

PROCEEDINGS

CITY OF CLARKSVILLE
CITY COUNCIL
SPECIAL MEETING
JUNE 22, 2021

The Clarksville City Council met in special session June 22, 2021, in the City Hall, Clarksville, Iowa, at 5:30 p.m. with Mayor Todd Fails in the Chair and Council Members Wendy Brooks, Roger Doty, Brock Lodge, Travis Sterken (via phone), and Larry Voigts present.

Motion Brooks, Lodge, to approve a 60-day trial period with David Skil-

ton as the City of Clarksville's City Attorney effective July 1, 2021 through August 31, 2021 at the hourly rate of \$125.00 during the trial period.

RCV – Ayes: Brooks, Doty, Lodge, Sterken and Voigts. Nays: None. MC.

Motion Sterken, to adjourn the City Council Special Meeting at 5:35 p.m. Todd Fails - Mayor
Attest: Lori A Peterson - City Clerk/Treasurer

CS-26

PROBATE

NOTICE OF PROBATE OF
WILL, OF APPOINTMENT OF
EXECUTOR, AND
NOTICE TO CREDITORS
CASE NO. ESPR017199

THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF

Doris L Dilger,
Deceased.

To All Persons Interested in the Estate of Doris L Dilger, Deceased, who died on or about May 25, 2021:

You are hereby notified that on June 14, 2021, the Last Will and testament of Doris L Dilger, deceased, bearing the date of April 29, 2021, was admitted to probate in the above named court and that John C Dilger was appointed Executor of the estate. Any action to set aside the Will must be brought in the District Court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the Will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the Clerk of the above named District Court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the 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 6/14/2021
Date of second publication: 7/1/2021

John C Dilger, Executor of Estate
PO Box 380
Shell Rock, IA 50670
Karl A. Nelson, ICIS#: AT0005659
Attorney for Executor
PO 230
Shell Rock, IA 50670

CS-26

PROBATE

NOTICE OF PROBATE OF
WILL, OF APPOINTMENT OF
EXECUTOR, AND
NOTICE TO CREDITORS
CASE NO. ESPR017195

THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF

Vera Fonda Poppen,
Deceased.

To All Persons Interested in the Estate of Vera Fonda Poppen, Deceased, who died on or about May 18, 2021:

You are hereby notified that on May 28, 2021, the Last Will and testament of Vera Fonda Poppen, deceased, bearing the date of August 21, 1987, was admitted to probate in the above named court and that Gary L. Poppen and Linda K. Awe have been 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 6/24/2021
Date of second publication: 7/1/2021

Gary L. Poppen, Executor of Estate
601 Pine Street
Reinbeck, IA 50669
Lana K. Awe, Executor of Estate
108 Wood Acres
Algona, IA 50511

CS-26

CLARKSVILLE COMMUNITY
SCHOOL BOARD OF
EDUCATION
REGULAR MEETING
JUNE 21, 2021.

The regular board meeting was called to order by President Justin Clark at 5:30 p.m. in room #109. Board members present were Tim Backer, Phil Barnett, Justin Clark and Brandon Kampman; others present were Business Manager/Board Secretary Shellee Bartlett, Bob Bartlett, Kristi Hanneman, Heather Foster and Matt Wilken. Board member absent: Shelley Maliers.

Moved by Barnett, seconded by Kampman, to approve the agenda. Carried unanimously.

Moved by Kampman, seconded by Backer, to approve the May 3, May 11, May 17, May 18, 2021 minutes. Carried unanimously.

Moved by Backer, seconded by Barnett, to approve the May 2021 financial reports and June 2021 bill listing. Carried unanimously.

Moved by Backer, seconded by Backer, to approve the following personnel recommendations: Contracts: Lisa Rupp, K-6 Math @ 55,630 (MA, step 14); Isabel Leichtman, Asst Girls BB @ \$2,691 (9%, step 1); TLC: Tina Halverson @ \$9,750, Christina Cortez @ \$3,250, Heather Foster @ \$3,250, Jess Mraz @ \$1,950, Ashton Henningsen @ \$1,950, Anna Shaull @ \$3,250, Sharon Ragsdale @ \$3,250, Lisa Gordon @ \$1,300: Volunteers: Matt Wilken, football. Carried unanimously.

