. Fences shall have the finished side facing out, or away from the owner's property, with the support poles on the inside, or facing the owner's property.

SECTION 7.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended in the following manner, as Bulk Requirements are regulated in Article III.

Maximum Coverage of lot for Accessory Buildings shall be thirty (30) percent of rear yard. Maximum number of accessory buildings shall be three (3). (See Section 3.02)

Maximum Height shall be measured by either the designated footage or by stories, whichever is lower.

The more restrictive requirements of the actual use or the zoning district, in which a use, building, or structure is located, shall apply.

Fence regulations are found in Section 3.12.

SECTION 8.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended to include a new Article, and renumber all the succeeding Articles, to accommodate for large lot development in the City.

ARTICLE "A-2" SUBURBAN AGRICULTURAL DISTRICT
 Section 7.00
General Description
 The "A-2" Suburban Agricultural District is intended to provide regulations for agricultural land that is being used for larger lot, single family dwellings, where municipal services may or may not be available. Because of availability, water and sewer services for properties in this District are usually provided through individual wells or rural water service and individual septic systems or municipal sewer systems, provided they meet County Board of Health standards.

Table 1: Bulk Requirements⁵.

District Use	Maximum Building Height ⁴	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Side Street, Corner Lot	Minimum Rear Yard
A-1							
Single Family	40 Ft. or 3 Stories	1 Acres	200 Ft.	25 Ft.	20 Ft.	25 Ft.	30 Ft.
Other Permitted Uses	---	3 Acres	200 Ft.	50 Ft.	50 Ft.	50 Ft.	50 Ft.
R-1							
Single Family	40 Ft. or 3 Stories	8,000 Sq. Ft.	65 Ft.	25 Ft.	7 Ft.	25 Ft.	30 Ft.
Other Permitted Uses	---	10,000 Sq. Ft.	80 Ft.	25 Ft.	7 Ft.	25 Ft.	30 Ft.
R-2							
Single Family	40 Ft. or 3 Stories	8,000 Sq. Ft.	65 Ft.	25 Ft.	7 Ft.	25 Ft.	30 Ft.
Multi-Family (Up to 2 dwelling units)	40 Ft. or 3 Stories	8,400 Sq. Ft.	90 Ft.	25 Ft.	7 Ft.	25 Ft.	30 Ft.
Other Permitted Uses	---	30,000 Sq. Ft.	90 Ft.	25 Ft.	7 Ft.	25 Ft.	30 Ft.
R-3							
Single Family	40 Ft. or 3 Stories	8,000 Sq. Ft.	65 Ft.	25 Ft.	7 Ft.	25 Ft.	30 Ft.
Multi-Family (Up to 2 dwelling units)	40 Ft. or 3 Stories	8,400 Sq. Ft.	90 Ft.	25 Ft.	7 Ft.	25 Ft.	30 Ft.
Multi-Family (3 or more dwelling units)	45 Ft. or 3 Stories	10,000 Sq. Ft.	90 Ft.	25 Ft.	7 Ft.	25 Ft.	30 Ft.
Other Permitted Uses	---	1 Acre	180 Ft.	30 Ft.	16 Ft.	30 Ft.	30 Ft.
R-4							
Mobile Home Park	25 Ft.	5 Acres	360 Ft.	40 Ft.	40 Ft.	40 Ft.	40 Ft.
Mobile Home Site	25 Ft.	4,000 Sq. Ft.	40 Ft.	20 Ft.	7 Ft.	20 Ft.	10 Ft.
R-5	45 Ft.	10 Acres	---	---	¹	---	---
C-1	50 Ft. or 4 Stories	---	---	---	¹	---	¹
C-2	50 Ft. or 4 Stories	---	---	15 Ft.	¹	15 Ft.	¹
M-1	50 Ft. or 4 Stories	---	---	25 Ft.	10 Ft.	25 Ft.	15 Ft.
M-2	50 Ft. or 4 Stories	---	---	25 Ft.	15 Ft.	25 Ft.	40 Ft.
Accessory Buildings for R-1, R-2, & R-3 Districts ³	18 Ft. or 1 story, whichever is lower.	---	---	---	²	Same as permitted uses	²

NOTES:
¹ None required except adjoining any "R" District, in which case not less than fifteen (15) feet.
² Accessory building to be placed in the rear or side yards may reduce minimum side and rear yard requirements to four (4) feet. (See Section 3.02)

ORDINANCE FROM PAGE 9

Tracts or parcels of land that are included in this District must be equal to, or greater than, five (5) acres in area. It is intended that this District shall combine certain advantages of both urban and rural locations by allowing low concentration of residential development while permitting a limited number of animals to be kept on each parcel or lot.

Section 7.01
PRINCIPAL PERMITTED USES
 Property and buildings in an "A-2" Multiple Residential District shall be used only for the following purposes:

1. Any use permitted in the R-1 District. However, the Bulk Requirements for that District must be met.
2. Bed and Breakfast facilities.
3. Boarding and lodging houses.
4. Hospitals (except animal hospitals) day nurseries or care facilities, nursing and convalescent home and medical clinics.
5. Private clubs, lodges, and similar uses.
6. Funeral Homes and Mortuaries.
7. City buildings and facilities, including essential service buildings.
8. Specialized animal and/or livestock farms that are limited to the following maximum density requirements and are a minimum of one hundred (100) feet from an "R-1" District:
9. Accessory uses and buildings which are customarily incidental to any of the above uses.
10. Other uses similar to the foregoing designated uses after review and approval per Section 17.10(1).

