

PUBLIC NOTICE

PUBLIC NOTICE NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF ALLISON, IOWA ON THE SPECIAL PERMIT APPLICATION OF DOLLAR GENERAL

Public Notice is hereby given that the City Council of the City of Allison, Iowa, will hold a public hearing on the 24th day of August, 2020, at 7 p.m., at the Emergency Services Building at 1002 Seventh St., Allison, Iowa. The Council will consider the approval of the Special Permit Application of Dollar General to be able to construct a 9100 square foot retail store at the NW corner of Highway 3 and Lakeview Drive with associated parking, drainage and utilities.

Any interested parties are encouraged to attend to speak in favor or in opposition to the proposed Special Permit of Dollar General or may file written comments at City Hall prior to the time of said hearing.

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JULY 28, 2020.

With limited public access to the courthouse due to COVID-19, this meeting was held telephonically with the public able to participate on a limited basis. 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 a.m. by Chairman Tom Heidenwirth with members Greg Barnett and Rusty Eddy present.

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

No public comment received.

Director of Public Health Jennifer Becker and Emergency Management Coordinator Chris Showalter presented current COVID-19 data for Butler County. There are currently 99 cases with many contacts. Seven cases were reported over the past weekend. Seventy-nine have recovered and there are currently no hospitalizations. They recommended to the Board that we continue with "open by appointment only" status until Sept. 29, 2020, unless there is a decrease in cases for two consecutive weeks. Following discussion, it was moved by Barnett, second by Eddy to continue with current courthouse status until Sept. 29 and re-evaluate if there is a two week decline in cases. All ayes. Motion carried.

Time and place for a public hearing on the Final Plat for Honeytree Hills Subdivision located in the Wfrl $\frac{1}{2}$ NWfrl $\frac{1}{4}$ of Section 30, Township 90 North, Range 15 West of the 5th P.M. Present were Heidenwirth, Eddy and Barnett. Auditor reported no written or oral comments received. At the close of the public hearing, it was moved by Eddy, second by Heidenwirth to approve the following:

RESOLUTION #963

BUTLER COUNTY BOARD OF SUPERVISORS

APPROVING "HONEYTREE HILLS SUBDIVISION" FINAL PLAT WITH THE RECOMMENDATION OF THE BUTLER COUNTY PLANNING AND ZONING COMMISSION

BE IT RESOLVED by the Butler County Board of Supervisors as follows:

Section 1. The Butler County Planning and Zoning Commission held a Public Hearing on July 16, 2020, to consider a Final Subdivision Plat entitled "Honeytree Hills Subdivision".

Section 2. The area is located in the

Wfrl $\frac{1}{2}$ NWfrl $\frac{1}{4}$ Section 30, Township 90 North, Range 15 West of the 5th P.M. and proposes eleven (11) lots of various sizes.

Section 3. The Planning & Zoning Commission has made the recommendation that the Final Subdivision Plat entitled "Honeytree Hills Subdivision" be approved.

Section 4. The Board of Supervisors held its own public hearing on this Final Subdivision Plat on July 28, 2020.

Section 5. The Board of Supervisors hereby approve the Final Subdivision Plat entitled "Honeytree Hills Subdivision" located in the Wfrl $\frac{1}{2}$ NWfrl $\frac{1}{4}$ Section 30, Township 90 North, Range 15 West of the 5th P.M.

Section 6. This resolution shall take effect immediately.

The vote thereon was as follows:

AYES: Rusty Eddy, Greg Barnett, Tom Heidenwirth

NAYS: None

ABSENT: None

Passed and approved this 28th day of July, 2020.

ATTEST:

Lizbeth Williams, County Auditor

Board set date and time as Aug. 4, 2020 at 9:15 a.m. for a public hearing on the first reading of a proposed amendment to the Butler County Zoning Ordinance. Title VI, No. 22 will rezone a parcel located at 29472 Hwy 3 in Section 32, Township 92 North, Range 15 West of the 5th P.M. from "A-1" Agriculture to "C" Commercial.

