

BOARD MINUTES MONDAY FEBRUARY 20, 2023

The Board of Supervisors met at 9:30am February 20, 2023 with Vick, Kelsay, Langreck, Vermace, and Faldet present. Jerrine Osenga met with the Board to encourage them to keep the Integrated Roadside Vegetation Management (IRVM) Program in place and funded. Lee Bjerke, County Engineer, met with the Board to discuss road matters. The Board discussed an email they

received from Donna Rasmusen regarding the IRVM program. They may have her on the agenda to clarify her position on the issue. The Board discussed several budget items including potential cuts to the Conservation Department. Barb Schroeder, Conservation Director, said the Conservation Board could discuss the issue, if the Board would give them some more direction on the amount that should be cut. The Board decided to wait until after the first run of the budget before giving any definite direction.

Moved by Vick and seconded by Vermace to approve the consent agenda which includes the minutes of the last meeting and to accept and file the monthly report of the VA Commission. Moved by Faldet and seconded by Vick to adjourn to 9:30am Monday, February 27, 2023. Motion carried unanimously. ATTEST Benjamin D Steines, County Auditor Daniel Langreck, Chair Board of Supervisors

Published in The Calmar Courier on Tuesday, March 7, 2023

ZONING NOTICE SPENCER BRUESS 2023

CALMAR ZONING BOARD OF ADJUSTMENT TO MEET

A petition for a variance and/or special exemption to the zoning regulations as applied to the property located at 101 Garry Court. The petitioner asks for a variance of 10' to the north (front) and 2' to the west (side). The plan is to move in a utility shed. The Board of Adjustment will hold a public hearing on March 22, 2023 at 5:00 P.M. at the Calmar Fire Station. You may appear at that time if you so desire ei-

ther in person or by agent or attorney in opposition or support of the proposed variance from or special exemption to the zoning regulations. The hearing of this appeal is not limited to those receiving copies of this notice and if you know of any neighbor or affected property owner who for any reason has not received a copy, please inform him of this public hearing. *Phyllis Elsbernd, Secretary Board of Adjustment*

Published in The Calmar Courier on Tuesday, March 7, 2023

ZONING NOTICE SAM SABELKA 2023

CALMAR ZONING BOARD OF ADJUSTMENT TO MEET

A petition for a variance and/or special exemption to the zoning regulations as applied to the property located at 105 Frederick Street. The petitioner asks for a variance of 6' to the north (side). The plan is to move in a utility shed. The Board of Adjustment will hold a public hearing on March 22, 2023 at 5:00 P.M. at the Calmar Fire Station. You may appear at that time if you so desire either in person or by agent

or attorney in opposition or support of the proposed variance from or special exemption to the zoning regulations. The hearing of this appeal is not limited to those receiving copies of this notice and if you know of any neighbor or affected property owner who for any reason has not received a copy, please inform him of this public hearing. *Phyllis Elsbernd, Secretary Board of Adjustment*

Published in The Calmar Courier on Tuesday, March 7, 2023

TURKEY VALLEY BOARD MINUTES 2.24.23

TURKEY VALLEY COMMUNITY SCHOOL JACKSON JUNCTION IA 52171

The Turkey Valley School Board met in a special session on Friday, February 24, 2023. The meeting was held in the Superintendent's office at Turkey Valley School, Jackson Junction, IA. Ernie Schmitt called the meeting to order at 7:30 AM. The following Board Directors answered roll call: Leon Shatek, Katie Stika and Ernie Schmitt. Don Blazek Jr. and Jody

Steinlage were absent. Moved by Shatek and seconded by Stika to approve the agenda as presented. Carried unanimously. Moved by Shatek and seconded by Stika to approve the Industrial Technology Project drawings and plans and move forward with the project. Carried unanimously. Moved by Shatek and seconded by Stika to adjourn at 7:42 AM. Carried unanimously. Board of Supervisors