Section 7.02
Special Exceptions
 The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with the provisions contained herein:

1. Any special exception allowed in a more restrictive District unless said use is specifically listed as a principally permitted use in this District.
2. Any other uses deemed appropriate on review by the Board of Adjustment to be the same general character as the foregoing special exceptions.

Section 7.03

HEIGHT REGULATIONS, LOT, AREA, FRONTAGE AND YARD REQUIREMENTS Shall be those regulations as specified in below:

Section 7.04
OFF STREET PARKING AND LOADING REQUIREMENTS Shall be those regulations as specified in Section 14.00

Section 7.05
SIGN REGULATIONS
 The following signs are permitted. No sign permit is required.

1. Name plates attached flat against the wall of the principal building not to exceed three (3) square feet in area.
2. Church or public bulletin boards not to exceed twelve (12) square feet in area.
3. Temporary signs advertising the lease or sale of the premises not to exceed six (6) square feet in area.
4. Illumination of signs, bulletin boards, and nameplates shall not exceed sixty (60) watts and shall be lighted only with indirect, non-intermittent lighting.
5. Signs and bulletin boards shall be at least twenty (20) feet from the front line or not more than five (5) feet in front of the principal building(s).
6. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, the area shall be restored to a condition free from refuse and rubbish.
7. Portable signs, provided they stay no longer than ninety (90) days per calendar year.

Section 9.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended in the following manner to address decks, patios, porches, and terraces, including those that are covered, within Article XVI.

Section 16.03
SIDE YARD EXCEPTIONS AND MODIFICATIONS

Terraces, steps, uncovered porches (not including decks), stoops or similar features, not higher than the elevation of the ground story of the building and distant three (3) two (2) feet from the side lot line.
 Section 16.04
REAR YARD EXCEPTIONS AND

MODIFICATIONS

5. Terraces, steps, decks, uncovered porches, or similar features not more than ten (10) twenty (20) feet into a required rear yard, provided other bulk requirements including setbacks can be met. If Said features shall not be closer than six (6) feet of an alley or within ten (10) feet of a rear lot line.

SECTION 10.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended in the following manner to address penalties for building without a permit, under Article XVIII.

Section 18.00
BUILDING CONSTRUCTION

No building or structure shall hereafter be erected, constructed, reconstructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate permit for each building or structure has first been obtained from the Zoning Administrator. Said permit and the application for the permit shall contain a plot plan showing the actual dimensions of the lot to be built upon, the size, shape, and location of the building or structure to be erected or affected, the name and address of the owner or owners of the involved lot, and such other information as may be necessary to provide for the enforcement of this Ordinance. The application and permit shall be on forms prepared by the Zoning Administrator and approved by the Council. No permit shall be issued for any construction not in compliance with this Chapter. Any construction started without a permit shall be stopped immediately and shall be subject to the remedies of Section 19.02.

SECTION 11.
 The Code of Ordinances of the City of Shell Rock, Iowa, Ordinance #364, is hereby amended in the following manner to address violations as enforced under Article XIX.

Section 19.02
CITY REMEDIES
 If any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, the City may, in addition to other remedies, institute injunction, mandamus, or other appropriate lawful action necessary to prevent, correct, or abate such violation. A violation of this Ordinance shall be deemed a municipal infraction under the City of Shell Rock City Code. Any construction started without a permit or which does not comply with the requirements of the Code of Ordinances shall be removed immediately. The City Council may, without limitation, provide for abatement of such nuisance, pursue civil action in court, or prosecute such violation, such action to be prosecuted in the name of the City, or may pursue any combination of remedies. The violation of this chapter shall be a simple misdemeanor. Each day that said violation is continued shall constitute a separate violation. Nothing in this section shall limit the remedies and enforcement powers of the City, which shall include injunctive relief.

SECTION 12. REPEALER.
 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 13. SEVERABILITY CLAUSE.
 If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 14. WHEN EFFECTIVE.
 This Ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Recommended for adoption by the Planning and Zoning Commission on the 18th day of May 2021, after a public hearing was held.

The City Council held a public hearing and approved the readings of this Ordinance on:
 First Reading and Public Hearing: June 22, 2021
 Second Reading: July 6, 2021
 Third Reading: July 20, 2021

(RECOMMENDED FOR ADOPTION BY THE PLANNING AND ZONING COMMISSION ON MAY 18, 2021)

Size and Type of Mature Animals	Maximum Density Per Lot
<u>Large Animals (horses, cattle, elk, deer, swine, and other similar animals)</u>	<u>2 Animals Per Lot</u>
<u>Medium Animals (sheep, goats, emus, ostriches, and other similar animals)</u>	<u>5 Animals Per Lot</u>
<u>Small Animals (poultry, fowl, rabbits, mink, chinchilla, and other similar animals)</u>	<u>10 Animals Per Lot</u>

HEIGHT REGULATIONS, LOT, AREA, FRONTAGE AND YARD REQUIREMENTS

Shall be those regulations as specified in below:

District Use	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Side Street, Corner Lot	Minimum Rear Yard
A-2							
Single Family	40 Feet or 3 stories	5 Acres	200 Feet	25 Feet	20 Feet	25 Feet	30 Feet
Other Permitted Uses	40 Feet or 3 stories	5 Acres	200 Feet	50 Feet	50 Feet	50 Feet	50 Feet

PROBATE

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS CASE NO. ESPR017185
THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF Lloyd E. Lacey, JR. Deceased.

