

OFFICIAL BOARD PROCEEDINGS: Winnebago County Board of Supervisors

WINNEBAGO COUNTY BOARD OF SUPERVISORS

September 22, 2020

The Winnebago County Board of Supervisors met in session at 9:00 A.M. September 22, 2020 adjourned from September 15, 2020.

Present: Supervisors Stensrud, Jensvold, and Durby

Absent:

The meeting is held today via YouTube and a conference call. This is due to COVID-19 and heightened public health risks.

On a motion by Durby and seconded by Stensrud the Supervisors moved to approve the minutes for the September 15, 2020 Board Meeting and approve the Agenda for September 22, 2020. All voted aye. Motion carried.

Julie Sorenson, Public Health gave an update on Covid-19.

On a motion by Jensvold and seconded by Stensrud the Supervisors moved to open the Public Hearing for Holland Park, LLP site #63740 Master Matrix. All voted aye. Motion carried. There were no comments from landowners. On a motion by Stensrud and seconded by Jensvold the Supervisors moved to close the Public Hearing. All voted aye. Motion carried.

On a motion by Durby and seconded by Stensrud the Supervisors moved to approve the following Resolution. All voted aye. Motion carried.

452737-11

(GO Refunding Bonds/Hearing) Forest City, Iowa

September 22, 2020

The Board of Supervisors of Winnebago County, Iowa, met on September 22, 2020, at 9:30 a.m. at the County Courthouse, Forest City, Iowa.

The meeting was called to order by the Chairperson, and the roll was called showing the following Supervisors present and absent.

Present: Jensvold, Stensrud, Durby

Absent:

This being the time and place specified for holding a hearing on a proposal to enter into a certain loan agreement in an amount not to exceed \$3,560,000 related to paying the cost of refunding the outstanding balance of the County's General Obligation County Road Improvement and Refunding Bonds, Series 2012A, it was reported that no written objections had been placed on file. The Chairperson called for any written or oral objections,

and the following persons made comments or presented written materials: (Insert names and comments)

There being no further comments, the Chairperson closed the public hearing. Supervisor Durby introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Stensrud. After due consideration and discussion, the Chairperson put the question upon the adoption of that resolution, and the roll being called, the following Supervisors voted:

Ayes: Jensvold, Stensrud, Durby

Nays:

The Chairperson declared the resolution duly adopted as hereinafter set out.

At the conclusion of the meeting, and upon motion and vote, the Board adjourned.

Bill Jensvold
Chairperson, Board of Supervisors
Attest: Karla Weiss, County Auditor
By Kris Oswald, Deputy Auditor

RESOLUTION NO. 9-22-2020-02-01

Resolution expressing intent to authorize a Loan Agreement and issue General Obligation Refunding Bonds in an amount not to exceed \$3,560,000

WHEREAS, the Board of Supervisors (the "Board") of Winnebago County, Iowa (the "County"), has proposed to enter into a loan agreement (the "Loan Agreement") and issue general obligation bonds in a principal amount not to exceed \$3,560,000 pursuant to the provisions of Section 331.402 of the Code of Iowa, and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, it is necessary at this time for the Board to express its intent to authorize the Loan Agreement for the purpose set out above and to express its intent to issue General Obligation Refunding Bonds in a principal amount not to exceed \$3,560,000 (the "Bonds") to be issued in the future in evidence of the obligation of the County under the Loan Agreement;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Winnebago County, Iowa, as follows:

Section 1. The Board hereby determines to enter into the Loan Agreement in the future, providing for a loan to the County in a principal in a principal amount not to exceed \$3,560,000 for the purpose set forth in the preamble hereof and to issue the Bonds at the time such funds are needed. The Board also declares that this resolution shall constitute the "additional action" required by Section 331.402 of the Code of Iowa.

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed

to the extent of such conflict.

Passed and approved on September 22, 2020.

