Herald-Ledger

Public Record

PUBLIC NOTICE City of Steamboat Rock

Tuesday, July 28, 2020 • PAGE 9

CITY OF STEAMBOAT ROCK, HARDIN COUNTY, IOWA **ORDINANCE NO. 20-3** AN ORDINANCE ADDING CHAPTER 144 OF THE STEAMBOAT ROCK MUNICIPAL CODE BE IT ENACTED by the City Council of

the City of Steamboat Rock, Iowa: Section 1. Purpose. The purpose of this ordinance is to add Chapter 144 Property Maintenance Code to the Steamboat Rock Municipal Code.

Section 2. The following Chapter 144 is hereby added to the Steamboat Rock Municipal Code as following:

CHAPTER 144 PROPERTY MAINTENANCE CODE

144.01 Title

144.02 Purpose

144.03 Interpretation 144.04 Abrogation and Greater

Restrictions

144.05 Definitions 144.06 General Maintenance

Standards 144.07 Maintenance of Premises 144.08 Building Maintenance

144.09 Refuse and Inoperable Vehicles

144.10 Re-Siding and Reconstruction 144.12 Violations

144.13 Appeals to the Council

144.01 TITLE. This chapter may be referred to as the Property Maintenance Code and is referred to herein as "this Code"

144.02 PURPOSE. The purpose of this Code is to protect the public health, safety, welfare, esthetics and property values, by establishing minimum standards to maintenance, appearance, condition, and occupancy, and for essential utilities, facilities, and other physical components and conditions to make residential premises fit for human habitation, and to make nonresidential premises fit for use according to the purpose for which they were developed; by fixing certain responsibilities and duties upon the owners and managers; and distinct and separate responsibilities and duties upon the occupants; by authorizing and establishing procedures for inspection of premises and enforcement of this Code; establishing penalties for violations; and providing for proper repair, demolition, or vacation for premises which do not comply with

144.03 INTERPRETATION. The provisions of this Code shall be interpreted and applied as minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Code of Iowa. Nothing in this Code shall be construed to abrogate the Federal or State Constitutions, or to grant powers to the City that are otherwise reserved by and for Federal and State Government

144.04 ABROGATION AND GREAT-ER RESTRICTIONS. It is not the intent of this Code to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. Where two or more provisions apply, the higher standard shall prevail.

44.05 DEFINITIONS. Words used in this Code shall have the same meaning as those defined by the Zoning Ordinance unless otherwise by this Code

1. "Abandoned Building" means any building or portion of a building under construction which has stood with an incomplete exterior shell for more than one (1) year, or any completed building or portion thereof which has stood unoccupied for longer than six (6) months, and which s unsecured or has Building Code viola

raising of crops or domestic livestock. 9. "Infestation" means the presence

of insects, rodents, vermin, or other pests on the premises to the extent that they constitute a health hazard, are deemed by an Enforcement Officer to be in threat of spreading to adjoining premises or are

exposed to public view. 10. "Junk" means old or scrap copper, brass, lead, or any other non-ferrous metal; old or discarded rope, rags, batteries, paper, trash, rubber, debris, waste or used lumber, or salvaged wood; dismantled vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel or other old or scrap ferrous materials; old or discarded glass, tin ware, plastic or old or discarded household goods or hardware. Neatly stacked firewood located on a side yard or a rear yard is not considered junk.

"Nuisance" means physical conditions that are dangerous or detrimental to the health and safety of persons on or near the premises where the conditions exist, or anything that is injurious to the senses or interferes with the comfortable enjoyment of life or property.

12. "Owner" means any person who alone, jointly or severally with others. holds legal or equitable title to any premises, with or without accompanying actual possession thereof.

13. "Premises" means a lot, plot, or parcel of land together with the structures thereon.

14. "Public Authority" means any officer of any department or branch of the City, County, or State charged with regulating health, fire, zoning or building regulations, or other activities concerning property in the City.

"Refuse" means any material that is not being used for the original purpose for which it was created or manufactured, or for its redesigned use, whether putrescible or non-putrescible, combustible or non-combustible, which is not securely stored in a building or legal outdoor storage yard for prompt disposal or resale, including but not limited to junk, paper or cardboard, plastic, metals, glass, yard clippings, leaves, woody vegetative trimmings, and other plant wastes which have not been properly composted; vegetable or animal waste resulting from the handling, processing, storage, preparation, serving or consumption of food, crockery, bedding, furniture, or appliances; offal, rubbish, ashes or incinerator residue, construction debris, accumulation of animal feces, dead animals, or wastes from commercial or industrial processes.

16. "Responsible Party" means any person having possession, charge, care, or control of real or personal property, whether with or without the knowledge and consent of the owner, including without limitation any one or more of the following: owner, agent, property manager, contract purchaser, mortgagee or vendee in possession, receiver, executor, trustee, lessee or tenant, or any other person, firm or corporation exercising apparent control over a property.

"Vehicle" means any device 17. designed to transport a person or property by land, air, or water, such as automobiles, trucks, travel trailers, mobile homes, trailers, motorcycles, tractors, budgies, wagons, boats, airplanes, or any combination thereof, except bicycles.

18. "Vehicle, Inoperable" means any vehicle that is not licensed for the current year as required by law or which exhibits any of the following characteristics: broken, damaged, or missing windshield or other glass customary to the vehicle; a missing fender, door, bumper, hood, wheel steering wheel or exhaust system; lacking an engine or other means of power suitable to the design, one or more wheels, or other structural parts which renders the vehicle incapable of both forward and reverse movement in the manner for which it was designed; has become a habitant for rats, mice, snakes, or other vermin or insects, or constitutes a threat to the public health and safety because of its defective or obsolete condition.

and infestation. It shall be the duty of the responsible party to keep the premises free of all said conditions and to promptly remove and abate same, which include but are not limited to the following declared nuisances:

Weeds or grasses allowed to grow to a height greater than six (6) inches; or any accumulation of dead weeds or grass on any non-farm property which is not within the jurisdiction of the County Weed Commissioner.

2. Accumulation of refuse not stored in suitable collection containers.

3. Any structure which is in such a dilapidated condition that it is unfit for human habitation or the use for which it was constructed; kept in such an unsanitary condition that it is a menace to the health of people residing therein or in the vicinity thereof; any structure defined as abandoned or a public nuisance by Chapter 657A, Code of Iowa.

4. Mud, dirt, gravel or other debris or matter, whether organic or inorganic, deposited in a quantity judged by an Enforcement Officer to be a threat to public safety or to cause pollution, obstruction or siltation of drainage systems, or to violate solid waste disposal regulations.

Failure to establish a permanent cover of perennial grasses or ornamental ground cover on any non-farm property as soon as practical after any construction, and to thereafter maintain same in such condition as to substantially bind the surface of the soil and prevent erosion, whether by sheet or gullying, or by wind or water, provided, however that exception shall be permitted for densely shaded areas, landscape beds, and gardens, provided that vegetable gardens and agricultural crops shall not be placed in the front yard of a non-farm property, unless it can be demonstrated that no other viable location exists on the premises because of topography, natural vegetation, or similar circumstances out of the resident's control.

6. Any nuisance as defined herein or described as such by Chapter 657 of the Code of Iowa

7 Conditions which are conducive to the harborage or breeding of vermin.

8. Facilities for the storage or processing of sewage, such as privies, vaults, sewers, private drains, septic tanks, cesspools, and drain fields, which have failed or do not function properly, as may be evidenced by overflow, leakage, seepage, or emanation of odors, or which do not comply with the Hardin County Department of Health regulations. Septic tanks, cisterns, and cesspools which are no longer in use shall be removed or emptied and filled with clean dirt or sand.

9. Fences or retaining walls that are not structurally sound or which are deteriorating, as may be evidenced by leaning or loose elements.

10. Dead or diseased trees or other woody vegetation which may lead to the spread of the disease to other specimens or pose a threat to safety or buildings; major parts thereof, such as a limb, which may be dead or broken or otherwise pose a threat of safety or buildings on adjoining premises; any vegetation located on private property which overhangs and is less and fifteen (15) feet above the traveled portion of any public street, or less han eight (8) feet vertically, or which protrudes into any public sidewalk.

11. Loose, overhanging objects or ccumulations of ice or snow, which by reason of location above ground level constitute a danger of falling on persons in the vicinity thereof.

12. Any inoperable vehicle which is osed to public view, ur

integrity, termite damage, infestation, or rot. Any and all damage or deteriorating materials shall be replaced. If infestation exists in any basement, cellar, or craw space, such infestation shall be remedied in accordance with industry standards.

144.09 REFUSE. Refuse shall be stored within a fully enclosed building or other location not exposed to public view shall be removed from the premises. All refuse shall be contained in suitable collection containers; kept free from infestation; and shall be removed week

144.10 RE-SIDING AND RECON-STRUCTION. Materials and practices used in reconstructions and re-siding shall be of standard quality and appear ance commensurate with the character of other properties in the vicinity of the premises. Their appearance, as judged under prevailing appraisal practices and standards, shall not depreciate the value of the adjoining premises or the neighborhood.

