

# Calmar Legals 05-21

## Winneshiek County BOS Board Proceedings 05.06.2024

### Board Minutes May 6, 2024

The Board of Supervisors met at 9:30am May 6, 2024 with all members present. The Pledge of Allegiance to the Flag was recited, and the meeting was called to order.

Moved by Vermace and seconded by Faldet to open the public hearing on the proposed vacation of portions of roads 938, 1271, and 1561. Mike Shimak, County Surveyor, described the road layout and history. No comments were received. Moved by Vick and seconded by Faldet to close the public hearing. Motion carried unanimously. The Board will take action on the vacation at a future meeting after the details of the private easements are worked out amongst the landowners.

Matt Mettillie and Mike Weis, Assistants to the Engineer, met with the Board to give updates on several road department projects.

Moved by Vick and seconded by Kelsay to approve the consent agenda which includes the minutes of the last meeting and to accept and file the monthly report of the County Recorder. Motion carried unanimously.

Moved by Vick and seconded by Vermace to adopt resolution 24-45, setting the public hearing on the FY24 Budget Amendment for May 28, 2024 at 9:30a.m. Motion carried unanimously by roll call vote.

Moved by Vermace and seconded by Faldet to purchase copies of the NACO book for donation to the public libraries and schools in the county. Motion carried unanimously.

Moved by Kelsay and seconded by Faldet to approve the leases with Spectrum, Food Pantry, and Toys-Go-Round at the Community Services Building. Motion carried unanimously.

Steve Johnson and other members of the Historic Preservation Commission met with the Board to present a Proclamation and a Certificate of Appreciation. Moved by Faldet and seconded by Kelsay to proclaim May as Historic Preservation Month in Winneshiek County and also to present Marlene Fenstermann with a Certificate of Appreciation for her many years of support to the Historic Preservation Commission. Motion carried unanimously.

Stacey Gossling, Historical Society, met with the Board to present

information of the many events associated with the City of Decorah 175th Anniversary.

Jon Lubke, GIS & IT Director, met with the Board to discuss the job offer to a potential employee for the Systems Administrator position. Moved by Kelsay and seconded by Vermace to offer the candidate to start with twelve years' experience on the Systems Administrator pay scale and for calculating vacation. Motion carried unanimously.

Moved by Faldet and seconded by Vick to open the public hearing on the proposed sale of property in Freeport. Motion carried unanimously. Several public comments were received recommending not to sell the property for various reasons. Moved by Faldet and seconded by Vick to close the public hearing. Motion carried with Kelsay, Vick, Langreck, and Faldet voting aye; and Vermace voting nay. One bid was received and opened. Moved by Vick and seconded by Kelsay to adopt resolution 24-46, approving the sale of the land to Iowa Roto-cast Plastics for \$300,000. Motion carried with Kelsay, Vick, and Langreck voting aye; and Vermace and Faldet voting nay.

Andy Van Der Maaten, County Attorney, met with the Board to discuss several legal issues. One topic was the request for public to do metal detecting on county properties around the buildings. Moved by Faldet and seconded by Kelsay to allow metal detecting on county properties as long as the detectorist notifies the County Auditor as to when they plan to do it. Motion carried unanimously.

Ben Steven, Winn Med, met with the Board. Moved by Faldet and seconded by Vermace to approve the request for Winn Med to use County property near the hospital campus for temporary parking during their current construction project; with restoration to grass after finishing. Motion carried unanimously.

Moved by Vick and seconded by Faldet to adjourn to 9:30am Monday, May 13, 2024. Motion carried unanimously.

ATTEST  
Benjamin D Steines  
County Auditor

Daniel Langreck, Chair  
Board of Supervisors  
Published in the Calmar Courier on May 21, 2024.

## City of Waucoma Public Hearing Notice Ordinance No. 2024-5

### Public Hearing Notice

The Waucoma City Council will meet at 8:00 p.m. on the 3rd day of June, 2024 in the Waucoma Community Center for a public hearing to consider Ordinance No. 2024-5 amending the Waucoma Code of Ordinances, Title 6, Chapter 4, Section 10, which would be repealed and the following adopted in lieu thereof:

6-4-10 ANTI-SCAVENGING. It shall be a violation of this Code for any person to sort through, scavenge or remove any garbage, waste, refuse, rubbish, or recycling material that has been placed in a designated garbage or recycling container. Unauthorized collection, removal or scavenging of material placed in a garbage or recycling container shall be a violation of this Code and punishable as set forth in the Municipal Code. This does not apply to law enforcement officers.