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 this 25th day of June, 2021 Douglas E. Nelson, Executor of Estate 2089 Bronze Leaf Dr., Indian Land SC 29707

Amy K. Swanson, Attorney for Executor Lawler & Swanson, P.L.C. 601 Coates Street, P.O. Box 280 Parkersburg, Iowa 50665 Date of second publication: 12th day of August, 2021

TJ-31

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JULY 20, 2021.

With social distancing guidelines being maintained at in-person meetings, an electronic participation option is made available. 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 Greg Barnett with members Rusty Eddy and Tom Heidenwirth present. Moved by Heidenwirth, second by Barnett to approve the agenda. All ayes. Motion carried.

FY2021 County audit which will be conducted by the Iowa Auditor of State office. Groen mentioned the audit will begin with an entrance conference on July 26th, and the audit will be conducted through a combination of state auditors working on-site and remotely. Recorder, Janice Jacobs, confirmed they will be on-site July 28th and July 29th. Motioned by Eddy, second by Heidenwirth to go into closed session to discuss possible litigation. All ayes. Motion carried. Motioned by Eddy, second by Heidenwirth to return to open session. All ayes. Motion carried. Barnett explained there is no action to be taken at this time. Motioned by Barnett, second by Heidenwirth to approve claims. All ayes. Motion carried. Board acknowledged receipt of Manure Management Plan Annual Updates for Leroy Finisher Farm, Greene Finisher Farm, Harken Finisher Farm, Iowa Swine Utopia - Polk Site 2, DCI Bennezette #70601. Motioned by Heidenwirth, second by Eddy to adjourn the regular meeting at 9:38 A.M. to July 27, 2021 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 July 20, 2021. Attest: Leslie Groen Greg Barnett Butler County Auditor Chairman of the Board of Supervisors

TJ-31

BUTLER COUNTY AGRICULTURAL EXTENSION DISTRICT PUBLISHED REPORT - OPENING JULY 26, 2021

Beginning Balance and Receipts:
Total Balance: July 1, 2020.....\$220,221.07

Receipts:
Interest Revenue.....\$511.73
Other Revenue.....\$2,426.85
Program Fee Revenue.....\$27,381.42
Property Tax Revenue.....\$242,159.53
Resale Revenue.....\$498.00
Total Receipts:.....\$272,977.53

Total Beginning Balance and Receipts:.....\$493,198.60

Disbursements:

Aaxtrix - e-File Expense.....\$24.95
Abby Willson - Program Fee Expense.....\$57.04
Adalee Ramker - Program Fee Expense.....\$7.36
Adison Williamson - Program Fee Expense.....\$51.52
Aeryn Anderson - Program Fee Expense.....\$5.00
Ainsley Lovrien - Program Fee Expense.....\$25.76
Ainsley Proslina - Program Fee Expense.....\$2.00
Alexis Brinkman - Program Fee Expense.....\$37.44
Alison Mehmen - Program Fee Expense.....\$41.80
Allison Mohn - Program Fee Expense.....\$11.04
Allison Variety - Supplies Expense.....\$74.18
Amazon.Com - Equipment Expense.....\$1,334.81
American Youth Foundation - Program Fee Expense.....\$50.00
Amy Mulder - Program Fee Expense.....\$46.00
Andrea Hobson - Net Wages and Travel.....\$29,612.50
Angie Mohn - Program Fee Expense.....\$176.78
Ashley Schipper - Program Fee Expense.....\$29.44
Ashlyn Ramker - Program Fee Expense.....\$14.72
Aubrey Williamson - Program Fee Expense.....\$29.44
Austin Rottink - Program Fee Expense.....\$29.44
Avery Harris - Program Fee Expense.....\$28.08
Beth Homeister - Program Fee Expense.....\$51.52
Biotronics Ultrasounds Solutions - Program Fee Expense.....\$400.00
Blake Jacobson - Program Fee Expense.....\$14.72
Brandt Reints - Program Fee Expense.....\$6.50
Braydan Steere - Program Fee Expense.....\$66.24
Brennan Steere - Program Fee Expense.....\$36.80
Bret Fischer - Program Fee Expense.....\$1.00
Bridgette Miller - Program Fee Expense.....\$5.52
Briley Junker - Program Fee Expense.....\$57.04
Britney Gibson - Program Fee Expense.....\$88.32
Brittyn Walter - Program Fee Expense.....\$11.04
Brooke Niemann - Program Fee Expense.....\$14.72
Brooklyn Wix - Program Fee Expense.....\$48.84
Butler County Fair Association - Non-Fee Proj Act Expense.....\$3,315.00
Caitlin Jacobsen - Program Fee Expense.....\$4.50
Carlee Doty - Program Fee Expense.....\$20.00
Carter Leerhoff - Program Fee Expense.....\$255.00
Casey Leerhoff - Program Fee Expense.....\$11.52
Cassidy Staudt - Program Fee Expense.....\$223.36
Cayla Rosendahl - Program Fee Expense.....\$2.00
Caylee Harken - Program Fee Expense.....\$36.87
Ceanna Capper - Program Fee Expense.....\$29.44
Chase Backer - Program Fee Expense.....\$1.00
City of Allison - Facility Expense.....\$817.44
Clayton Kramer - Program Fee Expense.....\$15.04
Colby Wix - Program Fee Expense.....\$26.76

