

LAW BRIEFS

Prison Sentence Follows Animal Torture Plea

A man who entered killed dogs with an ax has been sentenced to two years in prison.

Douglas Earl Usgaard, 21, of Decorah, entered two guilty pleas on charges of animal torture - first offense and has received a sentence of \$855 fine suspended and two years in prison on each charge.

According to court records, the offenses took place Sept. 14, 2019 at a residence in the 700 block of Mound Street in Decorah.

The defendant was ordered to undergo an evaluation for mental competence.

Usgaard's prison term was ordered to be consecutive to his prison time with two guilty pleas to theft charges. He was sentenced to two years on a charge of theft - third degree with an \$855 fine suspended and 360 days in jail with a fine of \$430 for theft - fourth

degree.

Upper ExplorerLand Alleges Theft Worth Over \$50,000

A complaint filed with the Winneshiek County Sheriff's Office by Upper ExplorerLand has a Spillville man facing a charge of theft - first degree.

Benjamin William Vanhorn, 32, of Spillville, is accused in a criminal complaint of receiving a loan worth \$60,000 with over \$50,000 unpaid.

According to a sworn statement with online court documents, Vanhorn used a skid loader and other construction equipment as collateral, which was then sold to another party and later to an additional party.

Man Arrested After Area Traffic Stop

One man was arrested, and another man was cited after a traffic stop Sept. 1 in West Union.

At approximately 6:15 p.m., a

deputy initiated a traffic stop near the intersection of Cherry Street and Highway 150. During a search of the vehicle, illegal substances were found.

Daniel L. Shibley, 27, of Fairbury Nebraska, was arrested for possession of a controlled substance (marijuana) - first offense, a serious misdemeanor.

The driver of the vehicle, Austin Hatfield, 19, of Beatrice, Nebraska, was cited for not having a valid driver's license.

Sexual Misconduct Trial Set

A Fayette County man accused of sexual exploitation of a minor and dissemination of obscene material to a minor has his trial scheduled.

Tyler James Tessmer, 19, of Arlington, is accused of improper messaging and sending of photos between himself and a child.

His jury trial is set for Feb. 10, 2021.

PUBLIC RECORDS: WINNESHIK COUNTY AND FAYETTE COUNTY

Winneshiek County Sheriff's Office

Aug. 28 Joseph Needham, 63, of Ridgeway, was southbound on County Road W14 when he struck and killed eight Holstein calves that were on the roadway. No ambulance transport was needed.

Aug. 29 Miranda Busarow, 29, of La Porte City, was arrested at 2:30 p.m. in Fayette County and transported to the Winneshiek County Jail on a warrant for failure to serve jail time.

Kirsten Richardson, 27, of West Union, was arrested in Ossian at 2:45 a.m. and booked into the Winneshiek County Jail for operating while under the influence.

PUBLIC NOTICE Turkey Valley Community School

OFFICIAL PROCEEDINGS TURKEY VALLEY COMMUNITY SCHOOL JACKSON JUNCTION, IA 52171

The Turkey valley School board met in a special session on Friday, August 28, 2020. The meeting was held in the elementary media center at Turkey Valley, Jackson Junction, IA. Don Blazek Jr. called the meeting to order at 7:30 a.m. The following Board Directors answered roll call: Don Blazek Jr, Jody Steinlage, Leon Shatek and Brenda Mueterthies. Ernie Schmitt was absent.

Moved by Steinlage and seconded by Mueterthies to approve the agenda as presented. Carried unanimously.

Moved by Shatek to approve the following personnel changes: Shirley Riha - retired. Thank you Shirley for 45 years of support and service to Turkey Valley! Appointments: Paula Johnson - associate, Timothy Kruckman - full time teacher (1 year contract), Willie Schmitt - bus driver, and Mary Watt - special education teacher (1 year contract). Seconded by Mueterthies. Carried unanimously.

Moved by Steinlage and seconded by

Shatek to approve the purchase of a CNC Plasma System from Arclight Dynamics LLC, \$15,103.16 and Shapeoko CNC Router from Carbide 3D, \$2,050.00. Carried unanimously.

