

# CALHOUN COUNTY COURTHOUSE

**Speeding:**

Kolten Nicholas Hildreth, Rockwell City; Milton Gabriel Divas Carias, Sioux City; Patrick Richard Stark, St. Paul, MN; Tomas Topete, Cicero, IL; Lane Mark Weig, Indianapolis, IN; Thomas Michael McNamara, Fleming Island, FL; Stella Hyun Jung Kim, Urbandale; Scott Charles Northway, Des Moines; Michael Keith Pithan, Sioux City; Jordan Robert Allen, Bettendorf; Samuel Michael Maurice, West Des Moines; Jose Manual Rios Jacquez, Rockwell City; Cara Ann Swanson, Pocahontas; Scott Peter McRobbie, Clive; Dallas Beisch, Pomeroy.

**Dark Window or Windshield:**

Drake Daniel Nie, Maquoketa.

**Failure to Maintain or Use Safety Belts:**

Michael Keith Pithan, Sioux City.

**Operating Non-Registered Vehicle:**

Julius Declan Prizy, Sheldon.

**Texting/Using Mobile Phone While Operating:**

Rene Michael VanWyhe, LeMars.

**Defective or Unauthorized Muffler System:**

Brayden Elliott Bates, Manson.

**Parks and Public Lands Littering:**

LeeAnn R. Walje, Manson.

**Proh. Vessel Operation - Right of Way, Speed:**

James D. Orres, Fort Dodge.

**Magistrate/District Court Judgements:**

State of Iowa vs. Sharon Kay Bieret, Wall Lake, Speeding, \$262.00.

State of Iowa vs. Emily Elizabeth Eitman, Lohrville, Operation Without Registration Card of Plate, \$175.75.

State of Iowa vs. Colton J. Clark, Clare, Failure to Provide Proof of Financial Liability, \$615.63.

State of Iowa vs. Imani Simone Putnam, Warrensville, HE, OH, Speeding, \$149.88.

State of Iowa vs. Eric Byron Munson, Windsor Heights, Speeding, \$322.38.

State of Iowa vs. Jason A. Johnson, East Moline, IL, Speeding, \$106.75.

State of Iowa vs. Joseph Longanga Okoko, Waterloo, Speeding, \$127.50.

State of Iowa vs. Maria Gochez Castro, Ankeny, No Valid Drivers License, \$354.00; Speeding, \$273.50.

State of Iowa vs. Sergio Guillermo Gochez Albanes, Ankeny, Permitting Unauthorized Person to Drive, \$354.00.

**Civil Court Judgements:**

Veridian Credit Union vs. Zachery Bax, \$3,336.79 judgement with interest at the rate of 11.0% from 06/27/23 & court costs.

Calhoun County Sheriff's Office vs. Aaron Sander Essing, \$55.00 judgement with interest at the rate of 7.20% from 06/27/23 & court costs.

**Quit Claim Deed:**

Amy L. Weaver and Daniel J. Hagen to Ascension D. Tilley, Lots 14 & 15 and North 20' Lot 16, Block 1, Original Town, Somers. No Rev.

Jack Hildreth, Heather Hildreth and Heather Smith to Karen Hildreth, 37.18 Ac. Tr., Parcel B, W1/2 NW1/4, Section 32-88-33. No Rev.

Bryan J. Stearns and Mary S. Stearns to Stearns Revocable Trust and Bryan J. Stearns Co-Trustee, NE1/4, Section 35-88-33. No Rev.

**Trustee's Deed:**

Filmer Family Trust and Douglas Filmer Trustee to Delrekoe L. Jackson, West 99' NW1/4 Block 21, Smith's 2nd Addition, Lake City. Rev. \$108.00.

**Warranty Deed:**

Brandon Michael Wessels, Megan Caroline Wessels and Megan Caroline Klaasen to Brandon M. Weasels Revocable Trust, Brandon M. Wessels Revocable Trust, Brandon M. Wessels Revocable Trust, Megan C. Wessels Revocable Trust, Megan C. Wessels Revocable Trustee and Megan C. Wessels Trustee, Lot 9 and North 1/2 Lot 8, Block 37, 5th Addition, Pomeroy. No Rev.

Jordan Waters and Jereme J. Waters to James Vonglan, Lot 5 and Lot 8, Block 7, Tompkins Addition, Lake City. Rev. \$37.60.

Sherry L. Calmer to Mitchell Lewis and Mackenzie Lewis, East 70' Lots 7 & 8, Block 27, Reynoldson's Addition, Manson. Rev. \$204.00.