Moved by Backer, seconded by Barnett, to approve adding a 6th grade teaching position, one year contract for 2021-22 school year, based on finding a quality candidate. Carried unanimously.

Moved by Kampman, seconded by Barnett, to approve the 2nd reading of the 300 series board policies, Administration. Carried unanimously.

Moved by Barnett, seconded by Backer, to approve the purchase of 24 iPads with cases from Apple Inc. for \$9,150.80. Carried unanimously.

Moved by Kampman, seconded by Backer, to approve the purchase of 20 mobile storage units for \$27,011 from School Specialty. Carried unanimously.

Moved by Barnett, seconded by Backer, to approve the purchase of classroom chairs from School Specialty for \$1,533.90. Carried unanimously.

Moved by Barnett, seconded by Kampman, to approve payment of fis-

cal year-end bills and claims. Carried unanimously.

Moved by Backer, seconded by Barnett, to approve fund transfer from activity account to balance negative activity account balances due to lost revenue from COVID. Carried unanimously.

Moved by Kampman, seconded by Barnett, to adjourn at 6:03 p.m. Carried unanimously.

The tentative date for the July board meeting is July 19, 2021 at 5:30 p.m.

Clarksville Community School
June 2021 Vendor Report

Vendor Description	Amount
Ahlers & Cooney PC,	
Legal	116.00
Amazon,	
Supplies	417.77
A-P Appliance Heating & Cooling Repairs	265.50
Aplington-Parkersburg Schools	
Entry Fee	50.00
Barnett Excavating & Trucking	
Playground Renovation	12,835.00
Bergmann, Robert	
Official	95.00
Bimbo Bakeries USA	
Food	274.58
Bluhm Electric Inc.	
Repairs	400.00
Butler County Solid Waste	
Waste Removal	126.00
Butler-Bremer Communications	
Telephone	275.90
CAM Community School District	
Open Enrollment	3,948.42
Capital One - Walmart	
Supplies	208.10
Casey's Business MasterCard	
Fuel	1,004.16
Central Rivers AEA	
Printing	1.65
CenturyLink	
Telephone	26.73
City Of Clarksville	
Water/Sewer	938.33
Clarksville CSD - General	
Payroll	7,766.41
Combustion Controls	
Repairs	2,950.30
Decker Sporting Goods	
Supplies	1,177.83
Dietz, Patricia	
Official	95.00
Dietz, Ray	
Official	95.00
Dike New Hartford Comm School	
Entry Fee	80.00
Dunkerton Community School	
Entry Fee	215.00
Ecolab Pest Elimination Svcs	
Pest Control	84.58
Emergent Architecture	
Facility Review	1,250.00
Farmer's Coop	
Roundup	75.08
Farmers Win Coop	
Diesel	627.93
Fierova, Thomas	
Official	150.00
Freerks, Conner	
Official	95.00
Gabel, Rick	
Supplies	79.16
GMG Comm School District	
Entry Fee	130.00
Hageman, Paul	
Official	100.00
Hampton-Dumont CSD	
Open Enrollment	2,163.97
Hopkins, John	
Official	95.00
Hudson Community School	
Entry Fee	180.00
Iowa ASCD	
Registration	150.00
Iowa Communications Network	
Internet	105.75
Iowa HS Speech Assoc.	
Registration	158.00
Janesville Consolidated Schoo	
Entry Fee	60.00
Jendro	
Waste Removal	66.50
Kenny Bloker Masonry	
Playground Renovation	46,740.00
Kuntz, Todd	
Official	250.00
Maple Hills Country Club	
Entry Fee	50.00
Marco Inc	
Copier Lease	1,039.24
Martin Bros	
Food/Supplies	5,486.81
Mason City Country Club	
Entry Fee	10.00
McCarvel, Mike	
Official	100.00
McMauley, Charles	
Official	95.00
Mid-America Publishing Co	
Publications	75.34
MidAmerican Energy Co	
Electric	2,076.76
Midwest Alarm Services	
Inspection	810.12
Miller, John	
Official	95.00
Nalan, Clayton	
Official	95.00
Nalan, Mark	
Official	95.00
NAPA Auto Parts	
Supplies	64.97
Nashua Town & Country Club	
Entry Fee	60.00
Nashua-Plainfield Community	
Schools, Entry Fee	630.00
NASSCO	
Supplies	40.72
Noite, Comman & Johnson PC	
Audit	5,100.00

