

LEGALS

PUBLIC NOTICE

Storm Water Discharge

SHELL ROCK SOY PROCESSING PLANS TO SUBMIT A NOTICE OF INTENT TO THE IOWA DEPARTMENT OF NATURAL RESOURCES TO BE COVERED UNDER NPDES GENERAL PERMIT NO. 1 STORM WATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY. THE STORM WATER DISCHARGE WILL BE FROM INDUSTRIAL ACTIVITIES ASSOCIATED WITH SOYBEAN EXTRACTION PROCESSING. THE FACILITY IS LOCATED IN SECTION 33, 92N, 15W IN BUTLER COUNTY. STORM WATER WILL BE DISCHARGED FROM ONE POINT

SOURCE AND WILL BE DISCHARGED TO THE FOLLOWING STREAMS: UNNAMED STREAM TO SHELL ROCK RIVER. COMMENTS MAY BE SUBMITTED TO THE STORM WATER DISCHARGE COORDINATOR, IOWA DEPARTMENT OF NATURAL RESOURCES, 502 EAST 9TH STREET, DES MOINES, IOWA 50319-0034. THE PUBLIC MAY REVIEW THE NOTICE OF INTENT FROM 8 A.M. TO 4:30 P.M., MONDAY THROUGH FRIDAY, AT THE ABOVE ADDRESS AFTER IT HAS BEEN RECEIVED BY THE DEPARTMENT.

Published in the Eclipse News-Review on Wednesday, Dec. 7, 2022

PUBLIC NOTICE

City of Parkersburg • Water Ordinance 375

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PARKERSBURG, IOWA. ORDINANCE 375

SECTION 1. Chapter 92, Section 92.03 of the Code of Ordinances of City of Parkersburg, Iowa, as amended, is repealed and the following adopted in lieu thereof:

92.03: Rates and Service Outside the City: Water service shall be provided to any customer located outside the corporate limits of the City which the City has agreed to serve at 150% of the rates provided in Section 92.02. No such customer, however, will be served unless the customer shall have signed a service contract agreeing to be bound by the ordinances, rules, and regulations applying to water service established by the Council. Any person desiring city water service to property lying outside the city's corporate limits must: (A) If the property is contiguous to the city's corporate limits, annex the subject property into the city as a condition precedent

to receiving such water service and (B) If the property is not contiguous to the city's corporate limits, agree to be bound by the City of Parkersburg's Contract for Water Service to require voluntary annexation upon becoming contiguous to the city's corporate limits. (Code of Iowa, Sec. 364.4 & 364.84)

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

SECTION 3. 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 by the Parkersburg City Council this 7th day of November, 2022.

Mayor Michael Timmer
ATTEST: Christopher M. Luhring, City Clerk/Administrator

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PUBLIC NOTICE

City of Parkersburg • Minutes 11.22.2022

CITY OF PARKERSBURG NOVEMBER 22, 2022 PARKERSBURG, IOWA

The City Council of the City of Parkersburg, Iowa met in special session on Tuesday, November 22, 2022 at 6:00 P.M. at the Parkersburg City Hall. Council members present: Abkes, Bruns, Cuvelier, Goodrich, and Johnson.

Mayor Michael Timmer called the meeting to order and led those in attendance in reciting the Pledge of Allegiance.

There was motion by Johnson, seconded by Cuvelier to approve the agenda. Upon vote, all ayes.

There was discussion about plans to construct more pickleball courts in Parkersburg in addition to our current facilities which will remain as is. Kirk Klooster and Kyle Tingle spoke on behalf of a small group of residents working on fundraising, design plans, and a location. Preliminary estimates for the project are in excess of \$100,000.00. The group requested financial support to kick off their fundraising campaign. Information was provided about the hotel/motel tax revenues collected by the city and the code requirements for the spending of those funds which includes, but is not limited to, fifty percent of the revenues

to be spent on the construction of a recreational facility. After discussion, there was a motion by Goodrich, seconded by Abkes to support the project using hotel/motel tax revenues up to \$10,000.00 for the project with another \$10,000.00 in challenge funds being provided upon completion to match other private donations made. Upon vote, all ayes.

There was a motion by Bruns, seconded by Abkes to adopt Resolution 1094 authorizing the Internal Advance for Funding of Urban Renewal Project(s), authorizing the use of funds, and to approve the reserving of low-moderate income set-aside funds from current LMI projects nearing completion. Upon vote, all ayes.

Lee Gallentine provided an update on the work recently completed by Hydro-Klean on the sanitary sewer lining project. Lee stated that currently no schedule has been provided and that he hopes solutions can be implemented by the end of December.

There was a motion by Goodrich, seconded by Johnson to adjourn the meeting. Upon vote, all ayes.