Troy Andrew Mefferd and Holly Linn Mefferd to Robert Scott Kent and Sarah Alice Kent, Lot 2, Featherstone Addition, NE1/4, Section 28-89-32. Rev. \$1,303.20.

Alice J. Peiffer Revocable Trustee, Teresa Knoblauch Co-Trustee, Ann Stoltenberg Co-Trustee and Alice J. Peiffer Revocable Trust to Teresa Knoblauch, Ann Stoltenberg, Marilyn Johnson and Elaine Peiffer, Lot 35, Block 1, 1st Walnut Beach Addition, Section 32-89-32; and Parcel B of OL 3, Lot 35, Block 1, Brownlee's 1st Addition, Section 33-89-32. No Rev.

Jenifer A. Villhauer to BOBB LLC, W1/2 NE1/4, Block 15, Smith's 2nd Addition, Lake City; and West 2' E1/2 NE1/4, Block 15, Smith's 2nd Addition, Lake City. Rev. \$95.20.

Mitchell Lewis and Mackenzie Lewis to Andrew S. Geerdes and Maranda M. Geerdes, North 5' Ex. East 10' Lot 12, Block 1, and Lot 13 Ex. East 10', Block 1, Willey's 1st Addition, Manson. Rev. \$343.20.

**Mortgage:**

Mitchell Lewis and Mackenzie Lewis to Security Savings Bank, East 70' Lots 7 & 8, Block 27, Reynoldson's Addition, Manson.

Andy Geerdes and Maranda Geerdes to Frontier Financial Inc., Mortgage Electronic Registration Systems Inc. (MERS) and Frontier Mortgage, North 5' Ex. East 10' Lot 12, Block 1, and Lot 13 Ex. East 10', Block 1, Willey's 1st Addition, Manson.

Brent West to Dupaco Credit Union, Lot 5, Block 2, Cotton's 1st Addition, Rockwell City.

**Modification of Mortgage:**

Rodney H. Walters and Darcene Walters to Midfirst Bank, Lot 2, Block 2, Knapp's 1st Addition, Rockwell City.

**Assignment of Contract:**

Douglas Filmer, Dixie Filmer and Delrekoe L. Jackson to Douglas Filmer Trustee and Filmer Family Trust, West 99' NW1/4 Block 21, Smith's 2nd Addition, Lake City.

**Mortgage Release:**

Citizens Bank to Richard R. Higgins, SE1/4 SW1/4, Section 03-89-34; and S1/2 SE1/4, Section 03-89-34.

Security Savings Bank and Manson State Bank to Sherry Lynne Calmer, East

70' Lots 7 & 8, Block 27, Reynoldson's Addition, Manson

Security Savings Bank and Manson State Bank to Mitchell Lee Lewis and Mackenzie Ann Lewis, North 5' Ex. East 10' Lot 12, Block 1, Willey's 1st Addition, Manson; and Lot 13 Ex. East 10', Block 1, Willey's 1st Addition, Manson.

Heartland Bank to Timberlane Properties LLC, Lot 2, Block 23, and North 6' Lot 3 Ex. West 25', Block 23, 2nd Addition, Pomeroy.

United Bank of Iowa to Phillip Clement Condon, Janiece Condon and Janiece Roderick, Lots 9 & 10 Ex. Tr., Bradley's 1st Addition, Manson.

Farm Credit Services of America to Francis John Patterson and Mary Jane Patterson, 5 Ac. Tr., W1/2 NW1/4 NW1/4, NE1/4, Section 33-89-33; and 13.59 Ac. Tr., Parcel B, NE1/4 NW1/4, Section 33-89-33. (Partial)

Citizen's Community Credit Union to Keith R. Ricklefs and Jodi M. Ricklefs, Lot 11 and West 1/2 Lot 12, Block 2, Original Town, Knierim.

Farm Credit Services of America to Francis John Patterson and Mary Jane Patterson, 5.0 Ac. Tr., 660' x 330', NE1/4, Section 33-89-33; and 13.59 Ac. Tr., NE1/4 NW1/4, Section 33-89-33. (Partial)

**Plat of Survey:**

Schlotfeldt Engineering Inc. and James C. Sailer to Sunderman Farm, Thomas Stevenson Trust, Karla Stevenson Trust and Thomas & Karla Stevenson Trust, 61.24 Ac. Tr., Parcel A, SW1/4, Section 23-89-33; and 61.24 Ac. Tr., Parcel A, SE1/4, Section 23-89-33.