North Butler CSD	
Open Enrollment	21,972.92
North Butler CSD	
Entry Fee	260.00
Oakwood Golf Course	
Office of Auditor of State	
Audit	425.00
Park Planet	
Playground Renovation	219,725.03
Parker, Mark	
Official	100.00
Payne, Dayn	
Official	95.00
Peoples Community Health Clinic	
DOT Physical	293.00
Prairie Farms Dairy, Inc.	
Dairy	1,248.99
Rapids	
Supplies	77.29
Rogers, Keith	
Official	190.00
School Bus Sales	
Bus Inspections	2,247.27
Snyder, Glen	
Official	95.00
Steckelberg, Charles	
Official	150.00
Symmetry Energy Solutions LLC	
Natural Gas	946.28
TC Networks Inc	
IT Support	1,087.50
U.S. Cellular	
Cell Phone	61.15
Union Community School District	
Entry Fee	85.00
Vandenbergh, Tim	
Official	95.00
Verizon Wireless	
Hotspots	150.20
VISA	
Supplies	204.55
Vogel Irrigation Company	
Irrigation	199.55
W. Chris Holston	
Official	100.00
Waste Management	
Waste Removal	166.05
Waverly-Shell Rock Schools	
Open Enrollment	113,769.43
Weber Paper Company	
Supplies	2,217.92
West Music	
Supplies	197.50
Willis, Ray	
Official	100.00
Wix Water Works	
Board President	64.00
Report Total:	\$468,231.24
6/21/21	
Board Secretary	
6/21/21	

CS-26

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JUNE 15, 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 9:01 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 Heidenwirth, second by Barnett to approve the minutes as read. All ayes. Motion carried. No public comment received. The Board and John Riherd recognized Craig Frevert's retirement after working in Secondary Roads for 46 years. Riherd shared his work history

with the county and invited everyone to Frevert's retirement coffee at the shop following the board meeting. Motioned by Barnett, second by Heidenwirth to approve two Petition for Suspension of Taxes presented by County Treasurer Roxanne Nicolaus. All ayes. Motion carried. County Auditor, Leslie Groen, presented new 28E Agreements for NEISA, Butler County Visions of Wellbeing and Crisis Intervention Services. Groen explained the need for the 28E Agreements were the result of an advisory issued by the State

Auditor's office in May 2020 regarding public funds going to private non-profits. The advisory encouraged contracts and/or 28E Agreements be established with non-profits for approved funding requests. Heidenwirth suggested adding language to provide the board an opportunity to adjust the funding request over the contract duration. Motioned by Barnett, second by Heidenwirth to table the 28E Agreements for those changes to be made. All ayes. Motion carried. Motioned by Eddy, second by Heidenwirth to approve Class B Permit for

Backpocket Brewing, LLC from July 27-28, 2021. Motioned by Eddy, second by Heidenwirth to approve Blass B Permit for Dumont Fire Dept. during Dumont Sandbaggin Days, July 8, 2021. Heidenwirth asked about board approval with this being in the Dumont city limits and Groen will review it. Motioned by Heidenwirth second by Eddy to approve claims. All ayes. Motion carried. Board acknowledged receipt of Manure Management Plan Annual Updates for Woodford Creek Farms

802 #57795. Motioned by Heidenwirth, second by Eddy to adjourn the regular meeting at 9:19 A.M. to June 22, 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 June 15, 2021. Attest: Butler County Auditor
Chairman of the Board of Supervisors
CS-26

PROCEEDINGS

CITY OF CLARKSVILLE CITY COUNCIL DEPARTMENT MEETING JUNE 21, 2021.

The Clarksville City Council met in regular session June 21, 2021, at City Hall at 6:18 p.m. with Mayor Todd Fails in the chair and Council Members Wendy Brooks, and Travis Sterken, and Larry Voigts present. Roger Doty and Brock Lodge arrived at 6:25 p.m.

The following Department Heads and employees were in attendance: Kristen Clark, Library Director; Ryan McCully, Maintenance Assistant; Barry Mackey, Police Chief; Lori Peterson, Financial Administration.