144.12 VIOLATIONS.

1. Enforcement. The creation or maintenance of a violation of this Code is prohibited and shall constitute a civil infraction. Each day that a violation is permitted to continue constitutes a separate offense

A. All inspections, enforcement actions, and hearings on violations, unless expressly states to the contrary, shall be under the direction and supervision of an Enforcement Officer, who may appoint or designate other public officers or employees to perform duties as may be necessary to enforce this Code, including inspections and holding of hearings. The Enforcement Officer is hereby authorized to abate such violations in accordance with the procedures of this Code and to serve notices to abate same, whether upon the owner or other responsible party for a premises upon which a violation is being maintained, or upon the person or persons causing or maintaining a viola

B. If a violation is found to exist on an owner-occupied premises and the owner demonstrated that the cost of rem edying such violation would exceed the household's annual disposable income and thereby cause a financial hardship, enforcement shall be held in temporary abeyance until a means of financing or sistance can be identified.

C. The objective of this Code is the abatement and/or removal of violations of this Code. Violations may be addressed by maintenance of an administrative abatement process; the municipal infraction process; by court proceeding; or by City abatement and assessment of cost therefor against the responsible party or assessment of cost against the property, in the discretion of the City. In determining whether to use the administrative abatement process or court proceedings, consideration will be given to evidence of whether an imminent health or safety hazard exists or whether the person has previously been notified of or charged with violations of the same or other provins of the Code in the past.

D. It is further provided by this Code that if the City determines that an emergency exists which creates a dangerous and imminent health or safety hazard to persons, property or the general public which requires immediate action, the City may order such action as may be necessary to meet the emergency. Any orders issued pursuant to this paragraph shall be effective immediately or in the time and manner prescribed in the order itself.

2. Enforcement of Weeds or Grasses Violations under Section 7-4-1 thru 7-4-4 of the Steamboat Bock Code of Ordin

property unless the cost is paid within thirty (30) days of the invoice date by the owner. If a request for hearing is made, no action shall be taken to cut or destroy the weeds or grasses, unless such weeds or grasses shall be located within the sidewalk and the traveled portion of any street in the City, which grasses or weeds may be cut immediately by the Enforcement Officer. Any hearing so requested shall be held within three (3) days of the date of the request therefor.

3. Notice to Abate - Contents. The notice to abate shall contain:

A. Description of Nuisance. The deription of what constitutes a nuisance. B. Location of Nuisance. The location of the nuisance.

C. Acts Necessary to Abate. A statement of the act or acts necessary to abate the nuisance.

D. Reasonable Time. A reasonable time within which to complete the abatement.

E. Assessment of City Cost. A statement that if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it and assess the costs against such property to be collected as taxes.

F. Request for Hearing. A statement that the responsible person may request a hearing before the Council and the time within which the request must be filed. 4. Notice. When service of a notice to

abate is required, the following methods of service shall be deemed adequate:

A. By Certified mail upon the owner or other responsible party of the property upon which the nuisance exists, or upon the persons causing or maintaining the violation. In the event that the property is a leased premise, one notice shall be directed to the owner of the property and a copy shall be directed to the tenant on the property.

B. If service cannot be made under Paragraph A of this subsection, any two of the following methods of service shall be considered adequate.

(1)Personal service upon the owner or other responsible party.

(2) Publication of notice once a week for two consecutive weeks in a newspaper of general circulation in the City.

(3) By posting the notice in a conspicuous place on the property or building deemed to be a nuisance.

5. Request for Hearing. Any person affected by any notice to abate a violation of this Code may request a hearing on the matter before the Council, provided that a written request for hearing is filed with the City Clerk within five (5) days after the notice to abate was mailed. The appeal shall be filed on a form provided by the City for that purpose and shall state the particular section of the chapter or interpretation thereof being appealed, and a brief statement of the grounds upon which the request for hearing is made. Failure to file a timely request for hearing as prescribed herein shall constitute a waiver of the right to a hearing, and the notice to abate shall become final. The Council's determination an order shall be appealable to the Hardin County District Court by writ of certiorari. Such request for hearing shall be filed within twenty (20) days from the date of the Council's decision. The Council's order shall not be carried out until the time for the filing of the writ of certiorari has expired. The timelines herein shall not apply to the provisions relating to weed or grass control under Section 144.07 of this chapter.

6. Abatement Remedies and Penalties. In the event that the violation is not abated as ordered and within the specified, the City may abate such viola-

tion by any of the following means: (i) by

undertaking such abatement and assess-

ing the costs therefor against the proper-

ty; (ii) by issuance of a civil citation charg-

ing the owner or responsible party with a

municipal infraction. Abatement may in

clude but is not limited to repair, removal,

cleaning, extermination, cutting, mowing,

grading, sewer repairs, draining, secur

ing, barricading or fencing, demolition of

dangerous or abandoned structures or

portions thereof, and elimination of nui-

sances. Abatement costs may include the

cost of removing or eliminating the vio-

lation; the cost of investigation, such as

title searches, inspection, and testing; the cost of notification; filing costs, and other

related administrative costs. Inoperative

or obsolete vehicles which have been

impounded may be sold in accordance

with State Law. If a municipal infraction is

sustained, the Court may order any one

PUBLIC NOTICE

City of New Providence

or more of the following:

A. Enter judgement against the person and/or property of defendant for the sts of abatement

B. Levy a civil penalty against the defendant of up to \$750.00 for the first offence and up to \$1000.00 for repeat offences

C. Order abatement of the violation in any manner.

D. Assess costs of abatement against the premises.

7. Emergency Abatement Procedure. If the Enforcement Officer determines that a violation exists and constitutes an imminent, clear, and compelling danger to health, safety or welfare of persons or property, the Enforcement Officer is auhorized to abate the violation, or have it abated without prior notice and opportunity for hearing. The costs of such action may be assessed against the premises. However, prior to such assessment, the City shall give a property owner notice and opportunity for a hearing before the Council in accordance with Subsection 5 of this section.

144.13 APPEALS TO THE COUNCIL

1. Authority. The Council is hereby empowered to hold hearings on appeals rom the regulations of this Code.

2. Procedure. Upon receipt of a timely filed appeal, the City Clerk shall set a time and place for the Council to hear such appeal and shall notify the appellant thereof. The hearing shall be open to the public and shall be recorded either electronically or manually. All parties shall be afforded an opportunity to respond and present evidence and argument. If the appellant fails to appear at such hearing, the Council may proceed with the hearing and make a decision in the absence of the appellant. The Council's finding shall be based upon the kind of evidence on which reasonably prudent persons are accustomed to relying for the conduct of their serious affairs, even if such evidence would be inadmissible in a court of law. The Council's experience, technical competence, and specialized knowledge may be utilized in the evaluation of the evidence. The Mayor shall conduct the hearing.

3. Decision of the Council. No hearing shall be valid unless a majority of the Council is present, and no appeal shall be granted unless reached by a majority of all members of the Council. The Council shall render a decision based upon the record, at the conclusion of the hearing, or within a reasonable time thereafter. The Council may affirm, modify, or reverse any action, interpretation, notice or order which has been issued in connection with the enforcement of this Code. Following the decision of the Council, all parties shall be notified of the decision personally or by general mail service delivered to the address provided by the party. Any party, including the City, may seek judicial review by filing a petition in the County District Court within twenty (20) days after the issuance of the decision of the Council

Section 3. Effect. All other Sections of said Chapters shall remain unchanged and in full force and effect.

Section 4. Severability. If any secsubsection, paragraph, subparagraph, sentence, clause or phrase of the Code is, for any reason, held to be invalid or enforceable as to any person or circumstances, the application of such section, subsection, paragraph, subparagraph, sentence, clause or phrase to persons or circumstances other than those as to which it shall be held invalid or unenforceable, shall not be affected thereby, and all other provisions of the Code, in all other respects, shall be and remain valid and enforceable Section 5. <u>Effective Date.</u> This or-dinance and the Steamboat Rock City Code shall be in full force and shall take effect, from and after the adoption and publication of this ordinance. Passed and approved by the City Council of the City of Steamboat Rock, lowa this 13th day of July, 2020. Timothy A Stearns, Mayor ATTEST

tions 2. "Council" means the City Council of Steamboat Rock, Iowa.

"Deterioration" means a state of conditions caused by a lack of maintenance or excessive use, characterized by holes, breaks, rot, crumbling, peeling paint, rusting, or other evidence of physical decay or neglect.

"Enforcement Officer" means the Code Enforcement Officer.

5. "Exposed to Public View" refers to any premises or any part thereof which may be lawfully viewed by the public or from adjoining premises.

6. "Exterior" means yards and other open outdoor spaces on premises, and the external surfaces of any structure. "Extermination" means the control and elimination of insects, rodents and

vermin. 8. "Farm" means a tract of land having

an area of two or more acres devoted by

144.06 GENERAL MAINTENANCE STANDARDS. The exterior of every premises and structure shall be maintained in reasonable repair, to the end that the premises and each structure thereon will be preserved; adjoining properties protected from blighting influences; and safety and fire hazards eli

144.07 MAINTENANCE OF PREM-ISES. Each and every premise shall be kept free of all nuisances, health, safety, and fire hazards, unsanitary conditions,

the premises of a lawfully operated junk yard or undergoing repairs in an expedi-tious manner at a vehicle repair business.