Jeffrey M. Krueger and Krueger Surveying PC to Byron Petzenhauser, Gary Streeter Revocable Trust and Gary

Streeter Revocable Trustee, 51.05 Ac., Parcel A, SE1/4, Section 31-87-33; 51.05 Ac., Parcel B, SE1/4, Section 31-87-33; and 52.51 Ac., Parcel C, SE1/4, Section 31-87-31.

Jeffrey M. Krueger and Krueger Surveying PC to Anissa Brown, South 140' of North 200' of West 210', Block 28, 3rd Addition, Pomeroy.

**Corner Certificate:**

Jeffrey M. Krueger and Krueger Surveying PC to The Public, W1/4 Corner, Section 31-87-33; and N1/4 Corner, Section 31-87-33.

Jeffrey M. Krueger and Krueger Surveying PC to The Public, Center, Section 31-87-33; and S1/4 Corner, Section 31-87-33.

**Affidavit:**

Aaron G. Bruner, Stephen B. Bruner and Christopher B. Bruner to Aaron G. Bruner, Jennifer S. Bruner, Christopher B. Bruner, Lauri A. Bruner and Stephen B. Bruner, Tr. Lot 2, Ocean Park Addition, Section 01-88-33; Lots 3 & 4, Ocean Park Addition, Section 01-88-33; and Tr. Lot 2, Ocean Park Addition, Section 01-88-33.

Jenifer A. Villhauer to Jenifer A. Villhauer, W1/2 NE1/4, Block 15, Smith's 2nd Addition, Lake City; and West 2' E1/2 NE1/4, Block 15, Smith's 2nd Addition, Lake City.

Douglas Filmer Trustee to Filmer Family Trust, West 99' NW1/4 Block 21, Smith's 2nd Addition, Lake City.

Delrekoe L. Jackson to Douglas Filmer Trustee and Filmer Family Trust, West 99' NW1/4 Block 21, Smith's 2nd Addition, Lake City.

**State Tax Lein:**

Iowa Workforce Development to Kent Auto Inc.

## PROCEEDINGS: ROCKWELL CITY • JUNE 19 MINUTES & CLAIMS

<b>ROCKWELL CITY</b>		
<b>JUNE 19, 2023 • 5:30 p.m.</b>		
Mayor Heinlen called the meeting to order with the following members present: Fowler, Gentry, Fistler and Rokes. Absent – Porter.	Motion by Gentry, second by Fistler, to approve the agenda, unanimous.	Softener Salt.....5,061.67
Motion was made by Fowler, second by Fistler, to approve the agenda, unanimous.	Motion by Rokes, second by Gentry, to approve the consent agenda consisting of the June 5 meeting minutes, bills as submitted, Cemetery Transfer of Block 23, 27, Spaces 3 & 4 Kathy Hiller to Nichole Lavers, and also Cigarette Permits for Fareway, Country Store, Caseys and Dollar Store, unanimous.	EFTPS... Fed/Fica Tax.....5,320.45
Motion by Gentry, second by Rokes, to approve the consent agenda consisting of the June 5 meeting minutes, bills as submitted, Cemetery Transfer of Block 23, 27, Spaces 3 & 4 Kathy Hiller to Nichole Lavers, and also Cigarette Permits for Fareway, Country Store, Caseys and Dollar Store, unanimous.	Teresa Hildreth told the Council that Charity Vogel had been hired to be the new Chamber Director. She asked the Council permission to allow Chamber to close 4th Street from Main to Court Street from 12 a.m. – 9 p.m. on Sunday, July 16 for a Farm to Table event. Motion by Gentry, second by Fistler to approve closure of the street, unanimous.	Galls/Quartermaster.....
Hildreth also asked to close Main Street from 4th to 5th Street for Corn Daze. Motion by Gentry, second by Fistler, to approve closing the street during the event, unanimous.	Motion by Gentry, second by Rokes, to approve the Mayor and Clerk paying year end bills, unanimous.	Equipment.....613.85
Motion by Gentry, second by Rokes, to deny a request to forgive water or sewer for Account # 77802, unanimous. A pipe broke at the property and the water went down the drain in the basement.		Growthmark FS ... Fuel.....1,376.50
		Heartland Backflow Inc.....
		Backflow Device Testing.....525.00
		Hildreth Company Inc.....
		Contract Graves.....1,240.00
		IA Small Engine Center.....
		Repairs.....298.97
		Iowa D.O.T. Sign Tubing..1,080.04
		Iowa Rural Water Assn.....
		Conference.....170.00
		Joe's Tire & Auto.....
		Vehicle Repair.....48.46
		JW Construction Inc.....
		Roadstone.....1,307.06
		Levi Ellis.....
		Snow Removal.....4,763.00
		Mid-America Publishing Corp.....
		Legal Publication.....543.64
		MidAmerican Energy.....
		Gas/Electric.....9,492.51
		Petty Cash.....Postage.....42.30
		Secure Shred Solutions.....
		Shred.....4.00
		Shane Pelong.....
		Deposit Refund.....125.00
		State Hygienic.....
		Lab Analysis.....510.00
		Tony Hammen.....
		Tree Removal.....10,925.00
		United Bank of Iowa.....
		Deposit Slips.....57.42
		Verizon.....Phone.....172.70
		Vinchattie Solutions Inc.....
		Contract.....2,000.00
		Wade Hammen.....
		Stump Removal.....999.00
		Wellmark Bluecross& Blueshield....
		Health Insurance Premium.....
		.....18,197.68
		<b>Total:.....68,789.18</b>