Published in The Calmar Courier on Tuesday, March 7, 2023

CITY OF FORT ATKINSON CITY COUNCIL MINUTES & CLAIMS 3.1.23

CITY OF FORT ATKINSON REGULAR CITY COUNCIL MEETING MARCH 1, 2023

Mayor pro tem Kay Schmitt called the regular meeting of the Fort Atkinson City Council to order at 6:00 P.M. on Wednesday, March 1, 2023 at the Fort Atkinson Community Center. Present: Leuenberger, K. Schmitt, P. Schmitt, Schroeder, Glass. Also present were: Greg Barta, Michele Elsbernd, Jay Schwamman, Tom Madden, Janice Myers, Brittany Schmitt, Laura Thomas, Lynn Sindelar Jonathan Hayek, Miranda Hayek, Ronald Franzen, Ann Elsbernd and for a portion of the meeting Steve & Marta Kelsay. Library board member Janice Myers and Brittany Schmitt and Librarians Laura Thomas and Lynn Sindelar were present to inquire regarding expenses charged to their operating budget. The clerk charges items pertaining to the library to the library fund and due to some larger charges recently they stated they will be over budget due to these unanticipated expenses. The building permit submitted by Paul & Bette Schmitt was presented for approval. They requested to build a 36 X 40 accessory building which is over the allowable square footage per Fort Atkinson code without a variance. A variance was requested. Jonathan and Miranda Hayek stated when they wanted to build their building they were limited on the height of their building and wondered why the code now allowed for a variance with council approval. After much discussion the council felt that they should stay within the limits stated in the code and Paul Schmitt then changed the size of the building to 30 x 40. Motion by Leuenberger, second by

Schroeder to approve the building permit for a 30 x 40 building. Aye: K. Schmitt, Glass, Schroeder and Leuenberger. P. Schmitt abstained. Motion carried. Ann Elsbernd was present representing St. John's parish regarding the community center usage. The 25 year agreement between the city and the parish expires on April 25th. The parish finance committee had no issues paying for the use of the center by the regular fee schedule. Ann inquired regarding the fee for meetings which has now been added to the fee schedule of \$ 50.00 for a 2-hour meeting. Storage of the parish items and parish owned freezers was discussed, Greg Barta stated that it was not the parish responsibility to clean up the center after funerals because the cost of rental was paid by the family which includes clean up, but would be receptive to have them continue to clean up as they have been in the past in exchange for storage fees for the parish items. Ann Elsbernd asked if the city was interested in continuing the community band concerts. The concerts will continue as in the past. Tom Madden was present and stated that Shawver was scheduled to come in April. He said the UV has been started up at the lagoon and that the river water is being pumped back into the river. Tom is working with Upper Explorerland regarding the timeline for the CDBG substantial completion deadline. He presented PPE# #9 for JB Holland in the amount of \$ 969,013.78. Motion by P. Schmitt seconded Glass to approve PPE #9. Aye: P. Schmitt, K. Schmitt, Leuenberger, Schroeder, Glass. Motion carried. Mayor pro tem Kay Schmitt opened the public hearing on the 2023-

2024 budget. The clerk explained that the new legislation passed will change the previously published budget figures. According to the state if we accept the changes and do not increase the levy rate we can continue and approve the budget as planned. The city of Fort Atkinson's loss due to this legislation is \$ 3,470.00. Steve Kelsey was present to explain some issues the county is addressing including equalization of county funding of the libraries. The hearing was closed, and a motion was made by Glass second by Schroeder to approve Resolution # 375 approving the 2023-2024 budget. Aye: P. Schmitt, K. Schmitt, Leuenberger, Schroeder, Glass. Motion carried. Motion by Schroeder second by Glass to approve the consent items (minutes from February 2023, clerk reports, claims and the Class E retail Alcohol License for Huber's Store. Aye: K. Schmitt, P. Schmitt, Leuenberger, Glass, Schroeder. Motion carried.