Motion Sterken, Brooks, to approve shed building permit for William Billington, 102 E. Wilmans St.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Sterken, Brooks, to approve porch building permit for Todd Dreesman, 121 W. Poisal St.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Sterken, Brooks, to approve fence building permit for Erma Jane Ferch, 526 W. Greene St.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Sterken, Brooks, to approve roof awning building permit for Norman Kauffman for 609 N. Elizabeth St.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Doty, Voigts, to approve consent agenda: Monthly Departmental Reports as submitted by Department Heads.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Doty, Brooks, to approve May financial reports and June expenditures as presented by the City Clerk.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Brooks, Doty, to adopt first reading of Ordinance No. 291: **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLARKSVILLE, IOWA, BY ADDING A NEW CHAPTER RELATING TO WELL CONTROL ZONES.**

BE IT ENACTED by the City Council of the City of Clarksville, Iowa:

SECTION I. NEW CHAPTER. The Code of Ordinances of the City of Clarksville, Iowa, is amended by adding a new Chapter 93 entitled Well Control Zones, which is hereby adopted to read as follows:

CHAPTER 93 WELL CONTROL ZONES

The following is inserted in its place: **93.01 CONTROL ZONES ESTABLISHED.**

"Control Zone 1" herein referred to consists of all lands located within a distance of one hundred feet (100') from the location of the well, and "Control Zone 2" herein referred to consists of all lands located within a distance of two hundred feet (200') from the location of the well.

93.02 CONTROL ZONE 1. It shall be unlawful for any person, persons, or group of persons to use, to erect, or cause to be erected within "Control Zone 1" any of the following structures, uses, or activities:

- Land application of solid wastes.
- Irrigation of wastewater.
- Concrete vaults and septic tanks.
- Chemical application to ground surface.
- Chemical and mineral storage above ground.
- Animal enclosure.
- Land application or storage of animal wastes.
- Earthen silage storage trench or pit.

93.03 CONTROL ZONE 2. It shall be unlawful for any person, persons, or group of persons to use, to erect, or cause to be erected within "Control Zone 2" any of the following structures, uses, or activities:

- Cemetery.
- Cesspool and earth pit privies.
- Chemical and mineral storage on or underground.
- Private well.
- Soil absorption field.
- Stockpile of animal wastes.
- Wastewater plant.
- Lagoon.
- Sanitary or industrial discharge.
- Solid waste disposal site.

93.04 VIOLATION ABATEMENT. Any person, persons, or group of persons found to be violating any provisions of this ordinance shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

93.05 PENALTY. Any person, persons, or group of persons who shall continue any violation beyond the time limit provided for in Section 93.05 shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding seven hundred and fifty dollars (\$750.00)

for each violation. Every day in which any such violation shall continue shall be deemed a separate offense.

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

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

First reading passed. No motion was made to waive second and third reading of Ordinance No. 291.

Motion Sterken, Brooks, to adopt first reading of Ordinance No. 292: **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLARKSVILLE, IOWA, BY GRANTING TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND NON-EXCLUSIVE FRANCHISE TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN AND OPERATE IN THE CITY OF CLARKSVILLE, IOWA, A NATURAL GAS SYSTEM AND TO FURNISH AND SELL NATURAL GAS TO THE CITY AND ITS INHABITANTS AND AUTHORIZING THE CITY TO COLLECT FRANCHISE FEES FOR A PERIOD OF 25 YEARS.**

BE IT ENACTED by the City Council of the City of Clarksville, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 110 of the Code of Ordinances of the City of Clarksville, Iowa, is repealed and the following adopted in lieu thereof:

CHAPTER 110 NATURAL GAS FRANCHISE

Section 1. There is hereby granted to MidAmerican Energy Company, an Iowa corporation, (hereinafter called "Company,") and its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain and operate in the City of Clarksville, Iowa, (hereinafter called the "City,") a gas distribution system to furnish natural gas along, under, over and upon the streets, avenues, rights of way and alleys to serve customers within the City, and to furnish and sell natural gas to the City and its inhabitants. The Company is granted the right to exercise of powers of em-

inent domain, subject to City Council approval. This franchise shall be effective for a twenty-five (25) year period from and after the effective date of this ordinance.

Section 2. The rights and privileges hereby granted are subject to the restrictions and limitations of Chapter 364 of the Code of Iowa 2021 or as subsequently amended or changed.