Moved by Barnett, second by Heidenwirth to accept the recommendation of Engineer Riherd and approve a Utility Permit for work on new Town Border Station (TBS) at 31341 220th Street. All ayes. Motion carried.

Board reviewed the Semi-annual Report of Treasurer and ordered placed on file. County Funds total \$10,640,674.41 and Agency Funds total \$1,982,206.38.

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

Board acknowledged receipt of Manure Management Plan Annual Updates for Woodford Creek Farms; Millertime Finisher Farm; Leroy Finisher Farm; Greene Finisher Farm and Kroeze Finisher Farm.

Moved by Heidenwirth, second by Barnett to adjourn the meeting at 9:30 a.m. to Tuesday, Aug. 4, 2020 at 9 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 28, 2020.

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PUBLIC NOTICE

NOTICE OF SHERIFF'S LEVY AND SALE

STATE OF IOWA
IOWA DISTRICT COURT
BUTLER COUNTY
CASE NUMBER: EQCV021633
CIVIL NUMBER: 20-000214
SPECIAL EXECUTION
Quicken Loans, Inc.

vs.

Karen Allpress; Doug Neugebauer; Iowa Department of Revenue; and All Unknown Claimants, and All Persons Unknown Claiming Any Right, Title or Interest in and to the following described real estate situated in Butler County, Iowa, to wit: Parcel C located in the Northeast Quarter of the Southeast Quarter of Section 22, Township 92, North, Range 17 West of the 5th P.M., as per Plat of Survey Filed Sept. 6, 2011, recorded in Book 'Q' Page 168, Instr. No. 2011-3034 of the Records of the Butler County Recorder, Butler County Iowa; And All Known and Unknown Claimants and All Persons Known or Unknown Claiming Any Right, Title or Interest and all of their Heirs, Spouses, Assigns, Grantees, Legatees, Devisees and all of the Above Named Defendants

As a result of the judgment rendered in the above referenced court case, an execution was issued by the court to the Sheriff of this county. The execution ordered the sale of defendants' Real Estate to satisfy the judgment. The property to be sold is described below:

Parcel C located in the Northeast Quarter of the Southeast Quarter of Section 22, Township 92, North, Range 17 West of the 5th P.M., as per Plat of Survey Filed Sept. 6, 2011, recorded in Book 'Q' Page 168, Instr. No. 2011-3034 of the Records of the Butler County Recorder, Butler County Iowa

Judgment in REM

Property Address: 19665 Keystone Ave., Allison, IA 50602

The described property will be offered for sale at public auction for cash only as follows:

Date of Sale: Sept. 24, 2020

Time of Sale: 10 a.m.

Place of Sale: Butler County Sheriff's Office, 428 Sixth St., Allison, IA 50602

This sale not subject to Redemption

Judgment Amount: \$89,956.27

Costs: \$4,398.89

Accruing Costs: PLUS

Interest: \$2,845.95

Sheriff's Fees: Pending

Attorney: Janelle G. Ewing

925 E Fourth St.

Waterloo, IA 50703

319-234-2530

Date: July 20, 2020

/s/Jason S. Johnson

Butler County Sheriff

TJ-32, 33

PUBLIC NOTICE

ORIGINAL NOTICE NOTICE OF PETITION OF FORECLOSURE

STATE OF IOWA
IOWA DISTRICT COURT
EQUITY NO.: EQCV021699
FRANKLIN COUNTY
DATE ISSUED: July 31, 2020
Veridian Credit Union, Plaintiff

vs.