Chairperson, Board of Supervisors
Attest: Karla Weiss, County Auditor
By Kris Oswald, Deputy Auditor

STATE OF IOWA

SS:

WINNEBAGO COUNTY

I, the undersigned, County Auditor of Winnebago County, do hereby certify that as such County Auditor I have in my possession or have access to the complete records of the County and of its Board of Supervisors and officers and that I have carefully compared the transcript hereto attached with those records and that the transcript hereto attached is a true, correct and complete copy of the records showing the hearing on a loan agreement and the adoption of a resolution expressing intent to authorize a loan agreement and General Obligation Refunding Bonds in a principal amount not to exceed \$3,560,000 and that the transcript hereto attached contains a true, correct and complete copy of such resolution.

I further certify that no appeal has been taken to the District Court from the decision of the Board of Supervisors to enter into the loan agreement or to issue the Bonds.

WITNESS MY HAND this 22nd day of September, 2020.

Karla Weiss, County Auditor
By Kris Oswald, Deputy Auditor

Scott Meinders, Engineer discussed secondary road matters including paving projects are continuing and the last bridge project of the year has been started. Next Era informed Secondary Roads they are repowering Crystal Lake 3 wind turbines in Buffalo and Grant townships.

Kris Oswald, Drainage Clerk discussed drainage matters including a letter written by Bill Schutter, landowner in DD 11 Main Tile project. There is a piece of land north of the new ditch that is inaccessible to farm. Schutter would like the Drainage District to purchase a permanent easement. Rick Hopper, Engineer with Jacobson-Westergard will draw up an easement purchase for the Supervisors to approve.

There was discussion regarding DD 18 Lat 11. Doug Harmon, landowner dug various holes in the railroad right-of-way to determine where there is less sand. Rick Hopper, Engineer with Jacobson-Westergard will check with the railroad to see if boring under the railroad could be done in a different spot than previously requested. Hopper will let the Supervisors know when he hears back from the railroad.

On a motion by Durby and seconded

by Stensrud the Supervisors moved to approve the following Resolution. All voted aye. Motion carried.

Chairperson, Board of Supervisors
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On a motion by Durby and seconded

Proceedings

CITY OF THOMPSON COUNCIL PROCEEDINGS

September 8, 2020

The Thompson City Council met in regular session on Monday, September 28, 2020 at 5:30 pm in the City Clerk's office of City Hall.

Mayor Swearingen called the meeting to order. Members present: Chapman, Willert, Richter, Flo. Absent: Fleener. Citizens present: Ryan Baseler

A motion was made by Willert, seconded by Flo to approve the agenda. 4-0

Ryan Baseler was present to discuss a renovation project at a property located in Thompson, IA.

RESOLUTION #92820 was introduced by Chapman, seconded by Flo - 4-0. A RESOLUTION approving and authorizing a form of Loan and Disbursement Agreement between the City of Thompson and Iowa Finance Authority. Mayor Swearingen called for a roll call vote: ALL AYES. NO NAYS. Resolution was duly adopted.

Misc.: The Council set the Trick-or-Treat time for October 31st from 4 P.M. - 7 P.M.

Flo left the meeting at 5:46 pm.

A motion was made by Willert to adjourn the meeting at 5:53, seconded by Richter. 3-0

Stacy Willert, Mayor Pro-tem
Attest: Jill Krull, City Clerk

Published in the Buffalo Center Tribune on Wednesday, Oct. 7, 2020

PROBATE

IOWA DISTRICT COURT FOR WINNEBAGO COUNTY

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

IN THE MATTER OF THE ESTATE OF RICHARD HEYES, Deceased.

CASE NO. ESPR011005

To All Persons Interested in the Estate of Richard Heyes, Deceased, who died on or about September 23, 2020:

You are hereby notified that on October 1, 2020, the last will and testament of Richard Heyes, deceased, bearing date of January 6, 2016, was admitted to probate in the above named court and that Doris Heyes was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further 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 clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated October 1, 2020.
Date of second publication:
October 14, 2020

Doris Heyes
Executor of the Estate
610 3rd St., S.W.
Buffalo Center, IA 50424

James L. Lauer
Attorney for the Executor
Dotson, Guenther, Christian & Lauer
101 N. Hall Street
Algona, Iowa 50511
Probate Code Section 304

Published in the Buffalo Center Tribune on Wednesday, Oct. 7 and Oct. 14, 2020

PROBATE

IOWA DISTRICT COURT FOR WINNEBAGO COUNTY

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

IN THE MATTER OF THE ESTATE OF ANN E. MACHACEK, Deceased.