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## PROCEEDINGS: CALHOUN COUNTY BOS • JUNE 20 MINUTES

**BOARD OF SUPERVISORS  
CALHOUN COUNTY COURTHOUSE  
ROCKWELL CITY, IOWA  
TUESDAY, JUNE 20, 2023**

The Board of Supervisors of Calhoun County met with the following members present: Jacobs, Becker and Legore.

Everyone present stood and said the Pledge of Allegiance.

**Agenda additions:** Depositories Resolution will be tabled for a few weeks.

Motion by Becker seconded by Legore to approve the agenda as is with the above change. Ayes all. Motion carried.

The minutes of the last meeting were read. It was moved by Legore and seconded by Becker to approve the minutes. Ayes all. Motion carried.

**Public comments:** Nick Burley asked if something can be done with private construction tearing up portions of the bike path around North Twin Lakes and then not repairing it for quite some time. It creates a safety issue for the public using the bike path. When approving new additions, consider creating a frontage road to minimize the crossing of the bike path for the safety of the public.

Kristi Johnson, HR Director arrived at the meeting. Nick Buse, Calhoun/Sac County Engineer presented department updates. Mike Moeller, Assistant to the Engineer, Safety Officer/Zoning and Flood Plain Administrator was also present.

Motion by Legore seconded by Becker to approve Stop Sign Resolution 2023-23. Ayes all. Motion carried.

**RESOLUTION NO. 2023-23**

**RESOLUTION FOR THE PLACEMENT OF STOP SIGNS AT THE INTERSECTION OF 300<sup>TH</sup> STREET AND YORK AVENUE.**

**WHEREAS**, under the provisions of Section 321.255 and 321.236 (1C)(6) of the 2023 Code of Iowa, the Board of Supervisors and County Engineer are empowered to designate the location and erection of stop signs,

**AND WHEREAS**, the County Board and County Engineer may designate certain roads as through roads with the erection of stop signs at specified locations furnishing access thereto or designation of any intersection as a stop intersection and erect like signs at one or more locations of access to such intersection.

**AND WHEREAS**, there are currently no stop signs controlling said intersection.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Supervisors of Calhoun County on this 20<sup>th</sup> day of June, 2023, approves the installation of stop signs at the intersection described below:

Located in the SW corner of Section 11, T87N, R31W, designated as the intersection of 300<sup>th</sup> Street and York Avenue, place a stop sign causing traffic travelling on York Avenue southbound to come to a complete stop, and place a stop sign causing traffic traveling on 300<sup>th</sup> westbound to come to a complete stop.

Mike Moeller, Assistant to the Engineer, Safety Officer/Zoning and Flood Plain Administrator presented the results from the Zoning Board of Adjustment meeting. The Board of Supervisors asked Mike to take the Zoning Board of Adjustments decision back to the Zoning Board of Adjustment for review.

Pat Riley, Calhoun County Sheriff and Shane Voith, EMA/E911 Director presented the proposal from Zuecher to update 911 system.

Motion by Legore seconded by Becker to accept the proposal from Zuecher with \$40,000 from ARPA Funds, \$27,500 from Rural Services Fund and \$29,731.35 from General Basic Fund. Ayes all. Motion carried.