Moved by Steinlage and seconded by Mueterthies to adjourn at 7:50 a.m. Carried unanimously. ATTEST: President Secretary

Published in the Calmar Courier on September 8, 2020.

PUBLIC NOTICE Winneshiek County

OFFICIAL PROCEEDINGS WINNESHIK COUNTY NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Supervisors of Winneshiek County, Iowa, has set the 8th day of Sept., 2020, at 9:35 o'clock a.m. at the Board of Supervisors Room in the Winneshiek County Courthouse in Decorah, Iowa, as the time and place for hearing to consider vacating that portion of the following described streets: The remaining portion of 328th Avenue as described in Book A, Page 220 of the County Road Records located on the Section line of Sections 4 & 5 T99N R10W (Orleans Township) in Winneshiek

County, Iowa and conveying that property to adjoining property owner.

At said time and place, arguments for and against vacation of the subject property will be heard and considered. Any objections that are not made at the hearing will be deemed waived.

By order of the Board of Supervisors of Winneshiek County, Iowa, this is the 17th day or Aug., 2020.

Benjamin D. Steines, Winneshiek County Auditor

Published in the Calmar Courier on September 8, 2020.

PUBLIC NOTICE Winneshiek County

OFFICIAL PROCEEDINGS WINNESHIK COUNTY NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Supervisors of Winneshiek County, Iowa, had set the 14th day of September, 2020, at 10:30 o'clock a.m. at the Board of Supervisors Room in the Winneshiek County Courthouse in Decorah, Iowa, as the time and place for hearing to consider vacating portions of Right - of - Way. Located in the SE 1/4 of Section 7 and the SW 1/4 of Section 8, all in Township 96 North, Range 9 West of the 5th p.m. in Winneshiek County, Iowa, and conveying that property to the adjoining property owners. A detailed description of the rights - of -

way considered for vacation is available for review at the office of the Winneshiek County Engineer, 201 Main St., Decorah, Iowa.

At said time and place, arguments for the against vacation of the subject property will be heard and considered. Any objections that are not made at the hearing will be deemed waived.

By order of the Board of Supervisors of Winneshiek County, Iowa, this is the 24th day of August, 2020.

Benjamin D. Steines, Auditor

Published in the Calmar Courier on September 8, 2020.

PUBLIC NOTICE Winneshiek County

OFFICIAL PROCEEDINGS WINNESHIK COUNTY NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Supervisors of Winneshiek County, Iowa, has set the 8th day of Sept., 2020, at 9:30, at the Board of Supervisors Room in the Winneshiek County Courthouse in Decorah, Iowa, as the time and place for hearing to consider vacating that portion of the following described streets: Lots 1 of 1 of 3 and Lot 2 of 1 of 3 of 236th Ave.) as shown in Attachment A in the Village of Burr Oak in Winneshiek County, Iowa

conveying that property to the adjoining property owner.

At said time and place, arguments for and against vacation of the subject property will be heard and considered. Any objections that are not made at the hearing will be deemed waived.

By ordered of the Board of Supervisors of Winneshiek County, Iowa, this is the 17th day of Aug., 2020.

Benjamin D. Steines, Auditor

Published in the Calmar Courier on September 8, 2020.

PUBLIC NOTICE City of Fort Atkinson

OFFICIAL PROCEEDINGS CITY OF FORT ATKINSON REGULAR MEETING SEPTEMBER 2, 2020

Present: Glass, P. Schmitt, Leuenberger, Schroeder and K. Schmitt Absent: None Mayor Paul Herold called the meeting to order at 7:00 p.m.

No citizens addressed the Council on any issues.

Greg Barta painted the tennis court this week and added pickleball lines also. Becky Smith is donating a net. Barta swept the streets this week and had the lift station serviced. The County mowed the dike, and Iowa D.O.T. trimmed trees around the bridge. Barta discussed using the gym with NICC, and the decision is to only let them use it for now for contact tracing due to COVID-19. Barta will let the walkers know.