144.08 BUILDING MAINTENANCE. Every building shall be maintained to be weather and watertight, and free from excessively peeling paint (which shall equal 50 percent of the exterior structure) or other conditions suggestive of deterioration or inadequate maintenance. Exterior surfaces shall not have holes or broken glass: loose, cracked, or damaged shingles or siding; or other defects in the exterior finish which admit rain, cold air, dampness, rodents, insects, or vermin. Basements, cellars, and crawl spaces shall be free of standing water and hazards. All wood, including floorboards. subfloors, joists, bridging, roof rafters and sheathing, and all other wood in any interior or exterior floor, wall, roof, or other part of the structure, shall be maintained to be free of cracks affecting structural

es. In the event the Enforcement Officer chooses to utilize administrative abatement to address violations of Section 7-4 of this Chapter, the said Enforcement Officer shall send a written notice to abate via certified mail to the owner of the property wherein the violation exists, which notice shall advise the owner of the said property that such weeds or grasses shall be cut or destroyed within seven (7) days of the date of the mailing of the notice. The owner may request a hearing before the Council to contest the existence of the violation. The request for hearing shall be in writing and shall identify the reasons why the owner contests the officer's determination and shall be delivered to the City Clerk before the end of the fifth (5th) day after mailing of the notice to the property owners. If no request for hearing is filed, the officer may cut or destroy the weeds or grasses or vegetation and may assess the costs thereof against the

> NEW PROVIDENCE CITY COUNCIL REGULAR SESSION

The New Providence City Council met in regular session on Monday, July 13, 2020 at 6:30p.m. at Providence Township Hall- W. Main St. Council members present were Chris Renihan, Jim Martin (arrived 6:40pm), Janine Allbee and Denny Reece. Blake Richie was absent. Larry Balvanz and Steve Teske were also present. Mayor Ron Reece called the regular meeting to order at 6:30pm.

AGENDA: Renihan made motion to approve agenda; D. Reece second. MC Unanimously

MINUTES: D. Reece made a motion approve June meeting minutes with the following corrections under Citizens Concerns: 307 E Main changed to 307 N Main and minutes should read: "Council also discussed 307 N. Main. A third party was asked to look at the property at 307 N Main and determined the City has no responsibility as to the flow or accumulation of water at the property. The 3rd party made recommendations that the property owner could do to help mitigate the water issue, since he felt it was the property owner's responsibility. Council will contact owner."; second Renihan. MC Unanimously

CITIZENS CONCERNS: Rhonda Guy was present. Wastewater flow was high for May. Rhonda and Steve met at pump house prior to meeting. Council also discussed illegal fireworks in town and clerk will send reminder prior to July 4th next year. ALLEY: Council will continue to leave N. Main St alley closed. PROPER-TY CONIDTIONS: Allbee made motion to send out several nuisance abatements concerning vehicles, garbage/junk viola-tions and one tree; Renihan second. MC Unanimously. Council advised Balvanz to go ahead and mow again on abatement previously sent for Grape St. PUBLIC RIGHT OF WAY: Council advised clerk to send letter explaining use of county right of way.

BROWNFIELD COUNTY GRANT-Council advised clerk that no response needed.

LAW ENFORCEMENT-Discussion was held concerning current contract. FINANCIAL: Martin made motion to accept current month financials; second

D. Reece. MC Unanimously. 2.) CD RE-

siren and hoping to use funds to update system BILLS SUBMITTED FOR PAYMENT: Renihan moved to approve the following bills; second Martin. MC Unanimously IPERS, June 309.21; IRS, June 513.82; Heart of Iowa, phone & wifi 72.20; Alliant Energy, electrical 698.69; Jim Martin, mowing 130.00; Radcliffe Telephone, phone 51.43; Mid America Publishing, publication 64.64; Knight Sanitation, July 876.25; NE la Response, dues 114.00; Rhonda Guy, wtr mgmt. 425.00; Great American, drop box 223.00; AAA Septic. Heritage Festival 480.00; Brown Supply, hydrants 2040.65; Power Graphics sign 135.00; la League of Cities, dues 337.00; AAA Septic, park 90.00; Solid Waste, 1st qtr 1795.50; NP Fire Dept, donation 3000.00; Prov Trustees, rent 600.00; Cathy Diedrich, wages & mileage 1134.36; NP Beautification, watering 500.00; Jerico, dust control 426.20; la DNR, water permit 26.04; Sheriff, Hardin Cnty, contract 449.27; Williams Excavate, water lines 6634.00: Steve

Teske, wages & mowing 1030.45; Keystone Labs, tests 79.25; Larry Balvanz, wages & mowing 925.45; total of all bills,

ATTEOL.	
Renee Oltrogge, City Clerk	
Introduced:	05-11-2020
Passed 1 st Consideration:	06-08-2020
Passed 2 nd Consideration:	07-13-2020
Passed 3 rd Consideration:	07-13-2020
Passed & Adopted:	07-13-2020
(Ledger – July 28, 2	2020)

PUBLIC NOTICE Hardin County Board of Supervisors

HARDIN COUNTY BOARD OF SUPERVISORS MINUTES – JULY 15, 2020 WEDNESDAY - 9:00 A.M. COURTHOUSE LARGE CONFERENCE ROOM

Chair Lance Granzow called the meeting to order. The meeting was held elec-tronically due to COVID-19 public health risks. Also in attendance were Supervisors BJ Hoffman and Reneé McClellan; and Justin Ites, Angela De La Riva, Dave Dunn, Becca Junker, JD Holmes, Megan Harrell, Curt Groen, Rocky Reents, Dave McDaniel, Tifani Eisentrager, Jessica Lara, Kerri Johannsen, Linn Adams, Julie Duhn, Bret Dublinske, Mariah Lynne, Josh Odom, Jake Ketzner, Abby Flatness, Megan Kirik, Pauline Lloyd, Darla Kalous, Bette Dossman, Tony Baranowski, Jessica Sheridan, Max Friedman, Donna Juber, Bob Juber, Micah Cutler, Floyd Hammer, Taylor Roll, Michael Pearce, Matt Jones, Thomas Craighton, Lori Kadner, Darrell Meyer, and Angela Silvey.

The Pledge of Allegiance was recited. McClellan moved, Hoffman seconded to approve the agenda as posted. Motion carried.

Due to technical difficulties, Hoffman moved, McClellan seconded to recess until 9:20 a.m. to allow remote attendees time to log in with new Zoom meeting information. Motion carried.

At 9:20 a.m. the Chair reconvened the meeting.

Hoffman moved, McClellan seconded to approve the second consideration of the amendment to Article XXIII of Ordinance No. 29 as modified by the Board of Supervisors. Granzow asked if Hoffman or McClellan would be willing to revert to the 3 X Total Height dwelling unit setback for C-WECS as recommended by the Zoning Board. Hoffman stated he believed that setback was already in the amendment and reiterated there are two means of relief available to developers: 1) waiver from property owners and 2) contest to the Variance Board. Roll Call Vote: "Ayes" Hoffman, McClellan, and Granzow. "Nays" None. Motion carried.

Hoffman moved, McClellan seconded to set July 23, 2020, at 9:01 a.m., in the large conference room and via Zoom, for

the final consideration and adoption of the amendment to Article XXIII of Ordinance No. 29 as modified by the Board of Supervisors. Roll Call Vote: "Ayes" Hoffman, McClellan, and Granzow. "Nays" None. Motion carried. Hoffman moved, McClellan seconded

to approve the minutes of July 8, 2020. Motion carried.

McClellan moved, Hoffman seconded to approve the July 15, 2020 claims for payment. Motion carried.

Utility Permits: None.

Secondary Roads: No report.

Hoffman moved, McClellan seconded that Resolution No. 2020-31, Resolution for Road Reclassification Public Hearing be approved. Roll Call Vote: "Ayes" Hoff-McClellan, and Granzow. "Nays" man, None. Resolution No. 2020-31 is hereby adopted and on file in the Auditor's Office. McClellan moved, Hoffman seconded

to table the tax abatement for Ellsworth Neighborhood Investment Group until the July 22, 2020 meeting. Motion carried.

Hoffman moved, McClellan seconded to approve the discharge of Mindy McLeland from the role of County Safety Coordinator, effective 07/01/2020. Motion carried.

Hoffman moved, McClellan seconded to approve the hiring of Michael Pearce, IT Network Specialist, as County Safety Coordinator, at a rate to be determined, effective 07/01/2020. The role will be added to Pearce's current job responsibilities Motion carried.

McClellan moved, Hoffman seconded to approve the pay increase of Angela De La Riva, Economic Development Director. to \$60.650/year. effective 07/15/2020. Hoffman stated the increase is a result of De La Riva's performance review and salary surveys. Motion carried

Hoffman moved, McClellan seconded to approve the pay increase of Jessica Sheridan, Environmental Health Specialist and Zoning Administrator, to \$45,000/ year, effective 07/15/2020. Hoffman stated the increase is a result of Sheridan's performance review and salary surveys, and he would like to reevaluate in six months. Motion carried.