Mayor Michael Timmer
Attest: Christopher M. Luhring City Administrator/Clerk

Published in the Eclipse News-Review on Wednesday, Dec. 7, 2022

PUBLIC NOTICE

City of Parkersburg • Sewer Ordinance 376

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PARKERSBURG, IOWA. ORDINANCE 376

SECTION 1. Chapter 95, Section 95.06 of the Code of Ordinances of City of Parkersburg, Iowa, as amended, is repealed and the following adopted in lieu thereof:

95.06 Rates and Service Outside the City: The owners of property outside the corporate limits of the City so situated that it may be served by the City sewer system may apply to the Council for permission to connect to the public sewer upon the terms and conditions stipulated by resolution of the Council. Sewer service shall be provided to such customers at 150% of the rates provided in Section 99.02. No such customer, however, will be served unless the customer shall have signed a service contract agreeing to be bound by the ordinances, rules, and regulations applying to sewer service established by the Council. Any person desiring city sewer service to property lying outside the city's corporate limits must: (A) If the property is contiguous to the city's corporate limits, annex the subject property into the city as a condition precedent to receiving such sewer service and (B) If the property is not contiguous to the city's corporate limits, agree to be bound by the City of Parkersburg's Contract for Sewer Service to require voluntary annexation upon becoming contiguous to the city's corporate limits. (Code of Iowa, Sec. 364.4 & 364.84)

SECTION 2. Chapter 99, Section 99.02 of the Code of Ordinances of City of Parkersburg, Iowa, as amended, is repealed and the following adopted in lieu thereof:

99.02 Rate: Each customer shall pay sewer service charges in the amount of eighty-five percent (85%) of the bill for water and water service attributable to the customer for the property served, but in no event less than thirty dollars (\$30.00) per quarter; provided that customers outside of the corporate limits shall pay the rate determined in Section 95.06. (Code of Iowa, Sec. 364.84)

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

SECTION 4. 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 by the Parkersburg City Council this 7th day of November, 2022.

Mayor Michael Timmer
ATTEST: Christopher M. Luhring, City Clerk/Administrator

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PUBLIC NOTICE

City of Parkersburg • Minutes and Claims 12.1.2021

CITY OF PARKERSBURG DECEMBER 1, 2022 PARKERSBURG, IOWA

The City Council of the City of Parkersburg, Iowa met in regular session on Thursday, December 1, 2022 at 7:00 P.M. at the Parkersburg Civic Center. Council members present: Bruns, Cuvelier, Goodrich, and Johnson. Absent: Abkes.

Mayor Mike Timmer called the meeting to order and led those in attendance in reciting the Pledge of Allegiance.

There was a motion by Goodrich, seconded by Johnson to approve the agenda. Upon vote, all ayes.

There was a motion by Goodrich, seconded by Bruns to approve the minutes. Upon vote, all ayes.

There was a motion by Bruns, seconded by Cuvelier to approve the bills including the accounts payable invoice to Simmering-Cory for grant administration for the water main replacement project in the amount of \$10,000.00. Upon vote, all ayes.

The Public Works Department provided an update which included information about tree trimming beginning soon and the fiber optic project nearing completion.

There was an update provided by Librarian Julie Folken. She presented information about programming and the donations received to promote programming in the area, including shared programming recently held in conjunction with the libraries from both New Hartford and Applington. She also spoke in support of an additional assistant librarian being hired for approximately five hours per week. There was a motion by Goodrich, seconded by Cuvelier to approve the hiring of Stephanie Condren to be paid at \$10.75/hour. Upon vote, all ayes.

There was an update of the three items on the completion punchlist to be completed for the watermain project.

AMAZON -PRINTER \$1,063.02
ANSTOETTER CONSTRUCTION

-ASPHALT REPAIR..... \$13,226.69
APPARATUS TESTING SERVICE
-FIRE PUMP TESTING... \$982.50
BAKER & TAYLOR -LIBRARY BOOKS \$537.07
BMC AGGREGATES -ROAD CONSTRUCTION \$1,230.23
BOUND TREE MEDICAL -MEDICAL SUPPLIES \$224.12
APRIL BOVY -LIBRARY CLEANING \$335.00
BROTHERS MARKET -CONCESSIONS \$159.46
BROWN SUPPLY -REPAIRS \$519.09
BUTLER CO EMS ASSOC -DUES \$1,000.00
BUTLER CO SOLID WASTE -GARBAGE/RECYCLE \$7,052.50
CAMPBELL SUPPLY -EQUIPMENT \$160.00
CAPITAL SANITARY -SUPPLIES \$415.01
CARGILL -SALT \$6,143.51
CENTRAL IA DISTRIBUTING -GLOVES \$192.00
CENTURY LINK -TELEPHONE \$886.46
CITY SANITARY SERVICE -GARBAGE/RECYCLE \$5,499.84
CLAPSADDLE-GARBER -ENGINEERING-SANITARY SEWER \$1,623.00
CLAPSADDLE-GARBER -PERMIT REVIEW \$2,210.00
COLE EXCAVATING -STORM INTAKES \$57,490.60
COLE EXCAVATING -STORM SEWER \$23,500.00
DINGESFIRE COMPANY -EQUIPMENT \$216.86
DS REPAIR -REPAIRS... \$2,218.61
DUMONT TELEPHONE -INTERNET \$110.00
EUROFINS ENVIRONMENT TESTING -TESTING \$39.50
JULIE FOLKEN -REIMBURSE LIBRARY \$60.31
FREIGHTLINER -REPAIRS \$1,705.84
GIS BENEFITS -INSURANCE \$759.09
GRUNDY CENTER AMBULANCE -CONTRACT SERVICES.. \$400.00

