

LAW BRIEFS

Theft Ring Disrupted After Felony Arrests

After a week-long investigation, charges have been filed in several cases of burglaries that have occurred over the last few months near rural Elgin and rural Oelwein.

A pair of felony charges has been brought forth, along with a laundry list of additional charges.

A deputy with the Fayette County Sheriff's Office stopped a vehicle Sept. 20 and discovered stolen property in the back seat.

A search warrant was issued on the vehicle, and upon searching, more evidence of stolen property was located.

Kaben Allen Schmelzer, 34, of Oelwein, was arrested and charged with two counts of burglary in the third degree, a Class "D" felony; theft in the third degree, an aggravated misdemeanor; theft in the fifth degree, a simple misdemeanor; two counts of trespassing, a simple misdemeanor, and possession of drug paraphernalia, a simple misdemeanor.

Joining Schmelzer in facing charges is Steffeny Ann Rose, 39, of Arlington. She is being charged with two counts of burglary in the third degree, a Class "D" felony; theft in the third degree, an aggravated misdemeanor; theft in the fifth degree, a simple misdemeanor; two counts of trespassing, a simple misdemeanor, and possession of drug paraphernalia, a simple misdemeanor).

Wrongful Death Suit Trial Scheduled

Following the death of a Fayette County man while in custody, his family is suing the state of Iowa.

Dustyn Henry, then 27, was at the Waterloo Residential Facility when he took his life Dec. 16, 2016.

He had previously been at the West Union Residential facility.

Henry's family claims authorities should have known that the young man, with a history of mental health issues and thoughts of suicide, was at risk.

A jury trial is set for June 16, 2021 at 9 a.m.

Negligence Alleged With Wrongful Death Filing

The family of Fayette County man killed in an accident Sept. 21, 2018 on Highway 56 is suing the driver, the owner of the vehicle and an insurance company.

Edward C. Schmitt was killed in the crash caused when Anjela Buby, of Allamakee County, pulled out into an intersection.

Viktor Buby, also of Allamakee County, was the owner of the vehicle.

State Farm Mutual Automobile Insurance Company, of no address listed, is also named as a defendant

The lawsuit alleges Anjela was using her cellphone at the time of the crash.

Two Sex Offenders Arrested

After an investigation of two Fayette County registered sex offenders, the Fayette County Sheriff's office found them both to be in violation of the state registry.

Matthew Dale Halterman, 29, of West Union, and Justin Thomas Cavnar, 36, also of West Union, were arrested and charged with second offense failure to comply with sex-offender registry, a Class "D" felony.

Intoxicated Woman Tried Robbing Area Hospital

A woman who was originally found drunk along the roadway allegedly attempted to steal medication from the hospital where she was being treated.

At approximately 11:19 p.m. Sept. 19, the Fayette County Sheriff's Office received a 911 call requesting medical attention at the Volga State Park along Hill Road, approximately four miles north of Fayette.

Jennifer Mildred Dilyaur Angello, 34, of Cedar Rapids, was found intoxicated along the roadway. She was transported to Gundersen-Palmer Lutheran Hospital for medical treatment.

While at the hospital, Angello was caught attempting to steal medical supplies from the hospital. She was arrested for public intoxication, a simple misdemeanor, and theft – fourth degree, a serious misdemeanor).

SHERIFF REPORT

Winneshiak County Sheriff's Office Sept. 18

While incarcerated in the Winneshiak County Jail, Ricky Ohm, 49, of West Union, was served a violation of probation arrest warrant.

Fayette County Sheriff's Office Sept. 20

A deputy was dispatched to the 24000 block of Canoe Road for an accident. Logan Monteith 20, of Decorah, had struck a deer. No injuries were reported, and the vehicle received over

\$1,500 in damage.

At approximately 12:30 a.m., a deputy conducted a traffic stop on Hemlock Road, just outside of Fayette City limits. The driver Kaben Schmelzer, 35, of Oelwein, and her passenger, Steffeny Rose, 39, also of Oelwein, were arrested and charged with violation of no-contact order. Schmelzer was also charged with operating a motor vehicle with a suspended driver's license.

Sept. 22

A deputy arrested Kaben Schmelzer, 35, of Oelwein, on a warrant for the charge of stalking.