Motion was made by Glass, seconded by Schroeder, to approve August 5, 2020 Council Minutes, August Clerk Reports and Monthly Bills as presented. All Aye. Carried.

Motion was made by P. Schmitt, seconded by Glass, to open the Public Hearing of the Iowa State Revolving Fund Environmental Review. All Aye. Carried. No public comments were received in advance, and no questions or comments were received at the Public Hearing. Motion to close the Public Hearing was made by Glass, seconded by K. Schmitt. All Aye. Carried.

Greg and Paul will meet with Tom Madden next Wednesday to review the Lagoons plans for approval to proceed.

SEH still needs to survey the property for the proposed 2nd Well Project. Once that is complete, a contract can be written with the landowner.

Discussed Building and Land Use Ordinance, Chapter 155, regarding building heights. Council agreed to proceed with changing to a minimum 3:12 roof pitch, and remove the maximum height. Johansen will prepare the change for next meeting.

Census has begun visiting properties to collect data they did not receive online. Council is asking everyone to please turn in the information as that is important for some of the funding we receive.

Received the FEMA Revised Flood Insurance Rate Map. Herold has reviewed and is in agreement for Fort Atkinson properties.

Motion was made by K. Schmitt, seconded by Schroeder, to approve Resolution #317 requesting reimbursement for COVID-19 expenses incurred by the City through the Government Relief Fund. All Aye. Carried. Barta and Johansen will pull all the invoices and process the request.

In other business, K. Schmitt submitted a grant request to the Depot to assist with replacing the furnace in the Museum, but has not heard back from them yet.

Next meeting will be October 7, 2020, at 7 p.m. in the Community Center. Motion to adjourn was made by Glass, seconded by K. Schmitt. All Aye. Carried. Meeting adjourned at 8:15 p.m.

Attest: City Clerk

Mayor Acentek - Phone .....\$267.21 Alliant - Electric .....\$2,387.31 Badger Meter - Fees .....\$100.08 Baker & Taylor - Books .....\$106.60 Bank Iowa - HSA Contribution...\$200.00 Bruening Rock - Rock .....\$432.14 Calmar Courier - Publishing.....\$98.63 FED/FICA Taxes .....\$1,366.91 Dorsey & Whitney - Legal Fees .....\$3,500.00 Drilling - Trim line .....\$44.85 Farmers Union Co-op - Supplies .....\$249.14 Fort Atkinson Nursery - Repairs .....\$1,525.00 Franzen Sales - Mower Repair .....\$675.81 Greg Barta - Postage, Webcam .....\$86.29 Hawkeye Sanitation - Garbage .....\$1,983.44 Huber's - Supplies .....\$282.34 Iowa DNR - NPDES Fees .....\$210.00 Iowa Prison Ind. - Street Signs .....\$119.35 IPERs .....\$901.54 IROC - Web Site Postings .....\$45.00 John Deere - Sealer.....\$147.21 Keystone - Tests .....\$122.50 Lee's Repair - Level Rock, Alleys .....\$304.50 Lickety Split - Fuel .....\$2,112.05 Marv Smith - Parts .....\$48.19 Mediacom - Internet.....\$219.57 NEIACAC - Fees .....\$349.00 NEIA Backhoe - Dike Repair.....\$880.00 Post Office - Billing Postage.....\$70.00 Sandy Fire - Equip from Grant.....\$3,896.00

Scholastic - Reading Program...\$175.94 US Cell - Phones .....\$103.36 Wellmark - Insurance .....\$506.49 Payroll.....\$5,403.53 Totals .....\$28,919.98 FUNDS:

Expenses: General.....\$13,309.75 Museum.....\$0 Road Use.....\$6,493.14 Employee Benefits.....\$1,324.72 Capital Proj.....\$0 Emergency.....\$0 Local Opt.....\$0 Water.....\$2,681.22 2nd Well.....\$3,500.00 Sewer.....\$1,774.13 Lagoon.....\$24.02 Library.....\$0 Total.....\$29,106.98 Revenue: General.....\$2,971.25 Museum.....\$0 Road Use.....\$0 Employee Benefits.....\$28.23 Capital Proj.....\$0 Emergency.....\$2.99 Local Opt.....\$0 Water.....\$5,177.43 2nd Well.....\$0 Sewer.....\$8,806.44 Lagoon.....\$0 Library.....\$0 Total.....\$16,986.34

Published in the Calmar Courier on September 8, 2020.