CLAIMS

Acentek	phone	301.10
Alliant	elec	1992.57
Citizens Svgs	taxes	1477.90
Decorah Tech	support	185.44
Farmers Un	salt	30.00
Hawkeye San	mon garb	2170.45
Hoopla	tech	90.13
IA Dept. Rev	wet tax	318.00
ipers	pension	1100.93
ldnr	permit fee	260.00

Jay's Auto	service	392.54
JD Financial	supplies	22.98
Keystone	testing	15.50
snow,mis		
Lee's Repair	c	2480.00
L. Franzen		
Con	opens	9719.00
Marv Smith		
El	xmas	158.00
Mediacom	internet	230.86
M. Elsbernd	mileage	69.43
Mid-America	pub	255.08
Modern Mkt	totes lib	189.00
P. Office	mail bills	96.00
R. Thompson	audit	4475.00
SHE	eng lagoon	11415.63
Sergeant Lib	book	10.00
Total Tree	13 trees	6500.00
US Cell	cell	115.60
Uperc	admin w	2558.22
Anderson att	service	89.00
Aud of State	filing fee	250.00
Baker/Taylor	books	116.33
Biblionix	subscrip	800.00
Bod Impl	parts	358.91
Visa	supp	310.44

Wellmark	ins	655.46
Payroll	Feb	5,404.55
		54,614.05

BY FUND

General	22,015.12
RU	3,139.87
Benefits	655.46
Water	2,925.98
well	3,190.76
sewer	11,903.77
lagoon	10,783.09
total	54,614.05

REV BY FUND

General	5477.11
Road Use	3148.28
Benefits	213.14
Emerg	32.57
Lost	4311.83
Debt Serv	674.14
Water	5607.70
well	12813.49
sewer	13445.08
lagoon	79060.69
Total	124784.03

Jay Schwamman submitted a copy of the CLG annual report. Motion by P. Schmitt, second by Glass to approve Marie Riha, Jay Schwamman, Gerald Schmitt and Ron Franzen to the Certified Local Government commission. Aye: Schroeder, Glass, Leuenberger, P. Schmitt, K. Schmitt. Motion carried. Motion by Glass seconded by Schroeder to approve Resolution #371 Personally identifiable information policy; Resolution #372 Policy regarding guidance on determining allowable costs; Resolution #373 Record retention policy regarding federal grants; Resolution # 374 policy for personnel time; Resolution #365 Procurement policy; Resolution #366 Conflict of interest policy for federal grants; Resolution #367 policy to ensure

uniform financial practices; Resolution # 368 fraud and fraud reporting policy; Resolution # 369 period of performance policy; Resolution # 370 segregation of duties policy.(all resolutions suggested to have on file should we need to secure FEMA funds) Aye: Leuenberger, K. Schmitt, P. Schmitt, Schroeder, Glass. Motion carried. Greg Barta stated in his report that the UV is operational, the pumps are running, and he will be operating the new lagoon system on the old permits for the time being. The lead and copper survey was discussed, the city is required to have forms completed for 100% of the buildings with water lines. Water & sewer lines to proposed building sites were discussed. The council will schedule a meeting with the developer. The clerk researched a means to have utility customers pay bills via credit card. All costs associated with using the card are paid by the user with no cost to the city A one-year contract would be required. Access would be by icon on the city web site. County Supervisor Steve Kelsey discussed city and county funding and proposed legislation that will affect future budgets and budget cuts. Motion by Glass, second by K. Schmitt to adjourn. Aye: P. Schmitt, Schroeder, Glass, Leuenberger, K. Schmitt. Motion carried meeting adjourned at 8:01.