This ordinance and the rights and privileges herein granted shall become effective and binding upon its approval and passage in accordance with Iowa law and the written acceptance by the Company. The City shall provide Company with an original signed and sealed copy of this ordinance within 10 days of its final passage.

The Company shall, within thirty (30) days after the City Council approval of this ordinance, file in the office of the clerk of the City, its acceptance in writing of all the terms and provisions of this ordinance.

Following City Council approval, this ordinance shall be published in accordance with the Code of Iowa. The effective date of this ordinance shall be the date of publication. In the event Company does not file its written acceptance of this ordinance within thirty (30) days after its approval by the City Council, this ordinance shall be void and of no effect.

Upon the effective date of this ordinance, all prior franchises granted to the Company to furnish electric service to the City and its inhabitants are hereby repealed and all other ordinances or parts of ordinances in conflict herewith are also hereby repealed.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

First reading passed.

No motion was made to waive second and third reading of Ordinance No. 292.

Motion Sterken, Brooks, to adopt first reading of Ordinance No. 293: **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLARKSVILLE, IOWA,**

BY GRANTING TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND NON-EXCLUSIVE FRANCHISE TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN AND OPERATE IN THE CITY OF CLARKSVILLE, IOWA, AN ELECTRIC SYSTEM AND COMMUNICATIONS FACILITIES AND TO FURNISH AND SELL ELECTRIC ENERGY TO THE CITY AND ITS INHABITANTS AND AUTHORIZING THE CITY TO COLLECT FRANCHISE FEES FOR A PERIOD OF 25 YEARS.

BE IT ENACTED by the City Council of the City of Clarksville, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 111 of the Code of Ordinances of the City of Clarksville, Iowa, is repealed and the following adopted in lieu thereof:

CHAPTER 111 ELECTRIC FRANCHISE

Section 1. There is hereby granted to MidAmerican Energy Company, an Iowa corporation, (hereinafter called "Company,") and its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain and operate in the City of Clarksville, Iowa, (hereinafter called the "City,") a system for the transmission and distribution of electric energy and communications signals along, under, over and upon the streets, avenues, rights of way and alleys to serve customers within the City, and to furnish and sell electric energy to the City and its inhabitants. The Company is granted the right to exercise of powers of eminent domain, subject to City Council approval. This franchise shall be effective for a twenty-five (25) year period from and after the effective date of this ordinance.

Section 2. The rights and privileges hereby granted are subject to the restrictions and limitations of Chapter 364 of the Code of Iowa 2021 or as subsequently amended or changed.

This ordinance and the rights and privileges herein granted shall become effective and binding upon its approval and passage in accordance with Iowa law and the written acceptance by the Company. The City shall provide Company with an original signed and sealed copy of this ordinance within 10 days of its final passage. The Company shall, within thirty (30) days after the City Council approval of this ordinance, file in the office of the clerk of the City, its acceptance in writing of all the terms and provisions of this ordinance. Following City Council approval, this

ordinance shall be published in accordance with the Code of Iowa. The effective date of this ordinance shall be the date of publication. In the event Company does not file its written acceptance of this ordinance within thirty (30) days after its approval by the City Council, this ordinance shall be void and of no effect.

Upon the effective date of this ordinance, all prior franchises granted to the Company to furnish electric service to the City and its inhabitants are hereby repealed and all other ordinances or parts of ordinances in conflict herewith are also hereby repealed.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

First reading passed.

No motion was made to waive second and third reading of Ordinance No. 293.

Motion Doty, Lodge, to set a public hearing on July 19, 2021 at 6:30 p.m. at City Hall for MidAmerican Energy natural gas and electric franchise renewals.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Sterken, Doty, to approve liquor license for Dollar General.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Sterken, Brooks, to approve advertising for full time Maintenance Employee.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Sterken, Doty, to change next regular council meeting to Tuesday, July 6, 2021, at 6:30 p.m.

due to the holiday.

RCV – Ayes: Brooks, Doty, Lodge, Sterken, and Voigts. Nays: None. MC.

Motion Sterken, to adjourn the regular City Council meeting at 7:52 p.m.

Todd Fails - Mayor

Attest: Lori A. Peterson - City Clerk/Treasurer

CS-26

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Iowa Northland Regional Transportation Authority (RTA) will hold a public hearing at the INRCOG Center, 229 E. Park Ave., Waterloo, Iowa, on Thursday, July 15, 2021 at 1:00 p.m.