Colton Harken - Program Fee Expense.....\$49.84
Counsel - Equipment Expense.....\$683.57
Courtney Strauser - Program Fee Expense.....\$2.00
Daniel Boelman - Program Fee Expense.....\$11.04
Dawson Barnett - Program Fee Expense.....\$22.08
Deluxe Business Checks & Solutions - Supplies Expense.....\$198.04
Dennis Schipper - Program Fee Expense.....\$50.00
Department of Iowa Inspection & Appeals - Program Fee Expense.....\$50.00
Derek Proslina - Equipment Expense.....\$984.36
Dillion Eberline - Program Fee Expense.....\$46.00
Draven Capper - Program Fee Expense.....\$14.72
Dumont Harken Lumber Inc. - Program Fee Expense.....\$237.81
Dumont Telephone Co. - Telecommunications Expense.....\$1,762.34
Easy Keys - Supplies Expense.....\$21.17
Eden Wix - Program Fee Expense.....\$14.04
Ella Buttjer - Program Fee Expense.....\$11.00
Ella Luebbbers - Program Fee Expense.....\$7.36
Elizabeth Heckman - Net Wages and Travel.....\$30,175.67
Elizabeth Wolff - Net Wages and Travel.....\$2,619.81
Emma Braun - Program Fee Expense.....\$14.72
Emma Eberline - Program Fee Expense.....\$64.40
Emma Haan - Program Fee Expense.....\$3.00
Emma Wedeking - Program Fee Expense.....\$144.91
Erika Brinkman - Program Fee Expense.....\$50.32
Erin Aissen - Program Fee Expense.....\$6.50
Eryn Lindell - Program Fee Expense.....\$11.04
Evan Steere - Program Fee Expense.....\$15.00
Eve Jordan - Program Fee Expense.....\$1.75
Farm News - Marketing Expense.....\$483.00
Fawn Wiebke - Program Fee Expense.....\$1,039.47
First Advantage LNS Screening Solutions, Inc. - Background Checks Expense.....\$250.90
Gage Johnson - Program Fee Expense.....\$0.75
Gibson Specialty Co. - Non-Fee Proj Act Expense.....\$2,003.45
Grace Miller - Program Fee Expense.....\$66.24
Grace Pittenger - Program Fee Expense.....\$8.00
Grainger - Supplies Expense.....\$11.68
Haily Backer - Program Fee Expense.....\$4.00
Hannah Buttjer - Program Fee Expense.....\$8.50
Hannah Nichols - Program Fee Expense.....\$14.72
Hannah Wangness - Program Fee Expense.....\$22.08
Hardin County Extension - Program Fee Expense.....\$60.00
Harley Barnett - Program Fee Expense.....\$15.72
Harper Sowers - Program Fee Expense.....\$28.60
Haylee Niemann - Program Fee Expense.....\$11.04
Henry Miller - Program Fee Expense.....\$5.52
Hobby Lobby - Supplies Expense.....\$11.75
Holly Wedeking - Net Wages and Travel.....\$139.07
Hoyt Beimer - Program Fee Expense.....\$6.00
Hy-Vee - Non-Fee Proj Act Expense.....\$89.30
Inagawanis Adventure Base - Program Fee Expense.....\$318.75
Iowa 4H Foundation - Program Fee Expense.....\$792.00
Iowa Agricultural Extension Association - Non-Fee Proj Act Expense.....\$2,500.00
Iowa Extension Council Association - Memberships, Dues Expense.....\$275.00
Iowa Farm Bureau Spokesman - Marketing Expense.....\$210.00
Iowa Public Employee Retirement