McClellan moved, Hoffman seconded to approve the pay increase of Jody

Mesch, Property Manager, to \$73,000/ effective 07/15/2020. Hoffman vear. stated the increase is a result of Mesch's performance review, and Granzow noted that the pandemic has added to Mesch's duties. Motion carried.

Hoffman moved, McClellan seconded to approve the promotion of Sophia Lupkes, Dispatcher, at a rate of \$17.26/ hour, effective 07/25/2020. Motion carried.

McClellan moved, Hoffman seconded to approve the hiring of Emma Lee Inks, part-time Correctional Officer, at a rate of \$16.48/hour, effective 07/15/2020. Motion carried.

COVID-19 Update:

Emergency Management Coordinator Thomas Craighton spoke about PPE supply chain, event accommodations and grants. Rocky Reents is working with schools on Return to Learn plans.

Matt Jones, IT Director, presented on the Alibi fever detection module and, after discussion, the following action was taken

McClellan moved, Hoffman seconded to approve the purchase of three Alibi fever detection modules, one each for the Courthouse, County Office Building, and Sheriff's Office. Granzow advised a policy needed to be put into place before the modules are deployed. Motion carried. Public Comments:

Floyd Hammer lodged a complaint about the quality of gravel applied to his road.

Other Business:

Hoffman relayed concerns about individuals' use of Courthouse grounds without a permit. McClellan remarked there's a fine line between requiring a permit and allowing assembly on publicly-owned ground. County Attorney Darrell Meyer will examine the existing policy and permit for possible amendments

Hoffman moved, McClellan seconded to adjourn. Motion carried. /s/Lance Granzow /s/Jessica Lara Lance Granzow, Chair Jessica Lara Board Of Hardin County Supervisors Auditor

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NEWAL: Martin made motion to cash out the General CD maturing in July 2020 and put into checking, Allbee second. MC

Unanimously. 3.) Renihan made motion to not reduce each city water/sewer bills and continue back to normal for invoices due August 10th with all fees applying; second D. Reece. MC Unanimously. Clerk presented council with refund amount from insurance company on dump truck. Clerk advised council that she made a mistake on Balvanz paycheck last month and it was corrected.

UTILITY REPORTS: Balvanz commented on Williams Excavating and appreciated their great work

COMMITTEE REPORTS: VETS' Fxtra flag key was given to D. Reece. NP Pride & Progress: Back of sign is complete. SOLID WASTE: Recycling prices went up. NP is always one of the top contributors per capita. STREETS: Flowers look amazing. Everyone thanked Janine. FLAGS: Council advised D. Reece to order new flags for Main St. Renihan will check with county concerning new cross walks. PARK & REC: D. Reece replaced the broken rental plexi-glass in shelter pavilion. 911: Tom C. visited with D Reece and reviewed the NP city emergency

23,161.41. June receipts: general 428.75; employer tax levy 12.37; capital improvement 923.81; community service 923.80; garbage 1830.27; roads 660.14; sewer 1007.84; water 1819.66; NP Pride & Progress 302.40; total receipts 7909.04. June expenses: general 5401.31; employer tax levy 12.37; community service 449.27; garbage 1133.81; roads 601.96; 18107.91; water 1487.22; NP sewer Pride & Progress 302.40; total expenses 27496.25.

Renihan moved to adjourn, second Allbee. MC Unanimously. Meeting adjourned at 8:35pm.

The next regularly scheduled meeting is Monday, August 10, 2020 at 6:30pm at Providence Township Hall.

Attest:

Cathy Diedrich, City Clerk Ron Reece, Mayor (Ledger - July 28, 2020)



MONDAY, JULY 13, 2020

Tuesday, July 28, 2020 • PAGE 10

Public Record

PUBLIC NOTICE

City of Steamboat Rock

STEAMBOAT ROCK CITY COUNCIL REGULAR SESSION JULY 13TH, 2020, 6:30 P.M

The Steamboat Rock City Council met in regular session July 13th, 2020, 6:30 p.m. with City Council in chambers and available via zoom due to COVID-19 restrictions. Present were Mayor Stearns and the following council members: Adam Blackburn, Wren Hoffman, and Kevin Pieters and Cory Schurman; absent: Jackie Hagberg, Also present were JJ Veld, Melissa Johanson, Bob & Vicki Hutchcroft, Suzie Devries, Scott Williams, Carol Williams, Sondra & Tracy Morlan, Ryan Stupp, Tony Vaughn, Jen Merfeld, Sandee Gavagan, Aaron Armstrong, Jacob Murphy, Dave Hagberg and Renee Oltrogge.

Mayor Stearns called the meeting to order. Pieters moved, seconded by Blackburn to approve the posted agenda as amended. Motion carried unanimously Absent: Hagberg.

Pieters moved, Schurman seconded the motion to approve the City bills as presented. Motion carried unanimously Absent: Hagberg. Hearing no additions and the Correction - Craig Babcock requested the purchase of a complete new toilet for the girls' locker room in the gym, this is a flushing valve not a full new toilet, the Minutes of the June 13th, 2020 City Council meeting. Blackburn moved, Schurman seconded the motion to approve the minutes. Motion carried unanimously Absent: Hagberg. Hearing no additions or corrections to the Minutes of the July 29th, 2020 Special City Council meeting. Schurman moved. Pieters seconded the motion to approve the minutes. Motion carried unanimously. Absent: Hagberg Hours were presented for Renee OItrogge, City Clerk and Kelly Haskins as Water/Sewer Supervisor. Pieters moved, Blackburn seconded the motion to approve hours as presented. Motion carried

unanimously. Absent: Hagberg. During comments from the public Aaron Armstrong presented several ideas for the council to consider; 1) A city ordinance that requires a 5% of gross vacation rental tax within the city limits. 2) Use an executive committee for future city ordinances to save council time. 3) Decide what to do with the schoolhouse. Maybe allow manufacturing of non-hazardous products that don't make a lot of noise, dust or debris such as fishing lure or other outdoor companies, terminal servers, or a fish farm. 4) Pass an ordinance for a business permit to profit from new businesses and control what businesses come into town. Ryan Stupp offered information on a local dump truck for sale. Mimi Wagner presented PowerPoint

slides for the dam mitigation planning update. Final revisions and complete planning to be published by August 10th, 2020.

Melissa Johanson, Director of the Steamboat Rock Library presented her report with The Library Board Meeting agenda, minutes and Budget. A Library Board Member Sandy Trampe resigned. they are requesting to appoint Whiley. Mayor Stearns approved the new member. Melissa advised they have given out 17 bags to children and 6 to preschoolers in lieu of the summer reading program. She has also continued the library at the campground. Hardin County Courthouse has donated two refurbished computers. Melissa requested permission to have the contractors dig holes in the alley to anchor the walls being repaired. Schurman moved, Pieters seconded the motion for the holes in the alley. Motion carried unanimously. Absent: Hagberg.

Scott Williams, Fire Chief presented the fire department report to the council. SRFD has been in contact with the organizers about the Bike show coming July 25th. Plan to sell raffle tickets for the door prizes that were bought for our breakfast and give them away sometime in August. We were notified that all proceeds from the Bike show would be donated to the Fire Dept. A \$1,000 check has been received for helping with the Eldora fertilizer building fire which will come to the City. Received the check from the Bayer foundation in the amount of \$3,000 to be used to help fund the new wild land gear. The SRFD did receive grant papers from the DNR to be used on any wild land equipment. This grant is a matching up to \$3,500. No discussion yet about attempting to apply for this grant. Pump operation and port-a-tank training this Thursday night starting at 6 p.m. in front of the Historical Society building. Patrick Taylor has resigned and request to be removed from insurance and add a new employee Damion Homeister. Presented PO 64 & 65 for approval. Schurman moved Blackburn seconded the motion. Motion carried unanimously. Absent: Hagberg.

JJ Veld presented the public works report. JJ advised water is doing fine and we will be testing for lead and copper soon. E-coli tests are delivered to Ellsworth each week with test levels good. The end-loader has been repaired except the illusive starter issue. Heidi Young with Happenings advised she has three port-apotties reserved for the motorcycle show and Renee will check on dumpsters. JJ asked about the status of parking at the fire department training lot.

Mayor Stearns gave update on properties. 101 E Main St will be receiving a letter from Attorney, Neederhoff for Dangerous Building Notice of Action this week. Attorney, Neederhoff is ready to move forward to foreclose with notices on the property at 601 W Sycamore & 308 6th St. The new owner of 206 5th St has it listed for sale. 208 3rd St is ready to move forward with notices of forfieture. 101 E Main St has let the 90 days expire. Letter was issued this week requesting per city code to have the house inspected for livability. Nederhoff spoke with Mike Smith, Shore's attorney and they agreed to the sale and the city has until spring to establish the easements. Veld advised there might be a city well on mentioned property and it will be researched. A Special Meeting set for Monday, July 27th at 6:30 pm with the legal descriptions on notice.