The Board did agree to have a manual check issued on July 5<sup>th</sup> for the purchase of the Durango with FY 23/24 Funds.

Theresa Hildreth, Economic Development Director requested use of Courthouse Grounds. Also present were Riley Bleam and Charity Vogel. Motion by Legore seconded by Becker to approve use of Bandstand Area on July 16 for Farm to Table Dinner and use of entire Courthouse Grounds on Aug. 5 and Aug. 6 for Sweet Corn Daze. Ayes all. Motion carried.

Tina meth Farrington, Calhoun County Attorney entered the meeting.

Motion by Becker seconded by Legore to approve drainage work orders as presented. Ayes all. Motion carried. Full minutes are available for review in the Auditor's Office upon request.

Motion by Becker seconded by Legore to approve Chair sign FY 23/24 Library Contract. Ayes all. Motion carried.

Motion by Becker seconded by Legore to approve the Treasurer's Office applying for a credit card. Ayes all. Motion carried.

Motion by Legore seconded by Becker to authorize Chair to sign AIA change order for Opportunity Living Group Home Rehabilitation. Ayes all. Motion carried.

Motion by Legore seconded by Becker to set the Public Hearing for Urban Revitalization Plan for Commercial Tax Abatement – Rands District for Aug. 8 at 9:30 a.m. in the Board of Supervisors Room. Ayes all. Motion carried.

Motion by Legore seconded by Becker to approve the FY 23/24 salary increase worksheets as presented. Ayes all. Motion carried.

Motion by Becker seconded by Legore to approve Chair to sign FY 23/24 3<sup>rd</sup> party EOB and Health Plan Authorization Forms. Ayes all. Motion carried.

Motion by Legore seconded by Becker to approve Appropriations Resolution 2023-22. Ayes all. Motion carried.

**APPROPRIATIONS RESOLUTION 2023-22**

**WHEREAS** it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2023, in accordance with Section 331.434 (Sec 6), 2022 Code of Iowa.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Calhoun County, Iowa, as follows:

**Section 1.** The amounts itemized by fund and by department or office in the certified County Budget for 2023-2024 are hereby appropriated at 100% to the department or office listed in the 2023-2024 budget.

**Section 2.** Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective July 1, 2023.

**Section 3.** In accordance with Section 331.437 of the 2022 Code of Iowa, no department or office shall expend, or contract to expend, any money or incur any liability, or enter into any contract, which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

**Section 4.** If at any time during the 2023-2024 budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, she shall immediately inform the Board and recommend appropriate corrective action.

**Section 5.** The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of

the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers monthly during the FY2023-2024 budget year. The Auditor shall also provide a summary report of all departments to the Board monthly.

**Section 6.** All appropriations authorized pursuant to this resolution lapse at the close of fiscal year June 30, 2023.

Motion by Becker seconded by Legore to approve transfer Resolution from General Basic to REAP 2023-21 and General Basic to Conservation Trust 2023-20. Ayes all. Motion carried.

**TRANSFER RESOLUTION 2023-21**

**NOW THEREFORE**, Be it resolved by the Board of Supervisors of Calhoun County, Iowa, that on this 20th day of June 2023 that transfer #674 in the amount of \$3,051.25 be transferred from General Basic Fund 0001-99-0300-000-81400 to the REAP Fund 0023-4-22-0054-900000. Interest earned from Dec. 1, 2022 through May 31, 2023.

**TRANSFER RESOLUTION 2023-20**

**NOW THEREFORE**, Be it resolved by the Board of Supervisors of Calhoun County, Iowa, that on this 20th day of June 2023 that transfer #673 in the amount of \$6,767.70 be transferred from General Basic Fund 0001-99-0300-000-81400 to the Conservation Trust Fund 3500-4-22-0054-900000. Interest earned from Dec. 1, 2022 through May 31, 2023.

Depositories Resolution was tabled for a few weeks. Approve Committees was tabled for a few weeks.

Motion by Legore seconded by Becker to approve chair to sign grant payment certification for reimbursement of payment to Historical Link LLC for final billing on First National Bank of Pomeroy Project through the Calhoun County Preservation Commission. Ayes all. Motion carried.

Motion by Becker seconded by Legore to adjourn until Tuesday, June 27, at 9 a.m. for their next regularly scheduled meeting. Ayes all. Motion carried.

Scott Jacobs, Chairman  
Scott Becker, Vice Chairman  
Carl Legore, Member  
Robin D. Batz, Auditor