System - Retirement Plan.....\$21,014.64
Iowa State University - Shared Support, Programs, Materials.....\$24,110.71
Isabella Mohn - Program Fee Expense.....\$14.04
J & C Grocery - Non-Fee Proj Act Expense.....\$187.21
Jackson Mehmen - Program Fee Expense.....\$44.16
James Aissen - Program Fee Expense.....\$2.75
Janet Borchardt - Program Fee Expense.....\$125.00
Jenna Lupkes - Program Fee Expense.....\$27.60
Jesse Brouwer - Program Fee Expense.....\$29.44
Joe's Heating, Cooling & Plumbing - Facility Expense.....\$138.79
Jordan Osterbuhr - Program Fee Expense.....\$5.75
Justine Grummit - Program Fee Expense.....\$7.36
Kaleb Salge - Program Fee Expense.....\$14.72
Kamie Helmske - Program Fee Expense.....\$11.04
Karter Faust - Program Fee Expense.....\$16.56
Katie Rosendahl - Program Fee Expense.....\$463.25
Kaycee Wiebke - Program Fee Expense.....\$51.52
Kaylee Johnson - Program Fee Expense.....\$0.75
Kennedy Backer - Program Fee Expense.....\$1.00
Kiara Morris - Program Fee Expense.....\$58.88
Klaire Young - Program Fee Expense.....\$62.56
Kyler Grummitt - Program Fee Expense.....\$14.72
Kyler Lursen - Program Fee Expense.....\$1.00
Laci Miller - Program Fee Expense.....\$62.56
Lauren Fleshner - Program Fee Expense.....\$26.08
Leyton Reints - Program Fee Expense.....\$7.00
Lilly Stirling - Program Fee Expense.....\$41.48
Lily Wedeking - Program Fee Expense.....\$93.16
Lincoln Savings Bank - Program Fee Expense.....\$765.00
Lindsey Fischer - Program Fee Expense.....\$8.75
LizBeth DeGroot - Program Fee Expense.....\$5.52
Logan Ott - Program Fee Expense.....\$18.40
Lucille Leerhoff - Program Fee Expense.....\$53.17
Luke Edeker - Program Fee Expense.....\$14.72
Lydia Kluitter - Program Fee Expense.....\$63.95
Madeline Meyer - Program Fee Expense.....\$42.96
Madeline Sterken - Program Fee Expense.....\$7.50
Madison Klingenberg - Program Fee Expense.....\$9.11
Maggie Burgett - Program Fee Expense.....\$42.32
MaKenna Brouwer - Program Fee Expense.....\$146.00
Maliyah Stewart - Program Fee Expense.....\$7.36
Margaret Harris - Program Fee Expense.....\$35.03
Marshall County Extension - Equipment Expense.....\$70.46
MCI - Telecommunications Expense.....\$780.11
McKenzie Bohach - Program Fee Expense.....\$59.11
Megan Johnson - Program Fee Expense.....\$22.08
Megan Murray - Program Fee Expense.....\$250.00
Menards - Supplies Expense.....\$8.32
Michelle Arkulari - Program Fee Expense.....\$291.37
Michelle Johnson - Program Fee Expense.....\$68.90
Mid American Energy - Facility Expense.....\$1,279.02
Mid-America Publishing Corp - Advertising Expense.....\$855.26
Mike Lammers - Facility Expense.....\$175.00
Mikenzi Davis - Program Fee Expense.....\$4.00
Mollie Buss - Program Fee Expense.....\$1.00
MWI - Program Fee Expense.....\$362.25
Nathan Stickley - Program Fee Ex-

pense.....\$50.00
National 4-H Council Supply Service - Program Fee Expense.....\$387.65
Nicholas Carlson - Program Fee Expense.....\$11.04
Nolan Reser - Program Fee Expense.....\$0.75
Norton Tree Service - Grant Expense.....\$107.00
Notary Rotary - Non-Fee Proj Act Expense.....\$26.85
Office Express - Non-Fee Proj Act Expense.....\$1,877.18
Olivia Staudt - Net Wages and Travel.....\$2,088.65
Peter Miller - Program Fee Expense.....\$5.52
Rachel Borchardt - Program Fee Expense.....\$2.00
Registration Max - Non-Fee Proj Act Expense.....\$500.00
Ryan Boelman - Program Fee Expense.....\$22.08
Ryann Tanner - Program Fee Expense.....\$7.36
Rylee Westendorf - Program Fee Expense.....\$1.00
Sage Menne - Program Fee Expense.....\$97.52
Sam Janssen - Program Fee Expense.....\$29.44
Savannah Hummel - Program Fee Expense.....\$15.72
Secretary of State - Non-Fee Proj Act Expense.....\$30.00
Sharon Chesnut - Program Fee Expense.....\$167.94
Sharon Neihaus - Net Wages and Travel.....\$1,536.91
Sheleene Codner - Professional Development Training Expense.....\$20.00
Staats - Program Fee Expense.....\$568.01
Star Graphics - Program Fee Expense.....\$160.00
Star Leasing - Equipment Expense.....\$446.60
Stirling Lawn Care - Facility Expense.....\$600.00
Summitt View Solutions LLC - Program Fee Expense.....\$2,225.00
Sydney Lovrien - Program Fee Expense.....\$55.20
Tailor Made Products - Non-Fee Proj Act Expense.....\$121.71
Tanner Lorenz - Program Fee Expense.....\$14.72
Target - Supplies Expense.....\$85.51
Tatroe Electric Inc. - Facility Expense.....\$548.78
Tayler Velhuizen - Net Wages and Travel.....\$37,753.97
Teagan Sowers - Program Fee Expense.....\$93.00
Teresa Stansbury - Net Wages and Travel.....\$1,328.69
Timberland Promotions - Marketing Expense.....\$343.27
Tommy Barnett - Program Fee Expense.....\$45.16
Tommy Janssen - Program Fee Expense.....\$29.44
Treasurer State of Iowa - Payroll Taxes.....\$5,255.00
Trevor Rule - Program Fee Expense.....\$136.80
Tristan Easton - Program Fee Expense.....\$250.00
U.S. Cellular - Telecommunications Expense.....\$2,158.96
Uline - Marketing Expense.....\$106.93
United States Postal Service - Postage Expense.....\$1,828.65
University of Northern Iowa - Non-Fee Proj Act Expense.....\$3,000.00
US Department of Treasury - Payroll Taxes.....\$32,928.25
Varidesk - Equipment Expense.....\$711.00
Wade Wangness - Program Fee Expense.....\$22.08
Walmart Cedar Falls - Marketing Expense.....\$182.08
Wells Fargo - Equipment Expense.....\$1,374.05
Weston Jensen - Program Fee Expense.....\$14.72
William Deike - Program Fee Expense.....\$5.52
Wonder Workshop, Inc. - Non-Fee Proj Act Expense.....\$559.98
Wyatt Jensen - Program Fee Expense.....\$22.08
Wyatt Junker - Program Fee Expense.....\$55.20
Total Disbursements:.....\$234,992.89
Net Balance: June 30, 2021.....\$258,205.71