ATTEST: *Kay Schmitt, Mayor pro tem Michele Elsbernd, City Clerk*

Published in The Calmar Courier on Tuesday, March 7, 2023

INTERSTATE POWER AND LIGHT COMPANY ORIGINAL NOTICE

E-FILED 2023 JAN 18 2:53 PM WINNESHIEK - CLERK OF DISTRICT COURT IN THE DISTRICT COURT IN AND FOR WINNESHIEK COUNTY

INTERSTATE POWER AND LIGHT COMPANY Plaintiff, v. THE CITY OF DECORAH, IOWA; AND ALL UNKNOWN CLAIMANTS AND ALL PERSONS UNKNOWN CLAIMING ANY RIGHTS, TITLE OR INTEREST IN AND TO: PARCEL A Part of the existing right of way for a public road, now known as "Industrial Lane", located in the Northeast Quarter of the Southeast Quarter of Section 20, in Township 98 North, Range 8 West of the 5th Principal Meridian, in the City of Decorah, County of Winneshiek, State of Iowa, more particularly described as follows: Commencing at the Northeast Corner of the Southeast Quarter of said Section 20; Thence South 00 degrees 53 minutes 02 seconds East along the west line of the Northwest Quarter of the Southwest Quarter of said Section 20, a distance of 273.97 feet to the north right of way line of said Industrial Lane and the Point of Beginning; Thence continuing South 00 degrees 53 minutes 02 seconds East along said east line, a distance of 167.10 feet to the south right of way line of said Industrial Lane; Thence North 67 degrees 04 minutes 00 seconds West along said south right of way line, a distance of 297.03 feet to the northwest corner of Lot Y-7 in the Northeast Quarter of the Southeast Quarter of said Section 20; CASE NO. ORIGINAL NOTICE E-FILED 2023 JAN 18 2:53 PM WINNESHIEK - CLERK OF DISTRICT COURT Thence North 35 degrees 59 minutes 43 seconds East, a distance of 106.32 feet to the southwest corner of Lot 1 of 1 of 1 in the Northeast Quarter of the Southeast Quarter of said Section 20; Thence Easterly 211.56 feet along said north right of way line and the arc of a curve to the left with a radius of 1,382.50 feet, a chord bearing of South 80 degrees 33 minutes 25 seconds East and a chord distance of 211.35 feet to the Point of Beginning. The above-described parcel contains 32,184 square feet or 0.74 acres.

For the purpose of this description bearings are based on the Iowa State Plane Coordinate System, North Zone, North American Datum of 1983 (2011 Adjustment). PARCEL B Part of the existing right of way for a public road, now known as "Industrial Lane", located in the Northwest Quarter of the Southwest Quarter of Section 21, in Township 98 North, Range 8 West of the 5th Principal Meridian, in the City of Decorah, County of Winneshiek, State of Iowa, more particularly described as follows: Commencing at the Northwest Corner of the Southwest Quarter of said Section 20; Thence South 00 degrees 53 minutes 02 seconds East along the west line of the Northwest Quarter of the Southwest Quarter of said Section 20, a distance of 273.97 feet to the north right of way line of said Industrial Lane and the Point of Beginning; Thence Easterly 107.37 feet along said north right of way line and the arc of a curve to the left having a radius of 1,382.50 feet, a chord bearing of South 87 degrees 09 minutes 56 seconds East and a chord distance of 107.34 E-FILED 2023 JAN 18 2:53 PM WINNESHIEK - CLERK OF DISTRICT COURT Thence North 88 degrees 35 minutes 30 seconds East along said north right of way line, a distance of 134.25 feet; Thence South 01 degree 38 minutes 34 seconds East, a distance of 90.00 feet to the south right of way line of Industrial Lane; Thence South 88 degrees 35 minutes 30 seconds West along said south right of way line, a distance of 136.18 feet; Thence Westerly 106.60 feet along said south right of way line and the arc of a curve to the right with a radius of 1,472.50 feet, a chord bearing of North 87 degrees 22 minutes 45 seconds West and a chord distance of 106.58 feet to the west line of the Northwest Quarter of the Southwest Quarter of said Section 21; Thence North 00 degrees 53 minutes 02 seconds West along said west line, a distance of 90.46 feet to the Point of Beginning. The above-described parcel contains 21,798 square feet or 0.50 acres, more or less. For the purpose of this description bearings are based on the Iowa State Plane Coordinate System, North Zone,