Ryan P. Stufflebeam, Unknown Spouse of Ryan P. Stufflebeam, Rachel A. Kurtz, Unknown Spouse of Rachel A. Kurtz, and Parties in Possession, Defendants

To the above-named Defendants: Ryan P. Stufflebeam and Unknown Spouse of Ryan P. Stufflebeam

You are hereby notified there was on February 20, 2020, filed in the Office of the Clerk of the above-named Court, a Foreclosure Petition, which prays for foreclosure of a Mortgage in favor of the Plaintiff on the property described herein and judgment in rem in the amount of \$156,141.04 plus interest at \$16.77 per day, and for the costs of this action including title costs and reasonable attorney fees and that said sums be declared a lien upon the following-described premises from June 1, 2018, located in Butler County, Iowa, to-wit:

Lot 22 in Schuldt Addition to Shell Rock, Iowa

AKA

Lot Twenty-Two (22) in Schuldt Addition to Shell Rock, Butler County, Iowa

That the Mortgage on the above-described real estate be foreclosed, that a special execution issue for the sale of as much of the mortgaged premises as is necessary to satisfy the judgment and for other relief as the Court may deem just and equitable. The attorney for the Plaintiff is Kenneth P. Nelson, Nelson Law Firm, PLLC, 3112 Brockway Road, P.O. Box 1020, Waterloo, IA 50704-1020, Phone: 319.291.6161, Facsimile: 319.291.6193.

NOTICE

Notice the Plaintiff has elected foreclosure without redemption. This means that the sale of the mortgaged property will occur promptly after entry of judgment unless you file with the court a written demand to delay the sale. If you file a written demand, the sale will be delayed until six months (or three months if the petition includes a waiver of deficiency judgment) from entry of judgment if the mortgaged property is your residence and is a one-family or two-family dwelling or until two months from entry of judgment if the mortgaged property is not your residence or is your residence but not a one-family or two-family dwelling. You will have no right of redemption after the sale. The purchaser at the sale will be entitled to immediate possession of the mortgaged property. You may purchase at the sale.

YOU ARE HEREBY NOTIFIED that unless you appear by completing and filing an Appearance and Answer using the Iowa Judicial Branch Electronic Filing Interface at <https://www.iowacourts.state.ia.us/EFile> on or before the 9th day of September, 2020, judgment by default may be rendered against you for the relief demanded in the Petition.

If you need assistance to participate in the court due to a disability, call the disability coordinator at (641) 421-0990. Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). Disability coordinators cannot provide legal advice.

YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTEREST.

(Seal)

/s/ Beth Eilderts,

District Clerk of Butler County

Date of third publication 20th day of August, 2020.

TJ-32, 33, 34

PROBATE

NOTICE OF APPOINTMENT OF ADMINISTRATOR, AND NOTICE TO CREDITORS CASE NO. ESPR017087

THE IOWA DISTRICT COURT BUTLER
COUNTY

IN THE MATTER OF THE ESTATE OF
SENA J. WIEBKE, Deceased.

To All Persons Interested in the Estate
of Sena J. Wiebke, Deceased, who died
on or about Dec. 8, 2019:

You are hereby notified that on the 24th
day of July, 2020, the undersigned was
appointed administrator of the estate.

Notice is hereby given that all persons
indebted to the estate are requested
to make immediate payment to the un-
dersigned, 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 four months from the date
of the second publication of this notice or
one month from the date of the mailing of
this notice (unless otherwise allowed or
paid) a claim is thereafter forever barred.

Dated this 29th day of July, 2020

Joan Webb

315 Sixth St. NW,

LeMars, IA 51031

Administrator of Estate

Matthew Hemphill, ATAT0003418

Attorney for the Administrator

Bergkamp, Hemphill & McClure, P.C.

218 S. Eighth St.

Adel, Iowa 50003

Date of second publication 13th day of
August, 2020.

TJ-32, 33

PROCEEDINGS

OFFICIAL PROCEEDINGS CITY OF SHELL ROCK REGULAR MEETING MINUTES AUGUST 4, 2020

Mayor Larry Young called the regular meeting to order at 7 p.m., in the City Hall with the Pledge of Allegiance. Council members Robyn Holden, Michael Klinefelter, Jared Krull, and Garrett Schuldt were present. Council member Donald Bonzer was absent. Bethany Carson of the Clarksville Star, Michael Holden, and Rachel Leeseburg were in the audience.