TJ-31

PROCEEDINGS

NORTH BUTLER COMMUNITY SCHOOL DISTRICT BOARD OF EDUCATION SPECIAL MEETING JULY 26, 2021

A special board meeting was called to order by Board President Laurie Shultz at 6:00 p.m. in the Allison Media Center. Member present was John Endelman, Amanda Lund, Heather Shook and Laurie Shultz; other present were Superintendent Mark Olmstead, Business Manager/Board Secretary Shellee Bartlett and Beth Endelman. Board member absent: Eric Bixby. Moved by Endelman, seconded by Lund, to approve the agenda. Carried unanimously.

The Board of Directors of the North Butler Community School District, in the Counties of Butler and Floyd, State of Iowa, met in special session, in the Allison Media Center, 513 Birch Street, Allison, Iowa, at 6:00 P.M., on the above date. There were present President Laurie Shultz, in the chair, and the following named Board Members:

John Endelman, Amanda Lund, Heather Shook

Absent:Eric Bixby

Vacant:None

The President of the Board called the meeting together and stated that a Petition had been filed purporting to be signed by eligible electors of the School District numbering at least 25% of those voting at the last election of school officials. The Petition requests that an election be called on the issuance of bonds in an amount not to exceed \$19,305,000, to provide funds to construct, furnish and equip an athletic competition facility; to remodel, repair, improve, furnish and equip existing facilities, including replacement of mechanical and electrical systems at the elementary building.

The President submitted the Petition to the Board which examined the Petition. 1,034 qualified electors voted at the last election of school officials; the number of eligible electors who have signed the petition is 276.

Director Heather Shook introduced the following Resolution and moved its adoption. Director John Endelman seconded the motion to adopt. The roll was called, and the vote was:

AYES: Amanda Lund, John Endelman, Heather Shook, Laurie Shultz

NAYS:None

The President declared the Resolution adopted as follows:

RESOLUTION ORDERING A SPECIAL ELECTION ON THE ISSUANCE OF \$19,305,000 GENERAL OBLIGATION SCHOOL BONDS AND TO FILL A VACANCY

WHEREAS, there has been filed with the President of this Board a Petition of eligible electors of this School District asking that an election be called to submit the question of contracting indebtedness and issuing bonds of the School District in an amount not to exceed \$19,305,000 to provide funds to construct, furnish and equip an athletic competition facility; to remodel, repair, improve, furnish and equip existing facilities, including replacement of mechanical and electrical systems at the elementary building; and

WHEREAS, this Board has examined the Petition and finds that it is signed by eligible electors of the School District numbering at least 25% of those voting at the last election of school officials and that the purposes set forth in the petition cannot be accomplished within the limit of one and one-quarter percent of the assessed value of the taxable property in the School District; and

WHEREAS, the proposal for the issuance of Bonds or any other proposal incorporating any portion of it has not or will not have been submitted to the qualified electors of the School District for a period of at least six months prior to the date of election being called in these Proceedings;

WHEREAS, this Board has also determined it is necessary to submit at the special school election the proposition of authorizing the Board of Directors to levy annually a tax exceeding Two Dollars and Seventy Cents (\$2.70) per Thousand Dollars (\$1,000), but not exceeding Four Dollars and Five Cents (\$4.05) per Thousand Dollars (\$1,000) of the assessed value of the taxable property to pay the principal of and interest on bonded indebtedness; the Board acknowledges that approval of this proposition does not limit the source of payment of the Bonds and interest but only restricts the amount of Bonds which may be issued;

NOW, THEREFORE, IT IS RESOLVED BY THE NORTH BUTLER COMMUNITY SCHOOL DISTRICT, IN THE COUNTIES OF BUTLER AND FLOYD, STATE OF IOWA:

Section 1. That an election is called of the qualified electors of the

North Butler Community School District in the Counties of Butler and Floyd, State of Iowa, on Tuesday, September 14, 2021. The following Proposition is approved, and the Secretary is authorized and directed to submit and file the Proposition for the Ballot with the Butler County Commissioner of Elections.