CASE NO. ESPR011004

To All Persons Interested in the Estate of Ann E. Machacek, Deceased, who died on or about August 30, 2020:

You are hereby notified that on September 25, 2020, the last will and testament of Ann E. Machacek, deceased, bearing date of June 2, 1992, was admitted to probate in the above named court and that Douglas F. Machacek was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further 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 clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated September 25, 2020.
Date of second publication:
October 14, 2020

Douglas F. Machacek
Executor of the Estate
1317 Oakpointe Dr.
Waconia, MN 55387

Patrick B. Byrne, ICIS# AT0001396
Attorney for the Executor
Patrick B. Byrne, PLC
12 S. 4th St.
Clear Lake, Iowa 50428
Probate Code Section 304

Published in the Buffalo Center Tribune on Wednesday, Oct. 7 and Oct. 14, 2020

PROBATE

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR AND NOTICE TO CREDITORS

IN THE IOWA DISTRICT COURT FOR WINNEBAGO COUNTY IN THE ESTATE OF

JOHANNA M. MEINDERS, DECEASED.

PROBATE NO. ESPR011002

To All Persons Interested in the Estate of Johanna M. Meinders, Deceased, who died on or about the 1st day of August, 2020.

You are hereby notified that on the 18th day of September, 2020, the Last Will and Testament of Johanna M. Meinders, deceased, bearing the date of August 24, 2006, was admitted to probate in the above named court and that Dennis W. Meinders and Donna J. Hinz were appointed Co-Executors of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further 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 clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this 21st day of September, 2020.

Dennis W. Meinders
1287 390th St.
Buffalo Center IA 50424
Co-Executor of the Estate
Donna J. Hinz
4901 Daffodil Avenue, #153
McAllen, TX 78501
Co-Executor of the Estate

Jeremy J. Gray
Newman Thompson & Gray, PC
36131 Highway 69
Forest City, IA 50336
Attorney for Co-Executors
Date of second publication
7th day of October, 2020.

Published in the Buffalo Center Tribune on Wednesday, Sept. 30 and Oct. 7, 2020

Sheriff's Sale

NOTICE OF SHERIFF'S LEVY AND SALE

IN THE IOWA DISTRICT COURT IN AND FOR WINNEBAGO COUNTY

STATE OF IOWA

WINNEBAGO COUNTY

NATIONSTAR MORTGAGE LLC DBA MR COOPER

VS

NATASHA ALLEN AKA NATASHA M ALLEN JEFFREY W ALLEN AND PORTFOLIO RECOVERY ASSOC LLC

Iowa District Court Winnebago County Case# EQCV018095

Civil# 20-000288

Special Execution

As a result of the judgment rendered in the above referenced court case, an execution was issued by the court to the Sheriff of this county. The execution ordered the sale of defendant(s) Real Estate described below to satisfy the judgment. The Property to be sold is

A TRACT OF LAND DESCRIBED AS THE SOUTH ONE HUNDRED TWENTY-THREE (123) FEET OF THE WEST ONE HUNDRED TWENTY-EIGHT AND SIX TENTHS (128.6) FEET OF BLOCK NINETEEN (19), THOMPSON, WINNEBAGO COUNTY, IOWA

Property Address: 211 NORTH HARRISON STREET, THOMPSON, IA 50478

The described property will be offered for sale at public auction for cash only as follows:

Sale Date 12/03/2020

Sale Time 13:30

Place of Sale WINNEBAGO COUNTY SHERIFF'S OFFICE, 935 HIGHWAY 69 N, FOREST CITY, IA 50436

This sale not subject to Redemption.

Property exemption: Certain money or property may be exempt. Contact your attorney promptly to review specific provisions of the law and file appropriate notice, if acceptable.

Judgment Amount \$45,393.97

Costs \$9,817.13

Accruing Costs PLUS

Interest \$1,305.08

Sheriff's Fees Pending

Attorney:

BENJAMIN HOPKINS

1350 NW 138TH ST. STE 100

CLIVE, IA 50325

(515)222-9400

Date: 09/09/2020

DAVID C. PETERSON

WINNEBAGO COUNTY SHERIFF

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