Motion by Schuldt seconded by Holden to approve the agenda with any additions. Ayes-Holden, Klinefelter, Krull, and Schuldt. Nays-None. Absent-Bonzer. Motion carried.

Motion by Klinefelter seconded by Schuldt to approve the consent agenda that included the following items: The minutes of the July 7, 2020 council meeting with the correction of adding Resolution 0022-2020, Introduced by Klinefelter seconded by Krull: A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH IRUA FOR WASTEWATER ACCEPTANCE AND IADNR TREATMENT AGREEMENT AND TRINITY INDUSTRIES FOR A SUPPLEMENTAL USER AGREEMENT, Roll Call Vote: Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldt. Nays-None. Motion carried, the Payment of the Bills, and the Financial Reports for the month of June, 2020. Roll Call Vote: Ayes- Holden, Klinefelter, Krull, and Schuldt. Nays-None.

Absent-Bonzer. Motion carried.

The property the city purchased next to the ESB building was discussed and the city is checking into the possibility of a grant to help with the demolition costs.

Mayor Young announced that there is now money available to local governments through the Iowa COVID-19 Local Government Relief Fund to help cover COVID-19 expenses.

Motion by Schuldt seconded by Holden to have USAquatics engineer lighting and night lighting for the new aquatic center. Ayes-Holden, Klinefelter, Krull, and Schuldt. Nays-None. Absent-Bonzer. Motion carried.

Motion by Schuldt seconded by Klinefelter to approve the application and certification for payment #10 for the Shell Rock Community Aquatic Center in the amount of \$42,963.13. Roll Call Vote: Ayes-Holden, Klinefelter, and Schuldt. Nays-None. Absent-Bonzer. Abstain-Krull, due to conflict of interest. Motion carried.

Rachel Leeseburg of The Cooler was present and asked the council for permission to close off a portion of the sidewalk in the 100 block of W. Main Street and the 100 block of W. Main Street on Sept. 19, 2020 for a motorcycle ride sponsored by some police officers in honor of Officer Tim Peterson. They are anticipating 125 to 150 motorcycles and it would last about an hour and a half. Motion by Schuldt seconded by Holden to block off the 100 block of W. Main Street and a portion of the sidewalk on W. Main Street for the motorcycle ride on Sept. 19, 2020 pending The Cooler has all necessary licensing and insurance. Ayes-Holden, Klinefelter, Krull, and Schuldt. Nays-None. Absent-Bonzer. Motion carried.

Resolution 0023-2020 was introduced by Klinefelter seconded by Krull: A RESOLUTION APPROVING THE ANNU-

AL STREET FINANCE REPORT FOR THE FISCAL YEAR 2020. Roll Call Vote: Ayes-Holden, Klinefelter, Krull, and Schuldt. Nays-None. Absent-Bonzer. Motion carried.

Resolution 0024-2020 was introduced by Krull seconded by Klinefelter: A RESOLUTION SETTING A PUBLIC HEARING ON THE 1ST READING OF ORDINANCE NO. 377, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY FOR SHELL ROCK, IOWA, BY AMENDING PROVISIONS IN CHAPTER 160 RELATING TO FLOOD PLAIN MANAGEMENT. The hearing is set for Sept. 8, 2020 at 7 p.m. Roll Call Vote: Ayes-Holden, Klinefelter, Krull, and Schuldt. Nays-None. Absent-Bonzer. Motion carried.

There was discussion about the current zoning and zoning permit process for the city. It was decided that there will a council work session to discuss this issue further. The City Clerk will contact Brian Schoon from INRCOG to see if he will be able to attend that meeting.

Motion by Holden seconded by Schuldt to adjourn at 9:03 p.m. Ayes-Holden, Klinefelter, Krull, and Schuldt. Nays-None. Absent-Bonzer. Motion carried.