PROPOSITION ____ Shall the Board of Directors of the North Butler Community School District in the Counties of Butler and Floyd, State of Iowa, be authorized to contract indebtedness and issue General Obligation Bonds in an amount not to exceed \$19,305,000 to provide funds to construct, furnish and equip an athletic competition facility; to remodel, repair, improve, furnish and equip existing facilities, including replacement of mechanical and electrical systems at the elementary building?

Section 2. Because it is necessary to approve a tax levy for the payment of principal and interest on the above Proposition, the following question also will be submitted to the qualified electors at the special election held on Tuesday, September 14, 2021:

PROPOSITION ____ Shall the Board of Directors of the North Butler Community School District in the Counties of Butler and Floyd, State of Iowa, be authorized to levy annually a tax exceeding Two Dollars and Seventy Cents (\$2.70) per Thousand Dollars (\$1,000), but not exceeding Four Dollars and Five Cents (\$4.05) per Thousand Dollars (\$1,000) of the assessed value of the taxable property within said school corporation to pay the principal of and interest on bonded indebtedness of said school corporation, it being understood that the approval of this proposition shall not limit the source of payment of the bonds and interest, but shall only operate to restrict the amount of bonds which may be issued?

[END OF BALLOT LANGUAGE] Section 3. That in conjunction with the Proposition above, an election be held to fill the remaining term of the office that became vacant on the resignation of Addison Johnson, such term to be effective until a successor is elected at the 2023 regular school election and qualified thereafter.

Section 4. That the notice of the election and ballot form used at the election shall be prepared in accordance with the provisions of

the Iowa Code and Iowa Administrative Rules.

Section 5. That the Election Board for the Voting Precinct or precincts be appointed by the County Commissioner of Elections for each County conducting an election, not less than 15 days before the election.

Section 6. The Commissioner of Elections for each County conducting an election is requested and directed to make publication of the Notice of Election at least once, not less than four days nor more than twenty days prior to the election, in a newspaper that meets the requirements of Section 49.53(2), Code of Iowa.

Section 7. Butler County, Iowa is the Controlling County for this election.

Section 8. That the County Commissioner of Elections for each County conducting an election shall prepare all ballots and election registers and other supplies necessary for the proper and legal conduct of this election and the Secretary of the Board is directed to cooperate with these Commissioners of Elections in the preparation of the necessary proceedings.

Section 9. That the Secretary is directed to file a certified copy of this Resolution in the Office of the County Commissioner of Elections of the Controlling County to constitute the "written notice" to the County Commissioner of Elections of the election date, required to be given by the governing body under the provisions of Chapter 47, Code of Iowa.

PASSED AND APPROVED this 26th day of July, 2021.

Moved by Shook, seconded by Lund, to approve 7-12 math curriculum for \$25,800 plus shipping. Carried unanimously.

Moved by Endelman, seconded by Lund, to set the public hearing for flexibility funding transfer – August 9, 2021 @ 6:00 p.m. in the Greene Media Center. Carried unanimously.

Moved by Shook, seconded by Endelman, to approve the purchase of promethean boards for \$12,147. Carried unanimously.....

Moved by Endelman, seconded by Shook, to adjourn at 6:34 p.m. Carried unanimously.

Board President August 9, 2021 Board Secretary August 9, 2021

TJ-31

PROCEEDINGS

NORTH BUTLER COMMUNITY SCHOOL DISTRICT BOARD OF EDUCATION SPECIAL MEETING JULY 26, 2021

A special board meeting was called to order by Board President Laurie Shultz at 6:00 p.m. in the Allison Media Center. Member present was John Endelman, Amanda Lund, Heather Shook and Laurie Shultz; other present were Superintendent Mark Olmstead, Business Manager/Board Secretary Shellee Bartlett and Beth Endelman. Board member absent: Eric Bixby. Moved by Endelman, seconded by Lund, to approve the agenda. Carried unanimously.

The Board of Directors of the North Butler Community School District, in the Counties of Butler and Floyd, State of Iowa, met in special session, in the Allison Media Center, 513 Birch Street, Allison, Iowa, at 6:00 P.M., on the above date. There were present President Laurie Shultz, in the chair, and the following named Board Members:

John Endelman, Amanda Lund, Heather Shook

Absent:Eric Bixby

Vacant:None

The President of the Board called the meeting together and stated that a Petition had been filed purporting to be signed by eligible electors of the School District numbering at least 25% of those voting at the last election of school officials. The Petition requests that an election be called on the issuance of bonds in an amount not to exceed \$19,305,000, to provide funds to construct, furnish and equip an athletic competition facility; to remodel, repair, improve, furnish and equip existing facilities, including replacement of mechanical and electrical systems at the elementary building.

The President submitted the Petition to the Board which examined the Petition. 1,034 qualified electors voted at the last election of school officials; the number of eligible electors who have signed the petition is 276.