PUBLIC NOTICE Winneshiek County

OFFICIAL PROCEEDINGS WINNESHIK COUNTY BOARD OF SUPERVISORS BOARD MINUTES MONDAY, AUGUST 24, 2020

The Board of Supervisors met at 9:30 a.m. August 24, 2020, with Logsdon and Thompson in person; and Kuhn and Beard present electronically. Lee Bjerke, County Engineer, met with the Board to discuss road matters. Moved by Kuhn and seconded by Thompson to adopt resolution 21-19, the stop sign resolution for Jackson Township. Motion carried unanimously by roll call vote.

Moved by Thompson and seconded by Kuhn to adopt resolution 21-20, the sign replacement program agreement with IDOT. Motion carried unanimously by roll call vote.

Moved by Kuhn and seconded by Thompson to adopt resolution 21-21, setting a public hearing on the vacation of ROW in Washington Township. Motion carried unanimously by roll call vote. Public notice will be published as required by law.

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

Moved by Thompson and seconded by Kuhn to approve the consent agenda which includes the minutes of the last meeting, the claims filed with the Board, and to accept and file the monthly report of the VA Commission. Motion carried unanimously.

Deborah Dunn, USDA Rural Development, met with the Board to present the paperwork for the additional funding for the Burr Oak Sewer Project. Moved by Thompson and seconded by Kuhn to approve the Letter of Intent to meet Conditions and Certification for the additional loan for the Burr Oak Sewer Project. Motion carried unanimously.

Moved by Kuhn and seconded by Beard to approve Change Order #5 and the Amended Owner-Engineer Agreement for the Burr Oak Sewer Project. Motion carried unanimously.

Moved by Thompson and seconded by Beard to adopt resolution 21-22, amending emergency employee policies related to the Families First Coronavirus Response Act. Motion carried unanimously by roll call vote.

Moved by Kuhn and seconded by Beard to approve the Letter of Understanding with Hacker Nelson & Co for the annual independent financial audit. Motion carried unanimously.

Moved by Thompson and seconded by Kuhn to adjourn to 9:30 a.m. Monday, August 31, 2020. Motion carried unanimously.

ATTEST Benjamin D. Steines, County Auditor John Logsdon, Chairman Board of Supervisors

CLAIMS 08-24-2020 GENERAL BASIC FUND

Alliant Energy Utilities .....3511.37 Amazon Capital Services Supplies .....81.76 Aramark Uniform Services Services .....174.30 Beaver Creek Graphix Supplies .....181.73 Black Hills Energy Natural Gas Service.....206.92 Bruening Rock Prod Materials .....788.93 Calmar Courier Publications.....38.00 Casper Plumbing & Heating, Inc Services .....4,026.75 CenturyLink Telephone Service .....495.80 Rose Christopher Services .....210.50 Citrix Systems, Inc. Services .....411.00 City of Ossian