PUBLIC NOTICE Winneshiek County

OFFICIAL PROCEEDINGS WINNESHIK COUNTY BOARD OF SUPERVISORS NOTICE OF PUBLIC HEARING

BEFORE THE WINNESHIK COUNTY BOARD OF SUPERVISORS

A proposal to revise the text of the Winneshiak County zoning ordinance by addition of sections on Solar and Wind renewable energy. A copy of the proposed text amendments are available for inspection at the office of the Winneshiak County Zoning Administrator and on the county website at www.winneshiakcounty.org

A public hearing will be held by the Win-

neshiak County Board of Supervisors on Monday, October 5th, 2020, at 10:00 a.m. in the Board of Supervisors Office, Courthouse Annex Building, 201 West Main St. Decorah, Iowa, at which time you may appear, if you so desire, either in person or by agent or attorney, in opposition to or support of the proposal. If you would prefer not to attend in person please contact the Auditors office at 563-382-5085 for remote log in information and link.

Published in the Calmar Courier on September 29, 2020.

PUBLIC NOTICE Probate

IN THE IOWA DISTRICT COURT IN AND FOR WINNESHIK COUNTY (JUVENILE DIVISION) IN THE INTREST OF M.H., A CHILD CASE NO. JUVJ001885 ORIGINAL NOTICE

To: Josh Estelle, and/or any putative father(s)

YOU ARE NOTIFIED that a petition has been filed in the office of the clerk of this court alleging that the aboved named is a child in need of assistance. The Petitioner is the State of Iowa whose attorney is Barrett M. Gipp and whose address is 212 Winnebago, P.O. Box 450, Decorah, IA 52101-0450. That attorney's phone number is (563) 382-2959; facsimile number is (563) 382-3773.

YOU ARE FURTHER NOTIFIED that an adjudicatory hearing shall be held before the juvenile court on October 14, 2020, at 9:00 a.m. in the courtroom of the Winneshiak County Courthouse in Decorah, Iowa.

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 (319) 833-3332. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942. THIS CASE HAS BEEN FILED IN A

COUNTY THAT USES ELECTRONIC FILING.

You must register to eFile 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.

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.

IMPORTANT: YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS.

Published in the Calmar Courier on September 29, October 6 & 13 2020.

PUBLIC NOTICE Winneshiek County

OFFICIAL PROCEEDINGS WINNESHIK COUNTY BOARD OF SUPERVISORS NOTICE OF PUBLIC HEARING

BEFORE THE WINNESHIK COUNTY PLANNING AND ZONING COMMISSION

A proposal to revise the text of the Winneshiak County zoning ordinance by changing the number of members on the Planning and Zoning Commission to seven.

A public hearing will be held by the Winneshiak County Planning and Zoning Commission on Tuesday, October 13th,

2020, at 7:30 p.m. in the Board of Supervisors Office, Courthouse Annex Building, 201 West Main St. Decorah, Iowa, at which time you may appear, if you so desire, either in person or by agent or attorney, in opposition to or support of the proposal. If you would prefer not to attend in person please contact the Zoning office at 563-387-4080 for remote log in information and link.

Published in the Calmar Courier on September 29, 2020.

PUBLIC NOTICE Winneshiek County

OFFICIAL PROCEEDINGS WINNESHIK COUNTY BOARD OF SUPERVISORS NOTICE OF PUBLIC HEARING

BEFORE THE WINNESHIK COUNTY PLANNING AND ZONING COMMISSION

To change the use of the land at the following described property:

A portion of the East 10 acres of the Northeast Quarter of the Northwest Quarter of Section 19, of Township 99 North, Range 8 West of the 5th p.m. Winneshiak County, Iowa.

The Parcel is located predominately on the South side of 226th Ave. 1/10 of a mile Southeast of the intersection with 311th St., Rural Decorah. Parcel will encompass approx 5.5 acres

The application is made by: Anthony & Deirdre Duvel and Randall & Susan McConnell

The following change in the zoning or-

dinance is to permit the construction of a single-family residence

From the present zoning classification of: A-1 Agricultural District

To the proposed zoning classification of: A-R, Agricultural Residential District.

A public hearing will be held by the Winneshiak County Planning and Zoning Commission on Tuesday, Oct 13th, 2020, at 7:30 p.m. in the Board of Supervisors Office, Courthouse Annex Building, 201 West Main St. Decorah, Iowa, at which time you may appear, if you so desire, either in person or by agent or attorney in opposition to or support of the proposed request. If you would prefer not to attend in person please contact the Zoning office at 563-387-4080 for remote log in information and link.

Published in the Calmar Courier on September 29, 2020.