North American Datum of 1983 (2011 Adjustment). AND ALL HEIRS, SPOUSES, ASSIGNS, GRANTEEES, LEGATEES, DEVISEES, AND BENEFICIARIES OF EACH AND ALL OF THE DEFENDANTS NAMED ABOVE, Defendants. TO THE ABOVE-NAMED DEFENDANTS: E-FILED 2023 JAN 18 2:53 PM WINNESHIEK - CLERK OF DISTRICT COURT You are hereby notified that Plaintiff's Petition to Quiet Title is now on file in the office of the clerk of the above court, stating in substance that Plaintiff own in fee simple the property described therein situated in Winneshiek County, Iowa, and described as follows: PARCEL A Part of the existing right of way for a public road, now known as "Industrial Lane", located in the Northeast Quarter of the Southeast Quarter of Section 20, in Township 98 North, Range 8 West of the 5th Principal Meridian, in the City of Decorah, County of Winneshiek, State of Iowa, more particularly described as follows: Commencing at the Northeast Corner of the Southeast Quarter of said Section 20; Thence South 00 degrees 53 minutes 02 seconds East along the east line of the Northeast Quarter of the Southeast Quarter of said Section 20, a distance of 273.97 feet to the north right of way line of said Industrial Lane and the Point of Beginning; Thence continuing South 00 degrees 53 minutes 02 seconds East along said east line, a distance of 167.10 feet to the south right of way line of said Industrial Lane; Thence North 67 degrees 04 minutes 00 seconds West along said south right of way line, a distance of 297.03 feet to the northwest corner of Lot Y-7 in the Northeast Quarter of the Southeast Quarter of said Section 20; Thence North 35 degrees 59 minutes 43 seconds East, a distance of 106.32 feet to the southwest corner of Lot 1 of 1 of 1 in the Northeast Quarter of the Southeast Quarter of said Section 20; Thence Easterly 211.56 feet along said north right of way line and the arc of a curve to the left with a radius of 1,382.50 feet, a chord bearing of South 80 degrees 33 minutes 25 seconds East and a chord distance of 211.35 feet to the Point of Beginning. The above-described parcel contains 32,184 square feet or 0.74

acres. For the purpose of this description bearings are based on the Iowa State Plane Coordinate System, North Zone, North American Datum of 1983 (2011 Adjustment). PARCEL B Part of the existing right of way for a public road, now known as "Industrial Lane", located in the Northwest Quarter of the Southwest Quarter of Section 21, in Township 98 North, Range 8 West of the 5th Principal Meridian, in the City of Decorah, County of Winneshiek, State of Iowa, more particularly described as follows: Commencing at the Northwest Corner of the Southwest Quarter of said Section 20; Thence South 00 degrees 53 minutes 02 seconds East along the west line of the Northwest Quarter of the Southwest Quarter of said Section 20, a distance of 273.97 feet to the north right of way line of said Industrial Lane and the Point of Beginning; Thence Easterly 107.37 feet along said north right of way line and the arc of a curve to the left having a radius of 1,382.50 feet, a chord bearing of South 87 degrees 09 minutes 56 seconds East and a chord distance of 107.34 feet; Thence North 88 degrees 35 minutes 30 seconds East along said north right of way line, a distance of 134.25 feet; Thence South 01 degree 38 minutes 34 seconds East, a distance of 90.00 feet to the south right of way line of Industrial Lane; Thence South 88 degrees 35 minutes 30 seconds West along said south right of way line, a distance of 136.18 feet; Thence Westerly 106.60 feet along said south right of way line and the arc of a curve to the right with a radius of 1,472.50 feet, a chord bearing of North 87 degrees 22 minutes 45 seconds West and a chord distance of 106.58 feet to the west line of the Northwest Quarter of the Southwest Quarter of said Section 21; Thence North 00 degrees 53 minutes 02 seconds West along said west line, a distance of 90.46 feet to the Point of Beginning. The above-described parcel contains 21,798 square feet or 0.50 acres, more or less. For the purpose of this description bearings are based on the Iowa State Plane Coordinate System, North Zone,

