

PROCEEDINGS

CITY OF CLARKSVILLE CITY COUNCIL SPECIAL MEETING MARCH 30, 2021

The Clarksville City Council met in special session March 30, 2021, in the City Hall, Clarksville, Iowa, at 6:30 p.m. with Mayor Todd Fails in the Chair and Council Members Wendy Brooks (via Zoom), Roger Doty, Brock Lodge, Travis Sterken, and Larry Voigts present.

Motion Doty, Voigts, to go into closed session.

RCV – Ayes: Doty, Sterken and Voigts. Nays: Brooks and Lodge. MC.

The City Council went into closed session with the City Attorney pursuant to Iowa Code 21.5(1)(c): "To discuss strategy with counsel in matters that are presently in litigation or where the threat of litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation."

Attending: Heather Prendergast, City Attorney (via Zoom); Amy Reasner, Counsel for City of Clarksville, Lynch Dallas, P.C.; Todd Fails, Mayor; Wendy Brooks (via Zoom), Roger Doty, Brock Lodge, Travis Sterken, and Larry Voigts, City Council Members.

Motion Sterken, Doty, to end closed session.

Motion Sterken, to adjourn the City Council Special Meeting at 7:25 p.m.

CS-14

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MARCH 23, 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 Eddy 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.

Tom Heidenwirth asked about the windows going in all the office counters during public comment. Barnett shared a recent email from Chris Showalter which indicated they plan to be installed in 2-3 weeks as there was a delay in supplies.

Public Health Director, Jennifer Becker, shared there were 9 new cases, 3 recoveries, no hospitalizations or deaths and a 2.6% positivity rate. Becker mentioned Butler County school vaccinations are completed for all those who wanted it. Becker also explained it takes two weeks post vaccination to reach full immunity. There is a boost clinic scheduled for today, March 23rd and a first dose clinic is scheduled on Friday, March 26th. Public Health is still waiting to hear about Johnson & Johnson vaccine for the county and continue to receive the same 300 dose allocation. Becker explained they have people wanting the Johnson & Johnson vaccine which is a single shot and explained side affects are individualized with each of the vaccines. Barnett asked Becker about North Butler School District dropping their mask mandate and Becker confirmed she was not consulted regarding those recommendations and decisions. Travis Fisher, with MidAmerican Publishing was present via Zoom

and shared the totals he had looked up as 4460 doses and 1645 totally vaccinated. Becker also answered questions regarding school district vaccine participation, lack of time off in the past year and billing Medicare for shot administration.

Mike Tellinghuisen, Shell Rock Public Works Director, shared a map of the area being discussed and explained they wish to make this a commerce road to a TIF district. Motioned by Barnett, second by Heidenwirth to approve Resolution 984 as provided. The roll was called and the vote thereon was:

Ayes: Rusty Eddy, Greg Barnett, Tom Heidenwirth Nays: None

Therefore, be it resolved the motion was carried.

RESOLUTION # 984

Resolution to Approve Addition of County Property to the Shell Rock Urban Renewal Area

WHEREAS, the City of Shell Rock, Iowa (the "City") has begun the process of adding territory to its Shell Rock Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa; and

WHEREAS, a portion of the property which is proposed to be added to the Urban Renewal Area is located outside the city limits, such property being described on Exhibit A hereto (the "Property"); and

WHEREAS, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two miles of the boundary of that city, but only if the city obtains the consent of the county within which such property is located; and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Butler County, Iowa ("Butler County") adopt this resolution giving its consent that the City may exercise urban renewal powers with respect to the portions of the Property lying within two miles of the incorporated city limits; and

NOW, THEREFORE, it is hereby resolved by the Board of Supervisors of Butler County, Iowa, as follows:

Section 1. The Butler County Board of Supervisors hereby gives its consent that the City of Shell Rock may

exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to the Property situated in Butler County and outside the incorporated boundaries of the City.

Section 3. This Resolution shall be deemed to meet the statutory requirements of paragraph 4 of Section 403.17 of the Code of Iowa and shall be effective immediately following its approval and execution. Passed and approved this 23rd day of March, 2021.

Greg Barnett Chairperson, Board of Supervisors Attest: Leslie Groen County Auditor Ayes: Tom Heidenwirth, Greg Barnett, Rusty Eddy Nays: 0

EXHIBIT A PROPERTY DESCRIPTION

All of the public right-of-way of Center Street beginning at its intersection with Grove Road on the south and continuing north to, and including, its intersection with E. Mark Street.

Moved by Heidenwirth, second by Eddy to approve Utility Permit for Butler County REC, underground service @ 19883 150th St. All ayes. Motion carried.

Moved by Eddy, second by Heidenwirth to approve Utility Permit for Butler County REC, underground 3-phase near Logistics Park Drive & 220th St. All ayes. Motion carried.

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 Leon Finisher #67162, Dralle Site #58148, and JAART LLC 2 #58817

Motioned by Heidenwirth, second by Barnett to adjourn the regular meeting at 9:26 A.M. to March 30, 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 March 23, 2021.

Attest: Butler County Auditor Chairman of the Board of Supervisors

CS-14

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**PROBATE**

**NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS CASE NO. ESPR017159**

THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF Verlene K. Senne, Deceased.

To All Persons Interested in the Estate of Verlene K. Senne, Deceased, who died on or about January 14, 2021:

You are hereby notified that on February 9, 2021, the Last Will and Testament of Verlene K. Senne, deceased, bearing the date of July 18, 1997, was admitted to probate in the above named court and that Amy J. Fehlberg and John D. Barth were appointed executors of the estate. Any action to set aside the Will must be brought in the District Court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the Will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the Clerk of the above named District Court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the 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 3/30/2021  
Date of second publication: 4/15/2021

Amy J. Fehlberg and John D. Barth,  
16446 Marsh Avenue, Allison IA 50602 and 511 N 1st Street, Greene IA 50602

Co-Executors of Estate  
Patrick G. Vickers, ICIS#: AT0008114  
118 S 1st Street  
PO Box 499  
Greene, IA 50636  
Vickers Law Office  
Attorney for Executor

TJ-14

**PROCEEDINGS**

**CITY OF ALLISON SPECIAL COUNCIL MEETING MARCH 29, 2021**

Mayor Henrichs opened the special meeting of the Allison City Council at 5:45 pm. Council members present were: Bangasser, Carlson, Davis, Henning, Heuer. Motion by Henning with a second by Davis to approve the agenda. Ayes: All. Nays: None. Motion carried.

New Business:  
Motion by Carlson with a second by Bangasser to keep the liability limits that we currently have on the City's Insurance policy. Ayes: All. Nays: None. Motion Carried.

Motion by Davis with a second by Heuer to approve the Mayor to fill out and sign the Anniversary Information Acknowledgement Form. Ayes: All. Nays: None. Motion Carried.

Motion by Bangasser with a second by Carlson to insure the water tower, weir vault, swimming pool and the kiddie pool on the insurance policy with the limits established by the insurance company. Ayes: All. Nays: None. Motion Carried.

Motion by Bangasser with a second by Davis to approve the Mayor and City Clerk to sign the member proxy for ICAP Insurance. Ayes: All. Nays: None. Motion Carried.

Motion by Henning with a second by Davis for Glenda to pay the 6 month premium to ICAP Insurance. Ayes: All. Nays: None. Motion Carried.

Adjournment: Motion by Davis to adjourn at 6:23 p.m. with a second by Bangasser. Ayes: All. Nays: None. Motion carried.

Scot Henrichs - Mayor  
Attest: Glenda Miller - City Clerk  
TJ-14