PUBLIC NOTICE Turkey Valley Community School

OFFICIAL PROCEEDINGS TURKEY VALLEY COMMUNITY SCHOOL

NOTICE OF CONSIDERATION OF PROPOSAL TO CONTINUE PARTICIPATION IN THE INSTRUCTIONAL SUPPORT PROGRAM FOR THE TURKEY VALLEY COMMUNITY SCHOOL DISTRICT

Notice is hereby given that the Board of Directors of the Turkey Valley Community School District, in the Counties of Chickasaw, Howard, Fayette, and Winneshiak, State of Iowa, will hold a hearing upon its Resolution to Consider Continued Participation in the Instructional Support Program. The hearing will be held in the Elementary School Library, 3219 Highway 24, Jackson Junction, Iowa 52171, on October 12, 2020, at 7:00 p.m.

The Board of Directors is considering continued participation in the Instructional Support Program as provided in Sections 257.18 through 257.21, Code of Iowa, for

a period of five years, commencing with the fiscal year ending June 30, 2022.

Additional funding for the Instructional Support Program for a budget year will be determined annually by the Board of Directors, and will not exceed ten percent of the total regular program district cost for the budget year and moneys received under Section 257.14, Code of Iowa, as a budget adjustment for the budget year.

Moneys received by the District for the Instructional Support Program may be used for any general fund purpose.

The Instructional Support Program will be funded by instructional support state aid and an instructional support property tax levied annually upon the taxable property within the School District.

Turkey Valley Community School District Janice Myers, Secretary of the Board of Directors

Published in the Calmar Courier on September 29, 2020.

PUBLIC NOTICE Winneshiek County

OFFICIAL PROCEEDINGS WINNESHIK COUNTY BOARD OF SUPERVISORS BOARD MINUTES MONDAY SEPTEMBER 14, 2020

The Board of Supervisors met at 9:30 a.m. September 14, 2020, with Logsdon, Ashbacher, Thompson and Kuhn in person; and Beard present electronically.

Lee Bjerke, County Engineer, met with the Board to discuss road matters. Moved by Kuhn and seconded by Ashbacher to adopt resolution 21-33, establishing a speed zone on County Road B16. Motion carried unanimously by roll call vote.

Moved by Thompson and seconded by Beard to offer the position of Equipment Operator 2 to Andrew Weber, and to approve his hire after he accepts and passes the pre-employment physical requirements. Motion carried unanimously.

Moved by Kuhn and seconded by Thompson to endorse the Public Health recommendation for wearing face coverings in public. Motion carried unanimously.

Moved by Thompson and seconded by Ashbacher to adopt resolution 21-34, requesting reimbursement of COVID related expenses through the CARES Act. Motion carried unanimously by roll call vote.

Paul Berland met with the Board to update them on the Flood Plain Review and other steps associated with site projects in the Upper Iowa Flood Reduction project. Moved by Beard and seconded by Thompson to move forward with the site projects as proposed. Motion carried unanimously.

Krista Vanden Brink, Public Health Director, and Sean Snyder, Emergency Management Coordinator, met with the Board to give COVID19 updates.

Moved by Ashbacher and seconded by Kuhn to approve the consent agenda which includes the minutes of the last meeting and the claims filed with the Board. Motion carried unanimously.

Andy Van Der Maaten, County Attorney, met with the Board to discuss county issues.

Moved by Thompson and seconded by Ashbacher to open the public hearing on the proposed vacation of rights of way in Washington Township near the city of Fort Atkinson. Motion carried unanimously by roll call vote. Van Der Maaten updated the Board on the situation of the subject property. No written or verbal comments were received. Moved by Kuhn and seconded by Thompson to close the public hearing. Motion carried unanimously by roll call vote. Moved by Kuhn and seconded by Beard to adopt resolution 21-35, approving the vacation of rights of way and authorizing Logsdon and Auditor Ben Steines to sign the quit claim deeds to the adjoining property owners. Motion carried unanimously by roll call vote.

Moved by Thompson and seconded by Kuhn to adjourn to 9:30 a.m. Monday, September 21, 2020. Motion carried unanimously.

ATTEST: Benjamin D. Steines, County Auditor John Logsdon, Chairman

CLAIMS 09-14-2020

General Basic Fund	
Ability Networks Inc	350.77
AcenTek	640.21
Advantage Tape Advertising	300.00
Alliant Energy	5,324.15
Anderson Law Office	10,110.49
Anundsen Publishing	184.00
Apex Equipment, LLC	49.60
Aramark Uniform Services	324.30
Mark Armstrong	25.00
Thomas Benda	120.00
Black Hills Energy	124.70
Natural Gas Service	
Blackhawk Sprinklers, Inc	