Utilities .....17.00 Decorah Rental Equipment Rental .....190.00 decorahnews.com Advertising .....540.00 Fixxit, LLC Services .....1,140.00 Franzen Sales & Service Parts .....29.35 Friest & Associates Realtors Services .....1,400.00 Hageman Cleaning Services .....240.00 Hawkeye Sanitation, Inc. Services .....212.40 Heron Consulting, Inc. Services .....1,500.00 Heying Mfg Materials .....402.84 Iowa County Attorney's Services .....11,596.50 IROC Web Design Services Services .....15.00 Jason's Outdoor Services Services .....2,383.25 Lilly Jensen Reimbursement.....20.00 John Deere Financial Supplies .....131.32 Ian Kemp Services .....670.00 Brenda Kretzler Reimbursement.....19.96 Makenz Kriener Reimbursement.....150.12 Kwik Trip Extended Network Fuel .....221.25 Kwik Trip Inc Fuel .....909.51 Braden Lensing Reimbursement.....10.00 Dr. Kevin Locke Services .....615.00 Mary Ann Madrigal Refund .....100.00 Mail Services Services .....5,179.18 Malcom Enterprises Inc Services .....53.50 Martin Bros. Distributing Supplies .....417.60 McKesson Medical Surgical Supplies .....494.10 Birgitta Meade Reimbursement.....20.00 MERI Services .....257.20 Midwest Automatic Fire Inspection .....285.00 MiEnergy Cooperative Utilities .....1,343.45 Mississippi Welders Supplies .....198.00 Drew Moeller Camp Host .....109.00 National Business Furniture Furniture .....561.00 NE IA Comm Action Services .....3,444.38 Netsmart Technologies, Inc. Maintenance Agreement .....1,291.85 Quadient Leasing USA, Inc. Lease Agreement .....911.10 Carrie Quandahl Fees .....140.00 R & S Fiber Optic Services Services .....589.96 Renaissance Restoration, Inc. Services .....9,924.50 Ricoh USA Inc Maintenance Agreement.....2,779.86 Ricoh USA Inc Maintenance Agreement.....174.59 River City Paving Materials .....250.11 Roger's Lock & Key Services .....92.60 Lacey Rogers Services .....170.00 Schilling Supply Company Supplies .....557.19 Hanna Schmitt Reimbursement.....5.00 Barb Schroeder Reimbursement.....59.91 Schumacher Elevator Services .....504.74

ServiceMaster Cleaning Service Services .....300.00 SMI Co. Materials .....55.00 Spahn & Rose Lumber Materials .....5.30 Springfield Armory Equipment .....783.18 Storey Kenworthy Supplies .....2,079.28 SYNCB/Amazon Supplies .....2,635.56 Szabo Construction Co, Inc. Services .....5,237.50 TASC Inc Services .....1,624.95 Thrifty White Pharmacy Services .....12.57 Tieskoetter Lawn Care, LLC Services .....160.00 TNT Sales & Service Equipment.....1,650.00 University of Iowa Services .....1,523.73 US Cellular Cell Service.....244.05 Verizon Wireless Cell Service.....1,940.27 Walmart Business/SYNCB Supplies .....199.32 Wennes Communications, Inc Advertising .....763.00 Winn Co Treasurer Services .....22.00 Winneshiek Medical Center Services .....1,055.00 Christopher Wuebker Reimbursement.....20.00 GENERAL SUPPLEMENTAL FUND North Iowa Juvenile Detention Services .....5,315.00 Storey Kenworthy Supplies .....100.00 WATER TESTING GRANT FUND State Hygienic Laboratory Services .....550.00 RURAL SERVICES BASIC FUND Alliant Energy Utilities .....0.39 Arden Auna Meeting .....45.00 Daniel Beard Meeting .....45.00 Bruce Bergsgaard Meeting .....45.00 Louis Courtney Meeting .....45.00 Thomas Hansen Meeting .....45.00 Hawkeye Sanitation, Inc Services .....1,467.04 James Ludeking Meeting .....45.00 Tony Meyer Meeting .....45.00 Rick Monson Meeting .....90.00 Gary Smorstad Meeting .....45.00 Verizon Wireless Cell Service .....38.79 J Wayne Wicks Meeting .....45.00 Winn Co Landfill Fees .....1,194.20 SECONDARY ROAD FUND Agvantage FS Inc Propane .....17,562.62 Alliant Energy Utilities .....206.51 Aramark Uniform Services Services .....1,187.75 Black Hills Energy Natural Gas Service.....66.43 BMC Aggregates LC Materials .....1,857.13 Brennan Construction Co Construction .....213,559.57 Bruening Rock Prod Materials .....394,454.54 Carolan's Ag & Repair Services .....659.60 Carquest Auto Parts Supplies .....679.97 City of Ridgeway Utilities .....1.07 DeBauche Truck & Diesel