GWORNS -SOFTWARE.. \$4,094.41
HAWKINS -CHEMICALS... \$70.00
IA ONE CALL -CONTRACT SERVICES \$33.40
IA RURAL WATER ASSC. -DUES.. \$275.00
IA STATE BANK -TIF REBATE \$93,530.00
STEPHANIE JANSEN -AMBULANCE REIMBURSE..... \$280.49
JOHN DEERE FINANCIAL -REPAIRS \$112.27
JOHNSONS PLUMBING -REPAIRS \$1,240.80
KLUESNER CONSTRUCTION -ASPHALT PATCHES \$21,349.14
KONKEN ELECTRIC -REPAIRS \$132.58
KWIK TRIP -GASOLINE ..\$2,185.55
LANDUS COOP -CHEMICALS \$388.90
RODNEY LUHRING -DED DIFF \$1,638.65
MID-AMERICAN RESEARCH CHEMICAL -CHEMICALS \$225.26
MCDIVITT'S TOWING -REPAIRS.. \$2,679.67
MEDIACOM -TELEPHONE ..\$46.58
MENARDS -EQUIPMENT .. \$225.98
MERCY-ONE CEN -MUTUAL AID.. \$2,584.00
MICROBAC -TESTING \$44.00
MID-AMERICAN PUBLISHING -PUBLICATIONS \$418.79
MID-IA SOLID WASTE EQUIPMENT -STREET SWEEPER \$1,170.29
MIDAMERICAN ENERGY -UTILITIES \$5,398.70
MILLER WINDOW SERVICE -MAINTENANCE \$ 44.00
NAPA AUTO -REPAIRS... \$182.43
NELSON & TOENJES LAW -LEGAL SERVICES \$3,929.27
NIACC CONTINUING ED -TRAINING \$60.00
PBURG AMBULANCE SERVICE -AMBULANCE SERVICE..... \$14,395.00
PBURG HARDWARE -SUPPLIES . \$148.84
PCC AMBULANCE BILLING -CONTRACT SERVICES \$369.28

PRO HYDRO TESTING -TESTING \$869.91
PRO-VISION VIDEO SYSTEMS -SOFTWARE \$1,080.00
RICOH USA -COPIER \$44.17
SINCLAIR ELEVATOR -CHEMICALS \$251.57
CAROL SMEINS -REIMBURSEMENT \$126.00
STRYKER MEDICAL -REPAIRS \$1,107.25
SUPERIOR WELDING -SUPPLIES \$205.88
UHS PREMIUM BILLING -INSURANCE \$13,273.70
UMB BANK -BOND INTEREST \$14,872.50
US CELLULAR -TELEPHONE \$442.99
VERIZON WIRELESS -INTERNET \$80.02
WELLSBURG AG -FUEL... \$544.80
IPERS -WITHHOLDING ..\$6,245.18
KWIK TRIP -GASOLINE ..\$2,188.14
WAGES -NOVEMBER... \$30,678.36
EFTPS -WITHHOLDING .. \$6,379.23
IA DEPART OF REVENUE -WITHOLDING \$1,787.00
EFTPS -WITHHOLDING ..\$2,439.60
REPORT TOTAL..... \$369,829.89
GENERAL FUND \$88,848.06
SPECIAL REVENUES.. \$55,996.32
TAX INCREMENT FINANCING \$93,530.00
DEBT SERVICE \$14,872.50
CAPITAL PROJECTS \$1,623.00
WATER \$20,016.42
SEWER \$33,452.99
STORM SEWER \$61,490.60

REVENUES
GENERAL \$43,679.52
SPECIAL REVENUE ... \$26,590.85
TAX INCREMENT FINANCING \$12,902.59
DEBT SERVICE \$3,167.22
CAPITAL PROJECTS .. \$720,000.00
WATER \$33,852.44
SEWER \$24,034.88
There was a motion by Goodrich, seconded by Cuvelier to adjourn the meeting. Upon vote, all ayes.
Mayor Michael Timmer
Attest: Christopher M. Luhring City Clerk/Administrator