Tracy Morlan is requesting the city to put a cap on the curb shut off for the property next to 416 W Market St. Morlan is requesting the city sell him public property south of the City lift station with the city retaining right of way for any utilities. Morlan requested a zoning change for their lots between the bike trail and 704 W Main St and their property across the north side of Main St to be changed from residential to light commercial. Requesting the city to abandon the alleyways in the middle of their property on the North side of Main St. All items were discussed and it was explained that if the city put any property up for sale it would have to be posted for anyone to buy. After much discussion Schurman advised Council needs to review items and it will be on next agenda.

We had our first Clean-up day on Saturday July 11th and the next one will be on the 18th from 8 am - 11 am. D&T Recycling in Iowa Falls will provide a truck for metals to be recycled and a trailer for appliances with a \$15 fee/ appliance, please bring cash, money order or check filled out to City of Steamboat Rock with the appliances at the drop off or call city hall prior to drop off to obtain a sticker. A roll-off will be provided for refuse and debris with the normal rules of no hazardous materials. The list of non-acceptable items is with the posters for clean-up days and on the landfill website at www.hardingcountysolidwaste.com. Social distancing should be observed at the collection site. Volunteers from the Council/ city will

need to be present at the City shed location to assist local people

Dave Hagberg gave a report for the proposed compost pile. He gathered information from DNR and a local environmental specialist. An all-weather base of 4"-6" of course limestone and 2" of fine limestone. Veld has 14 concrete blocks for purchase to make three bins with two blocks high. It will have to be turned by City Man based on the internal temperature of 120 degrees; temp probe will need to be purchased. The pile needs to be 500 feet from an inhabitance, 200 from a public well and 100 feet from a private well. Hagberg thought the back of the dump would work and will investigate. Hagberg would like to start out small with 12-18 families in town enroll and have access to a key. Within the dump and he will monitor usage and appointments and those members will use the final compost product at no charge in about six months. Signs would be purchased and posted of details and rules

The City Clerk was contacted on July 14th that our city did not receive the AARP Grant

Ordinance No. 20-3 Chapter 144 Property Maintenance Code up for 2nd reading. Proposed ordinance is a blending of existing ordinance in a revised version. 144.08 with regards to entering a resident's home was discussed. It was understood that current city code specifies a homeowner would be contacted by letter and have 14 days to request a hearing on a nuisance prior to anyone entering their home. Pieters moved, Schurman seconded the motion of 2nd amended reading. Motion carried unanimously by roll call. Absent: Hagberg. Pieters moved, Hoffman seconded the motion of the 3rd reading waived. Motion carried unanimously by roll call.

Ordinance No 20-4 for Engine Brakes up for 2nd reading. Schurman moved, Pieters seconded the motion of 2nd amended reading. Motion carried unanimously by roll call. Absent: Hagberg. Pieters moved Hoffman seconded the motion of the 3" reading waived. Motion carried unanimously by roll call. Absent: Hagberg.

Building permits presented for 403 Sycamore. Pieters moved, seconded by Schurman. Motion carried unanimously Absent: Hagberg. Building permits pre-sented for 201 W Main St. Schurman moved, seconded by Pieters. Motion carried unanimously. Absent: Hagberg Building permits presented for 205 W Main St. Schurman moved, seconded by Pieters. Motion carried unanimously. Ab-

RIWMA MINUTES

UNAPPROVED

JULY 21, 2020

Guest was Glenn Hunter

Willert moved and Anderson sec-

Anderson moved and Willert sec-

• Final payment of \$239,829.40 to

onded to approve the June 23, 2020 Min-

sent: Hagberg. The building permit form was discussed. Schurman moved, Pieters seconded the motion to add estimated completion date & they are required to come back to City Council if it is not completed within 90 days of the estimate for an extension per City Code 144.1. Motion carried unanimously by roll call. Absent: Hagberg.

The Steamboat Rock Baptist Church Youth Group is looking for a 1-2 day project for a dozen kids to assist with in town If you would like to be considered please contact City Hall or the church.

The Great Fall Ride in lieu of RAGB-RAI is requesting to have us host 2,000 -3,000 bikers October 2-4, 2020. They are having a check in and expo Friday in Iowa Falls, a Saturday road riding event and a Sunday morning gravel riding event. Pieters moved, Schurman seconded the motion to approve the ride. Blackburn and Hoffman wish to not have social events due to COVID-19 safety issues. Roll call Blackburn and Hoffman no, Pieters and Schurman yes, Hagberg absent. Mayor Stearns voted in favor to break the tie. Motion carried.

Jen Merfeld from the Visionary Group requested Council's input on having The Rainsbarger Daze 5k due to the CO-VID-19 health crisis. Roll call Blackburn no, Hagberg absent, Hoffman no, Pieters yes, Schurman neutral, Mayor Stearns voted in favor to break the tie. Merfeld will discuss this with her group and have their decision at the next council meeting.

At previous meetings it has been discussed to not have fireworks every other year anymore and to use all of the income to buy new holiday lights for the downtown area. Craig Babcock has been volunteering his time to return cans for the city and does not wish to do this anymore if we are not doing fireworks. Handling the can disposition has become increasingly complex. Pieters moved, Schurman seconded the motion to not have the city accept can donations anymore and to offer any group in town the use of the can cage if they wish to accept can donations. The city will still be accepting money donations for holiday lights. Motion carried unanimously. Absent: Hagberg.

Mayor Stearns requested to obtain proposals and bids for a water diversion needed on the west end of East Market St. Babcock requested the same for an area by the church on 4th St. Schurman moved, Pieters seconded the motion to obtain bids and further discuss options for this issue. Motion carried unanimously Absent: Hagberg.

Schurman moved to adjourn the meeting, Blackburn seconded. Motion carried unanimously. Absent: Hagberg. Meeting adjourned at 9:41 pm. Timothy A. Stearns, Mayor

Herald-Ledger

Renee Oltrogge, City Clerk CITY OF STEAMBOAT ROCK

CLAIMS TO BE APPROVED 7/13/2020 lowa Department of Revenue, WET Tax 2020 1st quarter 520.00; Iowa Department of Revenue, State Tax withholding 2020 1st guarter 48.00; United States Treasury, Payroll 340.70; IPERS, Payroll 298.87; Alliant Energy, June electric/ gas 2,073.02 (Alliant Energy Breakdown Ball Field 0.00; Welcome Sign 0.00; Street Light 1,040.02; Sewer 172.22; Fire Department 0.00; Water 283.08; School House 12.52; Sewage Treatment Plant 565.18 - Total 2073.02); Great West-ern Bank CC \$34.80 Office, \$189.82 Tools, \$581.20 Building, \$59.98 Training 865.80; Grundy National Bank, Community Center Loan Payment 2115.00; Heart of Iowa, Telephone & internet service 237.55; Terry Babcock, Water Heater Thermostat 88.30; Danko, Foam 235.00; Oltrogge, Renee A., June payroll 1,481.89; Haskins, Kelly, June payroll 390.30; Veld, JJ, Contractual earnings 2,100.00; Veld, JJ (mileage), Mileage 244.88; Ackley Publishing, Water Bills 58.60; AqSource, Water & sewer analysis 121.50; Blythe Sanitation, Garbage pickup 1,735.29; Babcock, Craig, Schoolhouse repair 169.99; Culligan Water, ibrary water 10.00; DNR, Annual water use fee 35.40; NIRG, Haz mat dues 155.00; Hardin County Sheriff, County Sheriff Contract 613.54; Iowa Falls Fire Extinguisher, Invoice 4811 242.50; Iowa League of Cities, Yearly Dues 346.00; owa One Call, Locates 36.00; JCJDW Investments LLC, Solar Panels 2,737.67 (Solar Panels Breakdown - School House 2659.40; Fire Department 78.27 Total 2,737.67); Kevin Pieters Well Drilling Inc, Invoice #5340 157.65; Keystone Lab, Water & sewer analysis 323.90; Mid America Publishing, Publish public no-tices & legals 166.95; NAPA, Parts 72.61; Rock Stop, Fuel for fire trucks 598.41; Silvey Construction, Install new roof on Concession Stand Materials \$1,178.31, Labor \$350.00 1,528.31; Stearns, Tim, Iowa Falls Glass 175.00; Steamboat Rock Public Library, City contribution & tax levy 787.57; Eldora Hardware, UPS charges, Supplies 74.48; USPO, Stamps 110.00; Freda Harms, Utility Deposit 3.57; Keltek, Siren 365.37; TOTAL \$21,664.62.