North American Datum of 1983 (2011 Adjustment). Such ownership is claimed by reason of facts fully stated in the Petition, which also alleges Defendants claim some interest therein, but their claims are without right and constitute a cloud on the title, which Plaintiff desires to remove. The Petition prays Plaintiff's title to the premises be established as an absolute title in fee simple, and quieted and confirmed against all Defendants, each of whom be forever barred and estopped from having or claiming any right, title, lien or interest in the property; and for costs and such other and further relief as the court deems just and equitable under the circumstances. A copy of Plaintiff's Petition to Quiet Title is attached hereto. Plaintiffs' attorney is Matthew L. Roth whose address is Simmons Perrine Moyer Bergman PLC, 115 Third Street SE, Suite 1200, Cedar Rapids, Iowa 52401. The attorney's phone number is 319-366-7641; facsimile number 319-366-1917. You must serve a motion or answer within 20 days after service of this original notice upon you and, within a reasonable time thereafter, file your motion or answer with the Clerk of District Court for Winneshiek County. This case has been filed in a county that uses electronic filing. You must register to e-file through the Iowa Judicial Branch website at https://www.iowacourts.state.ia.us/Efile and obtain a log in and password for filing and viewing documents in your case and for receiving service and notices from the court. E-FILED 2023 JAN 18 2:53 PM WINNESHIEK - CLERK OF DISTRICT COURT For general rules and information on electronic filing, refer to the Iowa Court Rules Chapter 16 pertaining to the use of the electronic document management system, available on the Iowa Judicial Branch website. For court rules on the protection of personal privacy in court filings, refer to Division VI of the Iowa Court Rules chapter 16. If you are unable to proceed electronically, you must receive permission from the court to file in paper. Contact the clerk of court in the county where the petition was filed for more information on being excused from electronic filing. If you do not, judgment by default may be rendered against you for the relief demanded in the petition. PLEASE NOTE: If you require

the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at 641-421-0990. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942). Disability coordinators cannot provide legal advice. YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS. E-FILED 2023 JAN 18 2:57 PM WINNESHIEK - CLERK OF DISTRICT COURT Iowa Judicial Branch Case No. County EQCV026871 Winneshiek Case Title INTERSTATE POWER AND LIGHT VS THE CITY OF DECORAH You must file your Appearance and Answer on the Iowa Judicial Branch eFile System, unless the attached Petition and Original Notice contains a hearing date for your appearance, or unless the court has excused you from filing electronically (see Iowa Court Rule 16.302). Register for the eFile System at www.iowacourts.state.ia.us/Efile to file and view documents in your case and to receive notices from the court. For general rules and information on electronic filing, refer to the Iowa Rules of Electronic Procedure in chapter 16 of the Iowa Court Rules at www.legis.iowa.gov/docs/ACOF/CourtRulesChapter16.pdf. Court filings are public documents and may contain personal information that should always be kept confidential. For the rules on protecting personal information, refer to Division VI of chapter 16 of the Iowa Court Rules and to the Iowa Judicial Branch website at www.iowacourts.gov/for-the-public/representing-yourself/protect-personal-information/. Scheduled Hearing: If you need assistance to participate in court due to a disability, call the disability access coordinator at (319) 833-3332. Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). For more information, see www.iowacourts.gov/for-the-public/ada/. Disability access coordinators cannot provide legal advice. Date Issued 01/18/2023 02:57:02 PM Winneshiek District Clerk of Court or by Clerk's Designee of County /s/ Kayla Smith

Published in The Calmar Courier on February 21, 28 March 7, 2023.