Director Heather Shook introduced the following Resolution and moved its adoption. Director John Endelman seconded the motion to adopt. The roll was called, and the vote was:

AYES: Amanda Lund, John Endelman, Heather Shook, Laurie Shultz

NAYS:None

The President declared the Resolution adopted as follows:

RESOLUTION ORDERING A SPECIAL ELECTION ON THE ISSUANCE OF \$19,305,000 GENERAL OBLIGATION SCHOOL BONDS AND TO FILL A VACANCY

WHEREAS, there has been filed with the President of this Board a Petition of eligible electors of this School District asking that an election be called to submit the question of contracting indebtedness and issuing bonds of the School District in an amount not to exceed \$19,305,000 to provide funds to construct, furnish and equip an athletic competition facility; to remodel, repair, improve, furnish and equip existing facilities, including replacement of mechanical and electrical systems at the elementary building; and

WHEREAS, this Board has examined the Petition and finds that it is signed by eligible electors of the School District numbering at least 25% of those voting at the last election of school officials and that the purposes set forth in the petition cannot be accomplished within the limit of one and one-quarter percent of the assessed value of the taxable property in the School District; and

WHEREAS, the proposal for the issuance of Bonds or any other proposal incorporating any portion of it has not or will not have been submitted to the qualified electors of the School District for a period of at least six months prior to the date of election being called in these Proceedings;

WHEREAS, this Board has also determined it is necessary to submit at the special school election the proposition of authorizing the Board of Directors to levy annually a tax exceeding Two Dollars and Seventy Cents (\$2.70) per Thousand Dollars (\$1,000), but not exceeding Four Dollars and Five Cents (\$4.05) per Thousand Dollars (\$1,000) of the assessed value of the taxable property to pay the principal of and interest on bonded indebtedness; the Board acknowledges that approval of this proposition does not limit the source of payment of the Bonds and interest but only restricts the amount of Bonds which may be issued;

NOW, THEREFORE, IT IS RESOLVED BY THE NORTH BUTLER COMMUNITY SCHOOL DISTRICT, IN THE COUNTIES OF BUTLER AND FLOYD, STATE OF IOWA:

Section 1. That an election is called of the qualified electors of the

North Butler Community School District in the Counties of Butler and Floyd, State of Iowa, on Tuesday, September 14, 2021. The following Proposition is approved, and the Secretary is authorized and directed to submit and file the Proposition for the Ballot with the Butler County Commissioner of Elections.

PROPOSITION ____ Shall the Board of Directors of the North Butler Community School District in the Counties of Butler and Floyd, State of Iowa, be authorized to contract indebtedness and issue General Obligation Bonds in an amount not to exceed \$19,305,000 to provide funds to construct, furnish and equip an athletic competition facility; to remodel, repair, improve, furnish and equip existing facilities, including replacement of mechanical and electrical systems at the elementary building?

Section 2. Because it is necessary to approve a tax levy for the payment of principal and interest on the above Proposition, the following question also will be submitted to the qualified electors at the special election held on Tuesday, September 14, 2021:

PROPOSITION ____ Shall the Board of Directors of the North Butler Community School District in the Counties of Butler and Floyd, State of Iowa, be authorized to levy annually a tax exceeding Two Dollars and Seventy Cents (\$2.70) per Thousand Dollars (\$1,000), but not exceeding Four Dollars and Five Cents (\$4.05) per Thousand Dollars (\$1,000) of the assessed value of the taxable property within said school corporation to pay the principal of and interest on bonded indebtedness of said school corporation, it being understood that the approval of this proposition shall not limit the source of payment of the bonds and interest, but shall only operate to restrict the amount of bonds which may be issued?

[END OF BALLOT LANGUAGE] Section 3. That in conjunction with the Proposition above, an election be held to fill the remaining term of the office that became vacant on the resignation of Addison Johnson, such term to be effective until a successor is elected at the 2023 regular school election and qualified thereafter.

Section 4. That the notice of the election and ballot form used at the election shall be prepared in accordance with the provisions of

the Iowa Code and Iowa Administrative Rules.

Section 5. That the Election Board for the Voting Precinct or precincts be appointed by the County Commissioner of Elections for each County conducting an election, not less than 15 days before the election.

Section 6. The Commissioner of Elections for each County conducting an election is requested and directed to make publication of the Notice of Election at least once, not less than four days nor more than twenty days prior to the election, in a newspaper that meets the requirements of Section 49.53(2), Code of Iowa.

Section 7. Butler County, Iowa is the Controlling County for this election.

Section 8. That the County Commissioner of Elections for each County conducting an election shall prepare all ballots and election registers and other supplies necessary for the proper and legal conduct of this election and the Secretary of the Board is directed to cooperate with these Commissioners of Elections in the preparation of the necessary proceedings.

Section 9. That the Secretary is directed to file a certified copy of this Resolution in the Office of the County Commissioner of Elections of the Controlling County to constitute the "written notice" to the County Commissioner of Elections of the election date, required to be given by the governing body under the provisions of Chapter 47, Code of Iowa.

PASSED AND APPROVED this 26th day of July, 2021.

Moved by Shook, seconded by Lund, to approve 7-12 math curriculum for \$25,800 plus shipping. Carried unanimously.

Moved by Endelman, seconded by Lund, to set the public hearing for flexibility funding transfer – August 9, 2021 @ 6:00 p.m. in the Greene Media Center. Carried unanimously.

Moved by Shook, seconded by Endelman, to approve the purchase of promethean boards for \$12,147. Carried unanimously.....

Moved by Endelman, seconded by Shook, to adjourn at 6:34 p.m. Carried unanimously.

Board President August 9, 2021 Board Secretary August 9, 2021

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