Parts.....1,207.84 Decorah Mobile Glass Services .....266.00 Decorah Newspapers Publications.....54.00 Diamond Mowers Supplies .....736.58 Drilling All Season Sports Supplies .....12.82 Ossian Bee Publications.....72.50 Hodven Oil Co Fuel .....185.19 ICEOO Registration .....450.00 Impact7G Services .....1,617.00 Iowa Prison Industries Signs .....4,928.70 John Deere Financial Supplies .....498.14 K Construction Services .....13,209.95 MiEnergy Cooperative Utilities .....404.19 Mississippi Welders Supplies .....16.80 MSC Industrial Supply Co. Parts .....601.27 Nutrien Ag Solutions, Inc. Supplies .....10,235.00 Racom Corporation Services .....370.50 Reilly Construction Co, Inc Services .....19,912.00 Spahn & Rose Lumber Materials .....46.56 Storey Kenworthy Supplies .....22.58 SYNCB/Amazon Supplies .....365.87 Truck Country of Iowa Equipment/Service.....4,926.54 True North Lubricants Supplies .....1,872.05 St Lukes Cntr for Occ Health Services .....378.00 US Cellular Cell Service.....44.04 Verizon Connect A/R Services .....1,230.44 Verizon Wireless Cell Service .....1,682.58 Winneshiek Medical Center Services .....465.00 COUNTY ASSESSOR AGENCY FUND Mailing Services Inc Services .....2,000.00 Verizon Wireless Cell Service .....73.78 E911 SURCHARGE FUND Alliant Energy Utilities .....263.65 AT&T E911 Service.....46.03 Black Hills Energy Natural Gas Service.....69.39 CenturyLink E911 Service .....332.10 MiEnergy Cooperative Utilities .....263.61 Racom Corporation Services .....46,124.50 EMERGENCY MANAGEMENT COO Bruening Rock Prod Materials .....180.17 Casey's Business MasterCard Fuel .....25.87 City of Decorah Services .....4,331.32 Midwest Card & ID Solutions Services .....500.00 Sherwin Williams Paint.....42.09 SYNCB/Amazon Supplies .....1,343.06 Verizon Wireless Cell Service .....34.99 WINNESHIK CO HEALTH INS FUND SISCO Insurance .....99325.20 Grand Total .....942,928.60

Published in the Calmar Courier on September 8, 2020.

PRAIRIE DU CHIEN FIREFIGHTER'S ASSOCIATION FLEA MARKET Friday-Sunday, Sept. 18-20 OVER 100 VENDORS Will Be Practicing Social Distancing. Prairie du Chien Wisconsin Tourist information www.prairieduchien.org 1-800-732-1673

JENSEN 90th Anniversary! Growth Opportunities - Now Hiring! LOCAL • REGIONAL • OTR Full Time Class-A CDL for food grade liquid/dry bulk. • Excellent pay • 100% paid benefits • 2+ years go driving experience • Good driving record APPLY NOW! www.jensentransport.com Call Tim Jensen for an interview today 1-800-772-1734

Need health insurance? Regi Tysland FARM BUREAU AGENT 214 Winnebago Decorah, IA 52101 563-382-8714 I know health insurance and can help you evaluate your options. Give me a call today to discuss your health insurance needs!

New Hampton Nursing and Rehabilitation Center Located in a quiet, residential neighborhood • Long term care, therapy services, respite care • We provide quality of life as well as quality of care (641) 394-4153 • www.nhnrc.com • 704 S 4th Ave. Kensington Place • All the comforts of home plus a little extra • Independent living with supportive services to meet your individual needs (641) 394-3316 • 504 Short Ave. Medicare, Medicaid, Private Pay & Private Insurance Accepted