The purpose of this hearing is to solicit public comment on the draft Transportation Improvement Program (TIP) for fiscal years 2022-2025. This document affects federal transportation programming for persons in Black Hawk, Bremer, Buchanan, Butler, Chickasaw, and Grundy Counties, excluding the Waterloo-Cedar Falls metropolitan area.

For additional information, you may contact Kyle Durant at (319) 235-0311 between 8:00 a.m. and 3:30 p.m. weekdays or at kdurant@inrcog.org.

TJ-26

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JUNE 15, 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 9:01 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 Heidenwirth, second by Barnett to approve the minutes as read. All ayes. Motion carried.

No public comment received. The Board and John Riherd recognized Craig Frevet's retirement after working in Secondary Roads for 46 years. Riherd shared his work history with the county and invited everyone to Frevet's retirement coffee at the shop following the board meeting.

Motioned by Barnett, second by Heidenwirth to approve two Petition

PROCEEDINGS

for Suspension of Taxes presented by County Treasurer Roxanne Nicolaus. All ayes. Motion carried.

County Auditor, Leslie Groen, presented new 28E Agreements for NEI3A, Butler County Visions of Wellbeing and Crisis Intervention Services. Groen explained the need for the 28E Agreements were the result of an advisory issued by the State Auditor's office in May 2020 regarding public funds going to private non-profits. The advisory encouraged contracts and/or 28E Agreements be established with non-profits for approved funding requests. Heidenwirth suggested adding language to provide the board an opportunity to adjust the

funding request over the contract duration. Motioned by Barnett, second by Heidenwirth to table the 28E Agreements for those changes to be made. All ayes. Motion carried.

Motioned by Eddy, second by Heidenwirth to approve Class B Permit for Backpacket Brewing, LLC from July 27-28, 2021.

Motioned by Eddy, second by Heidenwirth to approve Blass B Permit for Dumont Fire Dept. during Dumont Sandbaggin Days, July 8, 2021. Heidenwirth asked about board approval with this being in the Dumont city limits and Groen will review it.

Motioned by Heidenwirth second by Eddy to approve claims. All ayes.

Motion carried.

Board acknowledged receipt of Manure Management Plan Annual Updates for Woodford Creek Farms 802 #57795.

Motioned by Heidenwirth, second by Eddy to adjourn the regular meeting at 9:19 A.M. to June 22, 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 June 15, 2021.

Attest: Butler County Auditor Chairman of the Board of Supervisors

TJ-26

PROBATE

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS CASE NO. ESPR017198

THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF James D. Norton, Deceased.

To All Persons Interested in the Estate of James D. Norton, Deceased, who died on or about May 21, 2021:

You are hereby notified that on June 8, 2021, the Last Will and testament of James D. Norton, deceased, bearing the date of June 22, 2018, was admitted to probate in the above named court and that Rocky Norton was appointed Executor of the estate. Any action to set aside the Will must be brought in the District Court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the Will whose identities are reasonably ascertainable, or thereafter be for-

ever 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 6/8/2021 Date of second publication: 7/1/2021 Rocky Norton, 29673 175th Street Clarksville, Iowa 50619 Executor of the Estate of James D. Norton Lana L. Luhring, ICIS#: AT0004830 Attorney for executor Laird and Luhring 124 1st Street SW PO Box 177 Waverly, Iowa 50677

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PROBATE

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS CASE NO. ESPR017200

THE IOWA DISTRICT COURT FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF Kent L. Evans, Deceased.

To All Persons Interested in the Estate of Kent L. Evans, Deceased, who died on or about June 6, 2021:

You are hereby notified that on June 16, 2021, the Last Will and Testament of Kent L. Evans, deceased, bearing date of December 17, 2019, was admitted to probate in the above named court and that Gina Leonard was appointed Executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will

whose identities are reasonably ascertainable, or thereafter be forever barred.

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

Dated June 25, 2021 Date of second publication: 7/8/2021 Gina Leonard, Executor of Estate 319 Lincoln St New Hampton, IA 50659 Karl A. Nelson, ICIS#: AT0005659 Attorney for Executor PO 230 Shell Rock, IA 50670

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PUBLIC NOTICE

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

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

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

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