DISBURSEMENTS

Amazon Capital Services – Lib. books/supplies	852.08
AT&T – long distance.....	14.95
Aureon Communications – web services.....	21.98
Bank of America – subscriptions/supplies	1,242.45
Bergan KDV – IT services	147.35
Blacktop Service Co. – street supplies ..	460.00
Butler County Auditor – hazmat dues	648.00
Butler County EMS Assoc. – dues	1,000.00
Butler County Solid Waste – disposal fee.....	4,536.00
Butler-Bremer Comm. – phone services ..	433.90
Canon Financial Services – copier lease	101.24
Cardinal Construction Inc. – pool payment #10.....	42,963.13
Chosen Valley Testing Inc. – testing	530.00
City Laundering Co. – mats & mops services.....	175.42
Doug's Heating & Cooling – Library services.....	72.00
Feld Fire – Fire Dept. supplies	158.70
Fidelity Security Life – vision insurance.....	44.22
Gibson Design/Fabrication – supplies ..	149.50
Gordon Flesch Co. – copier lease	35.44
Hach Company – sewer supplies.....	519.95
Hawkins Inc. – sewer supplies	894.00
IA Dept. of Natural Resources – NPDES permit	85.00
IIMC – dues.....	170.00
INRCOG – dues	660.96
Internal Revenue Service – withholdings	5,772.58
Iowa Dept. of Revenue – sales tax.....	688.00
Iowa Dept. of Revenue – water excise tax.....	1,783.00
Iowa Dept. of Revenue – withholdings...	1,348.00
Iowa DNR – annual water supply fee	148.00
Iowa One Call – locates.....	36.90

IPERS – withholdings	5,375.96
Jendro Sanitation – garbage collection ..	5,504.42
John Deere Financial – sewer supplies ..	7.79
Keystone Laboratories – testing.....	704.50
KW Electric – aquatic center services ...	4,582.81
Kwik Trip Inc. – fuel.....	318.38
Levasseur Lovensky – customer dep. refund	51.16
Life Investors – deferred compensation.....	135.00
Menards – supplies.....	328.91
MidAmerica Publishing – publications ...	364.87
MidAmerican Energy Co. – electricity & gas	5,242.75
Nelson & Toenjes Law Office – legal services.....	1,845.26
O'Reilly Auto Parts – auto parts	25.11
Orkin – pest control	48.30
Payroll – employee wages.....	16,561.59
Polk's Lock Services – keys	4.00
Postmaster – postage.....	495.00
Premier Furniture & Equipment – Lib. furniture	5,312.00
Productivity Plus Account – street supplies	296.00
Reliance Standard – disability insurance	359.72
Rops, Carla – Library cleaning.....	300.00
Ryan Exterminating – pest control	50.00
Sebcos Books – books	863.11
Security State Bank – health savings accounts	1,137.51
Spahn & Rose – supplies	8.08
Storey Kenworthy – office supplies.....	35.99
U.S. Cellular – cellular phone bills	227.82
Wellmark Blue Cross – health & dental insurance	3,471.78
Xerox Financial Services – copier lease	106.21
Zoom Video Communications – video comm.....	16.04

TOTAL DISBURSEMENTS.....

.....\$119,472.83

DISBURSEMENTS BY FUND

General	29,498.66
Road Use Tax	6,882.11
Library Building Fund.....	5,312.00
Aquatic Center Fund.....	48,075.94
Bicyclist Shelter House Fund	8.08
Water Utility.....	7,142.06
Water Deposits	51.16
Sewer Utility.....	10,496.08
Garbage Utility.....	12,006.74

TOTAL DISBURSEMENTS BY FUND ..

.....\$119,472.83

REVENUES

General	14,599.49
Road Use Tax	21,789.45
Employee Benefits.....	389.59
Local Option Sales Tax.....	7,180.79
Debt Service	791.45
Trust & Agency Capital Improvements ..	289.95
Aquatic Center Fund.....	28,679.30
Water Utility.....	12,329.81
Water Deposits	700.00
Water Depreciation	11.63
Sewer Utility.....	14,522.57
Sewer Depreciation	7.75
Garbage Utility.....	12,306.22

TOTAL REVENUES

\$113,598.00

ATTEST:

Larry Young, Mayor

Marilyn Hardee, City Clerk