Inspection	319.00
Shana Breasure	
Mileage	34.95
Bruening Rock Prod	
Materials	99.05
Buchanan Co Health Center	
Fees	435.00
C & S Car Company, Inc	
Services	92.21
Calmar Courier	
Publications	908.27
Cardmember Service	
Payment	14.13
Carquest Auto Parts	
Supplies	19.09
Casper Plumbing & Heating, Inc	
Services	755.28
CDW Gov't	
Supplies	77,387.18
Celebrite USA, Inc	
Maintenance Agreement	3,700.00
CentralSquare Tech, LLC	
Service Contract	1,485.00
CenturyLink	
Telephone Service	743.99
Charm-Tex, Inc	
Supplies	155.63
Rose Christopher	
Services	286.50
City of Decorah	
Services	388.85
Copyland	
Printing	234.50
Sam Courtney	
Reimbursement	19.13
Culligan	
Services	103.74
Roger Dahlen	
Reimbursement	25.00
DALCO	
Supplies	76.46
Darold Berger Masonry, Inc.	
Services	5,500.00
David Finholt Const. Inc.	
Services	4,443.00
Decorah Ace Hardware	
Supplies	94.00
Decorah Chevrolet-Cadillac	
Services	53.88
Decorah Newspapers	
Publications	1,084.01
Decorah Rental	
Equipment Rental	30.00
Decorah Tire Service	
Services	163.98
DexYP	
Advertising	18.00
Erdman Engineering	
Services	11,760.00
Fareway Stores	
Supplies	782.09
Farmers Union Co-op	
Supplies	136.00
Fashion Floor Center	
Services	6,744.28
Kathryn Fassbinder	
Services	300.00
Fisk's Farm & Home Inc.	
Supplies	155.89
FP Mailing Solutions	
Postage	243.32
Franzen Sales & Service	
Parts	14.08
Hector Carlos Galvan	
Refund	80.00
Christina Goeden	
Reimbursement	78.63
Hageman Cleaning	
Services	200.00
John Halverson	
Reimbursement	25.00
Lori Hemesath	
Mileage	276.00
P.J. Herold	
Services	60.00
Penny Herold	
Mileage	316.02
Rachel Herold	
Mileage	116.38
Sally Herold	
Mileage	113.82
Heying Mfg	
Materials	1,760.36
Huber's Store	
Supplies	44.12
IA County Attorneys Assoc	
Registration	75.00
IOVA-CP	
Registration	55.00
Iowa DNR	
Permit Fee	100.00

IROC Web Design Services	
Services	90.00
Lilly Jensen	
Reimbursement	20.00
John Deere Financial	
Supplies	501.61
Ian Kemp	
Services	854.00
Keystone Labs	
Services	25.00
Kirkeby Welding	
Services	29.00
Nancy Kovarik	
Reimbursement	25.00
Brenda Kreitzer	
Reimbursement	19.90
Makenz Kriener	
Services	700.00
Ethel Barbara Kruger	
Services	133.00
Kwik Trip Extended Network	
Fuel	578.91
Kwik Trip Inc	
Fuel	40.51
Leon's Auto & Truck Repair	
Services	258.50
LetterWerks Sign City, LLC	
Signs	124.00
Dr. Kevin Locke	
Services	875.00
LTI Water Conditioning	
Services	48.00
Mail Services	
Services	636.16
Malcom Enterprises Inc	
Services	659.00
Martin Bros. Distributing	
Supplies	1,718.31
Martin Gardner Architecture	
Services	468.75
Cheryl McConnell	
Mileage	81.42
Jamie McConnell	
Reimbursement	25.00
Hubert McGehee	
Services	575.00
McKesson Medical Surgical	
Supplies	320.19
Birgitta Meade	
Reimbursement	20.00
Mediacom	
Services	126.37
MERI	
Services	247.45
Mihm Brothers, Inc.	
Services	200.00
Stacy Miller	
Mileage	149.50
Mississippi Welders	
Supplies	291.70
Drew Moeller	
Camp Host	
Napa Auto Parts	
Parts	68.41
NE Iowa Lawn Care	
Services	271.00
NEI3A	
Appropriation	500.00
NICC	
Registration	7.00
Northeast Iowa Regional	
Appropriation	5,000.00
Lonnie Pierce	
Reimbursement	25.00
Quadrant Fiance USA, Inc.	
Postage	4,000.00
Quadrant, Inc.	
Postage	65.85
Rioch USA Inc	
Maintenance Agreement	752.92
Riley's Inc	
Supplies	25.90
Nancy Sacquitne	
Mileage	201.02
Schilling Supply Company	
Supplies	274.25
Schumacher Elevator	
Services	504.74