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PUBLIC NOTICE

Butler Co BOS • Minutes 11.22.2022

Plan; and WHEREAS, the County has received a proposal from Shell Rock Soy Processing LLC (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") and by between the County and the Developer, pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Urban Renewal Area as defined and legally described in the Agreement (the "Development Property") and consisting of the construction of a soybean crush facility with multiple buildings, structures, rail spur, hard surface parking areas, roadways, together with all related site improvements, as outlined in the proposed Agreement; and

WHEREAS, the Agreement further proposes that the County will make up to ten (10) consecutive annual payments of Economic Development Grants to Developer consisting of 80% of the Tax Increments pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements, the cumulative total for all such payments not to exceed the lesser of \$4,545,000, or the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, one of the obligations of the Developer relates to employment retention and/or creation; and

WHEREAS, Chapters 15A and 403, Code of Iowa, authorize counties to make grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

WHEREAS, the Board has determined that the Agreement is in the best interests of the County and the residents thereof and that the performance by the County of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account any or all of the factors set forth in Chapter 15A, Code of Iowa, to wit:

a. Businesses that add diversity to or generate new opportunities for the lowa economy should be favored over those that do not.

b. Development policies in the dispensing of the funds should attract, retain, or expand businesses that produce exports or import substitutes, or which generate tourism-

related activities.
c. Development policies in the dispensing or use of the funds should be targeted toward businesses that generate public gains and benefits, which gains and benefits are warranted in comparison to the amount of the funds dispensed.

d. Development policies in dispensing the funds should not be used to attract a business presently located within the state to relocate to another portion of the state unless the business is considering in good faith to relocate outside the state or unless the relocation is related to an expansion which will generate significant new job creation. Jobs created as a result of other jobs in similar lowa businesses being displaced shall not be considered direct jobs for the purpose of dispensing funds; and

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to approve and authorize execution of the Agreement and has considered the extent of objections received from residents or property owners as to said proposed Agreement; and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF BUTLER COUNTY IN THE STATE OF IOWA:

That the performance by the County of its obligations under the Agreement, including but not limited to making of grants to the Developer in connection with the development of the Development Property under the terms set forth in the Agreement, be and is hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein.

That the form and content of the Agreement, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Chairperson and the County Auditor be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Agreement for and on behalf of the County in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Agreement, the Chairperson and the County Auditor are hereby authorized, empowered and directed to do all such acts and things and to execute all such docu-

ments as may be necessary to carry out and comply with the provisions of the Agreement as executed. PASSED AND APPROVED this 22nd day of November, 2022.

Rusty Eddy
Chairperson, Board of Supervisors
ATTEST: Leslie Groen, County Auditor

Conservation Director, Mike Miner, provided the Conservation Board Annual Report. Miner also mentioned that his last official day is November 23, 2022 as he will be taking a position with Mitchell County. The board thanked him for his time serving with Butler County.

Miner provided an update on the Shell Rock River Watershed Management Coalition. His replacement within the commission will need to be appointed after he completes his term in December 2022.

Deputy Weed Commissioner, Matt Morris, provided an updated Weed Commission Report. Calvin Steere, who has been the Weed Commissioner since 2012, was reappointed by the board. Barnett moved to appoint Calvin Steere as Weed Commissioner, and Matt Morris as Deputy Weed Commissioner, second by Eddy. All ayes. Motion carried.

John Riherd, County Engineer, explained a temporary easement agreement – City of Greene dry run bridge project. Barnett moved to approve the agreement, second by Eddy. All ayes. Motion carried.

Riherd outlined a utility permit for Cornbelt Power Cooperative – bored fiber 25005 Hickory Ave. Riherd recommended approval. Barnett moved to approve the utility permit, second by Heidenwirth. All ayes. Motion carried.

Riherd outlined a utility permit for Weststream – bored service drop 13401 320th Street. Moved by Barnett to approve the utility permit, second by Heidenwirth. All ayes. Motion carried.

A material letting was explained by Riherd – temporary detour bridge T55 south of 280th St. The temporary bridge will be used for approximately 1 year. The cost will be around \$600,000 and will utilize different funding sources. Barnett mentioned to approve the material letting plans, second by Heidenwirth. All ayes. Motion carried.

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

Motioned by Barnett, second by Eddy to adjourn the regular meeting at 9:31 A.M. to November 29, 2022 at 9:00 A.M. All ayes. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on November 22, 2022.
Attest: Leslie Groen
Butler County Auditor
Rusty Eddy
Chairman of the Board of Supervisors

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