(Ledger - July 28, 2020)

PUBLIC NOTICE

PUBLIC NOTICE Hardin County Board of Supervisors

HARDIN COUNTY **BOARD OF SUPERVISORS** MINUTES - JULY 8, 2020 WEDNESDAY - 9:00 A.M. COURTHOUSE LARGE CONFERENCE ROOM

Chair Lance Granzow called the meeting to order. The meeting was held electronically due to COVID-19 public health risks. Also in attendance were Supervisors BJ Hoffman and Beneé McClellan and Tony Baranowski, Darla Kalous, JD Holmes, Pauline Lloyd, Gene Newgaard, Kerri Johannsen, Curt Groen, Mariah Lynne, Bret Dublinske, Josh Odom, Justin Ites, Machel Eichmeier, Dave Mc-Daniel, Wes Wiese, Jake Ketzner, Nick Boeyink, Megan Kirik, Tifani Eisentrager, Jessica Lara. Julie Duhn. Max Friedman Laura Cunningham, Mark Buschkamp Abby Flatness, Cody Smith, Jody Ander-

Ford due to front axle and cost. Motion carried. Jessica Lara and Tony Baranowski

presented on a partnership between the County and Times Citizen Communications to facilitate absentee voting in the 2020 General Election. Times Citizen Communications will insert a flyer in its publications and commit to keeping costs to the County under \$700. No action necessary; informational only

Hoffman moved, McClellan seconded to accept and approve the resignation of Dave Mitchell from the Hardin County Veterans Affairs Commission. Motion car

No action was taken on the appointment to fill the vacancy resulting from Mitchell's resignation.

Hoffman moved, McClellan seconded approve the tax abatements for Ellsworth Neighborhood Investment Group LLC, Abate Orders 5892-5906. One additional abate order will appear on the July 15, 2020 agenda. Meyer explained the abatements were due to incorrect tax assessments. Roll Call Vote: "Ayes" Hoffman, McClellan, and Granzow. "Nays" None. Motion carried.

Comments and questions were received from Pauline Lloyd on multiple topics. Other Business:

at 1:00 PM at the RIWMA Office. Hoffman advised that through the • Members present were Ed Willert for Butler Co. Jody Anderson and Lance CARES Act students in grades Pre-K through 12 on the free and reduced lunch Granzow for Hardin Co, and Dan Aastrup, program will be receiving debit cards in Director. the mail to utilize toward grocery expens-

Hoffman moved, McClellan seconded to adjourn. Motion carried.

utes. Motion carried At 1:00 p.m. the Board met for a department head/elected official meeting. onded to adopt Resolution 20-10, Acceptance of Public Improvements. Motion The meeting was held electronically due to COVID-19 public health risks. In attencarried. Roll Call Vote all Ayes. dance: Supervisors Granzow, Hoffman, and McClellan; and Dave McDaniel, Linn Leroy and Sons for work completed [not Adams, Don Knoell, Wes Wiese, Bernie including 5% Retainage] approved by An-Koehrsen, Machel Eichmeier, Jessica derson and seconded by Willert. Motion Lara, Thomas Craighton, Jody Mesch. Jessica Sheridan, Michael Pearce, Taylor Roll, Angela De La Riva, Lori Kadner, Darrell Meyer, and Angela Silvey.

PUBLIC NOTICE RIWMA

.. \$61.58 Gemplers, repairs ... Greenbelt Credit, charges \$2,333.61 HCSW Scale, scale expense...\$1,991.03 · Granzow called the meeting to order Heart of Iowa, telephone .. .\$169.17 HLW Engineering,

engineering..... IA Falls Diesel, repairs.... \$6,147.60 .\$485.28 Innovative Ag Service, fuel \$7,085.90 John Deere Financial, repairs... ..\$10.22 .\$178.28 Koppes, cleaning... Leroy & Sons,

trench 4-6 exc..... Magic Muffler, exhaust... \$239,829.40 \$32.00 Mid-America Pub, printing. \$39.70 Mid-Country Mach, repairs. \$119.92 Midland Power, electric\$1,133.44 MSM-KXIA Radio, sponsor....... \$375.00 Nissly-Nissly, acct. services.. .\$600.00 O'Reilly Auto Parts, parts.... . \$273.23 Payroll. .\$15,048.73 Withholdings, taxes . .\$2,776.90 Hardin Co. Supervisors HARDIN COUNTY BOARD OF SUPERVISORS

MINUTES - JULY 20, 2020 MONDAY - 9:00 A.M. COURTHOUSE LARGE CONFERENCE ROOM

Chair Lance Granzow called the meeting to order. Also present were Supervisors BJ Hoffman and Reneé McClellan; and Angela De La Riva, Darrell Meyer, Jessica Sheridan, and Angela Silvey.

Hoffman moved, McClellan seconded to go into closed session pursuant to lowa Code 21.5(1)(c) for pending litigation. Roll Call Vote: "Ayes" Hoffman, McClellan, and Granzow. "Nays" None. Motion carried.

Following discussion, Hoffman moved, McClellan seconded to return to open session. Roll Call Vote: "Ayes" Hoffman, McClellan, and Granzow. "Nays" None. Motion carried.

At 10:02 a.m., McClellan moved,

son, Michael Pearce, Jessica Sheridan, Taylor Boll Thomas Craighton Angela De La Riva, Lori Kadner, Darrell Meyer, and Angela Silvey

The Pledge of Allegiance was recited. McClellan moved, Hoffman seconded to approve the agenda as posted. Motion carried.

Upon the recommendation of County Attorney Darrell Meyer, Hoffman moved McClellan seconded to table the second consideration of the amendment to Article XXIII of Ordinance No. 29 as modified by the Board of Supervisors Boll Call Vote "Ayes" Hoffman, McClellan, and Granzow. "Nays" None. Motion carried.

Hoffman moved. McClellan seconded to set July 15, 2020 at 9:01 a.m., in the large conference room and via Zoom, for the second consideration of the amendment to Article XXIII of Ordinance No. 29 as modified by the Board of Supervisors. Roll Call Vote: "Aves" Hoffman. McClellan, and Granzow. "Nays" None. Motion carried.

Hoffman moved. McClellan seconded to table setting the time and date for the final consideration and adoption of the amendment to Article XXIII of Ordinance No. 29 as modified by the Board of Supervisors. Roll Call Vote: "Ayes" Hoffman, McClellan, and Granzow. "Nays" None. Motion carried.

McClellan moved, Hoffman seconded to approve the minutes of May 22, 2020 and June 30, 2020. Motion carried. Hoffman moved, McClellan seconded to approve the July 8, 2020 claims for payment. Motion carried.

Utility Permits: None

Secondary Roads:

County Engineer Taylor Roll advised two projects were going well.

McClellan moved. Hoffman seconded to approve the purchase of a GMC pickup for Secondary Roads from Dale Howard Inc. Granzow stated he preferred the

McClellan moved, Hoffman seconded that Resolution No. 2020-30, Appropriations Resolution 2020/2021 Fiscal Year, be adopted. Roll Call Vote: "Ayes" Mc-Clellan, Hoffman, and Granzow. "Nays" None. Resolution No. 2020-30 is hereby adopted and on file in the Auditor's Office.

Hoffman moved, McClellan seconded to approve the Auditor's Monthly Report for June 2020. Motion carried.

McClellan moved. Hoffman seconded to approve the Recorder's Monthly Report for June 2020. Motion carried.

Hoffman moved, McClellan seconded to approve the Sheriff's Monthly Report for June 2020. Motion carried.

Hoffman moved, McClellan seconded to approve the pay increase of Angela Silvey, Election Deputy, at a rate of 65% of elected official's salary, effective 07/01/2020. Motion carried.

McClellan moved, Hoffman seconded to approve the hiring of Matthew Vogeler, part-time Sheriff's Office Communications, at a rate of \$16.48/hour, effective 07/23/2020. Motion carried. COVID-19 Update:

Emergency Management Coordinator Thomas Craighton advised there is much discussion about serology testing. As the Courts are reopening on July 13, Craighton recommended the Board formally open the Courthouse, but with existing safety procedures in place. Craighton also presented information on an automatic fever detection system that would allow the County to perform contact tracing. Lastly, Craighton explained the efficacy of different kinds of masks. Public Comments:

Talks on reopening of County buildings resumed. Craighton expanded on the automatic fever detection system presented at the regular Board meeting. The system, being considered for the Courthouse, County Office Building, and Jail, scans for body temperature via wrist and takes a headshot. Cost is estimated at \$2,000 per module, with much of the cost, according to Craighton, reimbursable through grants. Visitors would also be required to sign a log.

Questions and concerns about cost; data collection, usage, and sharing; and procedures following a COVID-positive case were addressed. The Board will decide whether or not to acquire the fever detection system at a future meeting.

Also discussed was the Courts' reopening, slated for July 13, 2020, and the County's response. While Craighton and Meyer supported the County joining with the Courts and issuing a formal statement of reopening, Granzow and McClellan preferred County offices continue operations as-is, on an appointment-only basis.

Craighton asked if he should institute manual temperature-taking while awaiting a decision on the fever detection system. Granzow stated the summer heat will cause visitors to fail testing. Other Business:

Bernie Koehrsen advised Dave Mitchell was hired as city administrator of Avoca, Iowa, creating an opening on the VA Commission. Koehrsen will advertise and conduct interviews to fill the position.

At 2:14 p.m. McClellan moved, Hoffman seconded to adjourn. Motion carried. /s/Jessica Lara /s/Lance Granzow Lance Granzow, Chair Jessica Lara Board Of Hardin County Auditor Supervisors

(Ledger - July 28, 2020)

carried. Roll call Vote all Ayes · June-July expenditures were ap-

proved by Willert and seconded by Anderson. Motion carried. • August 18, 2020 at 1:00 is the next

meeting · Anderson and Willert adjourned the

meeting Expenditures: Agsource Labs, testing\$104.25 Alden, treatment\$9,280.00

. \$232 35 Central IA Fab, repairs.... Cooley Pumping, portapotty \$85.00 Expansion Savings, 8.00 ton. \$26,487.60 Gehrke, Inc., rock. .\$2.373.95

PUBLIC NOTICE Estate of Mark Harms

THE IOWA DISTRICT COURT FOR HARDIN COUNTY IN THE MATTER OF) CASE NO. THE ESTATE OF ESPR023944 NOTICE OF MARK HARMS. APPOINTMENT Deceased. OF

ADMINISTRATOR AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Mark Harms, Deceased, who died on or about June 3, 2020:

You are hereby notified that on July 8, 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 undersigned, and creditors having claims against the estate shall file them with the

IPERS. \$946.57 SWANA, membership...... . \$313.00 Turkle-Clark, comp plan . .\$4,245.00 Van-Wall Equipment, repairs \$31.42 Wellmark-Hardin Co., \$5.202.17

health ins .. Williams Exc, leachate..... .\$963.00 Winters Septic, leachate \$250.00 WRA-Des Moines, leachate . ..\$506.48 .\$5,299.97 Zeigler, repairs..... Total. \$335,011.75 Recorded By Dan Aastrup, Director

(Ledger - July 28, 2020)

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 on July 9, 2020.

Susan Harms Administrator of the Estate

1506 3rd Street Place Eldora, IA 50627

Heronimus, Schmidt, Schroeder & Geer Attorneys for the Administrator 630 G Avenue, PO Box 365 Grundy Center, Iowa 50638 Date of second publication July 28,

2020 (Ledger - July 21, 28, 2020)

Hoffman seconded to adjourn. Motion carried. /s/Lance Granzow /s/Jessica Lara Lance Granzow, Chair Board Of Jessica Lara Hardin County Supervisors Auditor (Ledger - July 28, 2020) **PUBLIC NOTICE** City of Steamboat Rock CITY OF STEAMBOAT ROCK. HARDIN COUNTY, IOWA **ORDINANCE NO. 20-4**

AN ORDINANCE ADDING USE OF ENGINE BRAKES PROHIBITED OF THE STEAMBOAT ROCK MUNICIPAL CODE

USE OF ENGINE BRAKES PRO-HIBITED. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the City any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from the vehicle. The usage of an engine brake, compression brake or mechanical exhaust device designed to aid in braking or deceleration in a manner so as to be audible at a distance of 300 feet from the motor vehicle shall constitute evidence of a prima facie violation of this section.

PASSED AND APPROVED this 13th day of July, 2020.

Timothy A. Stearns, Mayor		
ATTEST:		
Renee Oltrogge, City Clerk		
Introduced:	06-09-2020	
Passed 1 st Consideration:	06-09-2020	
Passed 2 nd Consideration:	07-13-2020	
Passed 3 rd Consideration:	07-13-2020	
Passed & Adopted:	07-13-2020	
(Ledger – July 28, 2020)		

PUBLIC NOTICE City of Union

MINUTES UNION CITY COUNCIL REGULAR MEETING

Mayor Stephanie Carson called the meeting to order at 6:30pm Tuesday July 14, 2020 at the Union City Hall. The Pledge of Allegiance was recited. Roll Call: Tom Bays, Alan Donaldson,

Andy Clemons, Cindy Clemons, Candy Wait. All present. Also present were 8 residents, John Benson City Maintenance, and City Clerk Colleen Eagan. Public Comments: Questions about

ditch maintenance and dumpster permits. A Clemons moved to approve the agenda, second by Wait 4 Ayes, Donaldson absent. Motion passed

Bays moved second by Donaldson, to approve Consent Agenda: June Regular Meeting and Special Meeting Minutes and Claims Paid. 5 Ayes, motion carried.

Reports: Mayor; the pump at the lagoon has been fixed. New swings have been installed at the park. Clerk; End of Fiscal Year and End of Month financials given. Leftover funds for Fire Department and the Ambulance were transferred to Equipment funds. Thanks to Dave's and John for fixing the flag pole. Maintenance; Multiple trees need to be trimmed in town. Clean-up continues for Tar Heel Days and streets patched. Grass has been replanted in the park. Nuisance; Abatements have been sent and liens will be filed. Fire Department: tires need to be replaced on tanker and bids will be pursued. Water/ Wastewater and Sheriff Reports in pack-

Discuss and Action:

1. Agenda Requests:

A. Diana Blackburn requested water repair billing be reconsidered for owners. Insurance will not pay for repair to the main. Discussion only no action taken.

B. Megan Cross Beauty shop in home. Resident did not appear.

C. Floyd Hammers presented a petition to establish a Drainage Ditch District. Lee Gallentine from Clapsaddle-Garber Associates explained the different options available to resolve the problems.

2. Lagoon issues/ pump Update/concerns to JEO: JEO representatives discussed basket, pump and wiring issues with the Sewer Rehab Project. Pipe to be tele-vised Wiring will be reviewed. JEO will address issues after additional research

has been taken 3. Tree removal: Council discussed City Tree Ordinance Chapter 23.05 DUTY TO TRIM TREES. The owner or agent of abutting property shall keep the trees on or overhanging the street trimmed so that all branches will be at least fifteen (15) feet above the surface of the street and eight (8) feet above the sidewalk. Numerous properties are in violation of this ordinance. Residents will be informed of the need to trim trees to the specifics of the ordinance. If no action was taken, the City will trim branches and assess the costs to the property owner.

4. Emergency Siren Update

5. Water Leak update

6. Davis Street paving and patch update 7. Revise ordinance 90.12 to repair street in emergency situation

8. Fire Station Garage door replacement 9 .Division of Township monies

10. Part-Time Maintenance position 11. Library Board; Backoff resigning and approval of Goodlaxson

Income: 51,562.44

General -3426.72. Ambulance 2989.91, Capital 1664.39, Fire Department 730.30, Garbage 509.29, Landfill 10984.53, Library 1527.74, Pool Oper-ating 1664.39, Road Use Tax 1901.38, Employee Benefit 51.93, LOST 3328.78, Emergency Fund 20.25, Ambulance Vehicle 19307.46, Fire Truck 17563.78, Water Sinking 581.99, Water -99.06, Sewer Sinking 977.03, Sewer 977.03, Sewer 1005.27.

Expense: 138,802.96

General 6803.03, Ambulance 20,698.11, Capital 7077.31, Fire De-Ambulance partment 18484.02, Garbage 1007.50, Landfill 3126.50, Library 4664.38, Pool Operating 12.09, Road Use Tax 1597.17, Employee Benefit 541.27, LOST 3328.78, Emergency Fund 20.25, Water Sinking 18,335.00, Water 1717.02, Sewer Sinking 37157.28, Sewer 14233.25.

Independent Claims Paid: Library; Al-liant Energy, utilities 106.67, Micro Marketing, DVD's 154.60, B&G HVAC, spring check furnace 85.00, Gavin Backoff, assisting with craft program 30.00. Gavin Backoff, assisting with craft program 30.00, American Express, books, DVD's, CDs. supplies, periodicals 1563.95. Laura Newby, craft supplies 16.28, Laura

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Newby, reimbursement time and mileage 500.00, Heart of Iowa, phone 47.02, City of Union, payroll reimbursement 2128.18; Ambulance, George Wait, calls 68.00, Lisa Thompson, calls 78.00, Andrew Clemons, calls 59.50, Junior Prusha, calls 25.50, Lisa Thomson, calls 69.50, Junior Prusha, calls 84.50, Andrew Clemons, calls 54.00, Lisa Thompson, calls104.50, Darlene Bradley, paperwork 50.00, Heart of Iowa, phone 6.75; Fire Department; Sam's Club, card renewal, Midwest Fire Extinguisher, equipment check 12.00, Union Fire Department, Transfer 2000.00.

General Claims Paid: Gateway Insurance, Fire Department and Ambulance policy 3040.00, OmniSite, wireless service 276.00, Iowa Codification, update codes 1300, KB Underground, waiter main repair 2790, Alliant Energy, utilities 1562.46, John Benson, reimburse sup-plies for park project 346.42, Dennis Carson, daily readings 535.80, ClerkBooks, support hours 750, DMK Enterprises, fuel misc supplies 152.75, Eldora Hardware, misc supplies 41.28, Kim Faris, haul rock 60.28, Gehrke Quarries, rock 218.52, Hardin County Sheriff, monthly contract 785.73, Heart of Iowa, internet/phone 2.86, Innovative Ag 529.29, IA Dept of Natural Resources, annual fee 45.34, lowa League of Cities, membership 427, Iowa One Call, emails 18, Kelly Kendall Construction, remove and replace concrete city park 8300, Keystone Laboratories, water/sewer testing 91.75, Knights Sanitation, garbage pickup 1017.50. Mid-America Publishing, minutes 99.26, NAPA Auto Parts, air tank 49.99, NIRG, dues 198.50. Rhonda Guy, water/wastewater 723.00, Union Fire Department, 6-month contribution 450, USIC Locat-ing Services, utility locates 326.42, Utility Equipment Company, water repairs/ hydrants 4962.47, Vaux Welding, shut off wrench 54.97, VISA, swings, payroll fees, USPS, tire repair 982.91, HCSB, ACH fees5, QuickBooks Payroll Service, payroll 1585.47, QuickBooks Payroll Service, payroll 1720.98, United States Treasury, withholding 915.24, IPERS, contributions 668.51, IA Dept of Finance, withholding 252.00.QuickBooks Payroll Service, payroll 1568.48, Iowa Dept of Finance, sales tax 890.

(Ledger - July 28, 2020)

PUBLIC NOTICE

The Hardin County Board of Supervisors will hold a special meeting and public hearing on the following proposed Ordinance No. 29 Amendment on August 10, 2020 at 9:01 A.M. This meeting will be held remotely via Zoom. Please contact 641-939-8108 for information. Other

items on the agenda for the special meeting will include: first consideration of the proposed Ordinance No. 29 Amendment; motion to waive second reading; and motion to set final consideration of the proposed Ordinance No. 29 Amendment for August 12, 2020 at 9:00 A.M. Summary of Hardin County Proposed Amended Article XXIII of Ordinance No.

29, Entitled ARTICLE XXIII. NON-COMMERCIAL WIND ENERGY CONVERSION SYS-TEM PERMITTED USES AND COM-MERCIAL CONDITIONAL USE WIND CONVERSION SYSTEM ENERGY STANDARDS.

Pursuant to Iowa Code 331.302(6) and Hardin County Ordinance No. 1, Section 2, the following is a summary of the proposed amended Article XXIII of Ordinance 29, which will become codified if adopted by the Hardin County Board of Supervisors. The full text of the proposed Article XXIII of Ordinance 29, may be viewed during regular business hours at the entry of the Hardin County Court-

Height, Wind Energy Conversion System (WECS), Wind Turbine. Section 3. "A", AGRICULTURAL DISTRICT; "R-1", SINGLE-FAMILY RESIDENTIAL; "R-2", MULTI-FAMILY RESIDENTIAL; "R-3", MOBILE HOME PARK DISTRICT: "C". COMMERCIAL DISTRICT; "M", MANUFACTURING DIS-TRICT.

PERMITTED USES: This section establishes limitations and requirements for the permitted uses of Non-Commercial WECS, including: Tower Height, Setback; Noise; Engineer Certification; Compliance with FAA Regulations; Compliance with National Electric Code; and Utility Notification.

Section 4. CONDITIONAL USE PER-MITS FOR NON-COMMERCIAL WECS AND C-WECS STANDARDS.

This section establishes limitations and requirements for conditional use permits of Non-Commercial and Commercial WECS, including setbacks (Table 1) and zoning restrictions (Table 2)

1. GENERAL REQUIREMENTS The requirements of this Ordinance shall apply to all WECS proposed after the effective date of this Ordinance. WECS for which a required permit has been properly issued prior to the effective date of this Ordinance shall not be required to meet the requirements of this

Ordinance; provided, that any such pre-

plicable Wind Turbine with the applicable fee. This does not prohibit joint proceedings, including notices, public hearings, reviews and approvals as appropriate. The Director is hereby authorized to establish the content and form of the Conditional Use Permit Application consistent with this ordinance.'

It also establishes procedures for stakeholder notification and participation. In part, it states:

"The Facility Owner/Facility Operator shall be responsible for obtaining and submitting to the Director, at the time the Conditional Use Permit Application is made, showing the names and last known addresses of the owners of all property within 5,280 feet (1 mile) of the perimeter of the total project development site containing wind energy device(s). Prior to the approval for such Conditional Use Permit, notice shall be given by the Director by ordinary mail to all adjacent property owners and owners of property within 5,280 feet (1 mile) of the proposed site(s) for which the conditional use is requested.

"The WECS applicant is responsible in notifying the following state, federal, and local agencies of their planned project and allowing said entities 120 days to do a preliminary review. Documentation of notification by certified mail to these agencies, and any reports from the agen-

house. 1215 Edainaton Avenue. Suite -Eldora, Iowa 50627, and at the office of the Hardin County Auditor, Hardin County Courthouse, 1215 Edgington Avenue, Suite 1, Eldora, Iowa 50627. It may also be viewed by going to the following link: https://tinyurl.com/y7sofdzn.

Article XXIII of Ordinance 29 provides standards and procedures for noncommercial and commercial wind energy conversion systems (WECS) in Hardin County, Iowa. The provisions are to be enforced by the Zoning Director. Article XXIII is divided into nine (9) Sections:

(1) Purpose; (2) Definitions; (3) Permitted Uses for Non-Commercial WECS; (4) Conditional Use

Permits for Non-Commercial and Commercial WECS; (5) Procedures; (6) Recording Requirement; (7) Fees; (8) Severability Clause; and (9) Effective Date.

Section 1. PURPOSE

The purpose of this Article is to provide a regulatory means for the construction and operation of large and small wind energy facilities in Hardin County, subject to reasonable restrictions, which will preserve the public health, safety, and welfare. Hardin County adopts these provisions to promote the effective and efficient use of the County's wind energy resource

Section 2. DEFINITIONS.

This section defines the following terms: Commercial WECS (C-WECS) Dwelling Unit, Facility Owner, Facility Operator, Feeder Line, Meteorological Tower, Non-Commercial WECS, Non-Dwelling Unit, Private Park, Property Line, Public Drainage System, Rotor Diameter, Setback, Total Height, Tower

existing C-WECS, which does not provide energy for a continuous period of twelve (12) months, shall meet the requirements of this Ordinance prior to recommencing production of energy. Also, no modification or alteration to an existing WECS shall be allowed without full compliance with this Ordinance. The Hardin County Zoning Director shall be responsible for creating a Conditional Use Permit Application for WECS to ensure substantial compliance with this ordinance.

The general requirements for Com-WECS, including: Color and mercial Finish; Tower configuration; Lighting; Signage; Feeder Lines; Waste Disposal; Minimum Ground Clearance; Signal Interference: Federal Aviation Administration: Electrical Codes and Standards; Safety; Noise; local agent.

This section also contains a Subsection titled "Avoidance and Mitigation of Damages to Public Infrastructure". It establishes requirements to protect roads and drainage systems in the county, and to place financial security requirements on the developer.

This section also contains a Subsection titled "Discontinuation and Decommissioning". It establishes when a discontinued wind turbine must be removed and to what depth below ground level it must be removed. It also establishes and placed upon the developer financial security requirements to ensure proper decommissioning. Section 5. PROCEDURES.

This section sets forth the application process to obtain a conditional use per-

mit. In part, it states: "A Conditional Use Permit Application must be submitted for each individual ap-

cies must be provided to the county 30 days prior to the Board of Adjustment first public hearing on the matter. If the entity does not act within 120 days, the plan may be deemed approved by the entity. It is recommended that any issues be addressed prior to the public hearing. Army Corps of Engineers; Bureau of Land Management; U.S. Fish and Wildlife; U.S. Department of Agriculture (Local FSA and NRCS); Environmental Protection Administration (EPA); Federal Communications Commission (FCC); National Weather Service; Iowa Pipeline Association; Iowa Department of Natural Resources; Hardin County Conservation Board; Hardin County E911 Service Board; Hardin County Emergency Management Commission; Private and Public Hardin County Drainage DistrictTrustees; Hardin County Drainage Clerk; Hardin County and local EMS Fire and Rescue; Hardin County Engineer's Office; Hardin County Solid Waste Commission: Hardin County Board of Health; Iowa River Trail Hardin Commission; Pioneer Cemetery Commission; Iowa Falls Airport; Eldora Airport; Ackley Airport; Radcliffe Airport; South Fork Watershed Alliance"

Section 6. RECORDING REQUIRE-MENT

This section requires that the applicant record the location and depth of all structures and utilities for each Commercial WEC, as well as the date and depth of removal upon decommissioning.

Section 7. FEES. Fee shall be set by resolution. Section 8. SEVERABILITY CLAUSE. Section 9. EFFECTIVE DATE.

TABLE 1

Property Lines*	2 X Total Height	Greater of Manufacturer's Recommended Property Line Setback or 1.3 X Total Height	2 X Total Height
Dwelling Units [,]	Greater of Manufacturer's Recommended Safety Setback Distance or 3X Total Height	Greater of Manufacturer's Recommended Safety Setback Distance or 3 X Total Height	Greater of Manufacturer's Recommended Safety Setback Distance or 3 X Total Height
Non-Dwelling Units ¹	2 X Total Height	2 X Total Height	2 X Total Height
Public Right-of-Way**	2 X Total Height	2 X Total Height	2 X Total Height
Communication or Electrical Lines	2 X Total Height	2 X Total Height	2 X Total Height
Private Park	2 X Total Height	2 X Total Height	2 X Total Height

(Ledger - July 28, 2020)