All interested persons may review the proposed ordinance and file their comments in writing with the City Clerk of Waucoma, Iowa, at or before said hearing and/or may appear in person at said hearing in opposition to or support of the proposed ordinance change.

Attest:

Marlene Klemp, City Clerk  
Justin Haught, Mayor

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## City of Fort Atkinson Notice of Public Hearing

### PUBLIC NOTICE City of Fort Atkinson, Iowa NOTICE OF PUBLIC HEARING ON PROPOSAL TO VACATE AND CONVEY CITY-OWNED REAL ESTATE

The Fort Atkinson City Council will hold a public hearing on June 5, 2024, at 6:00 p.m. local time in the Fort Atkinson Community Center located at 303 3 rd St. NW, Fort Atkinson, Iowa to hear comments for and against proposal to vacate and convey City-owned real DAVID and DIANNE NIENHAUS, and more specifically described as follows:

A parcel of street right-of-way described as follows:

Right-of-Way Reversion Lot 2024-6, of that Part of Oak Street in the Northwest Quarter of the Southeast Quarter of Section 8, Township 96 North, Range 9 West, of the 5 th P.M., in the Town of Fort Atkinson, Winneshiek County, Iowa, per Right-of-Way Reversion Plat, Recorded April 17, 2024, Document No. 2024-811, on file in the Winneshiek County Recorder's Office. (hereinafter referred to as "Vacation Parcel")

That in the event of the vacation of the Vacation Parcel, the City Council proposes to convey the Vacation Parcel to Grantees by a properly executed Quit Claim Deed, subject to the City retaining a permanent easement across the Vacation Parcel for sanitary sewer and snow storage, and the City will also receive a snow turnaround easement from DAVID and DIANNE NIENHAUS across part of Lot 4 of 28 in the Northwest Quarter of the Southeast Quarter of Section 8, Township 96 North, Range 9 West, of the 5 th P.M., in the Town of Fort Atkinson, Winneshiek County, Iowa, per Right-of-Way Reversion Plat, Recorded April 17, 2024, Document No. 2024-811 ; and that said conveyance shall be "as is".

At said time and place, comments will be received at the public hearing by the City Council on the question of the vacation and conveyance of said parcel of real estate.

This notice is published at the direction of the Fort Atkinson, Iowa City Council.

/s/ Michele Elsbernd

Michele Elsbernd,  
City Clerk-Treasurer

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## Winneshiek County Auditor & Commissioner of Elections Notice of 2024 Primary Election

### Notice of 2024 Primary Election

Public Notice is given that the 2024 Primary Election of the County of Winneshiek, State of Iowa, will be held on Tuesday June 4, 2024. The polls will be open from 7:00 am to 8:00 pm.

A listing of polling locations is as follows:

Precinct 1: Fremont, Burr Oak, Orleans, Bluffton, and Madison Townships – Ridgeway Community Center

Precinct 2: Hesper, Highland, Canoe, Pleasant, and Glenwood Townships – First Lutheran Church

Precinct 3: Decorah Ward 1 and the Part of Decorah Township in Supervisor District 2 – Winneshiek Courthouse Annex

Precinct 4: Decorah Ward 2 – Winneshiek Courthouse Annex

Precinct 5: Decorah Ward 3A – First Lutheran Church

Precinct 6: Decorah Ward 3B – First Lutheran Church

Precinct 7: Decorah Ward 4 – Good Shepherd Church

Precinct 8: Decorah Ward 5 – Good Shepherd Church

Precinct 9: The Part of Decorah Township in Supervisor District 4 and Springfield Township – Winneshiek Courthouse Annex

Precinct 10: Frankville, Bloomfield, and Military Townships – Osian Community Center

Precinct 11: Calmar, Washington, and Jackson Townships – Calmar Lutheran Church

Precinct 12: Lincoln and Sumner Townships – Ridgeway Community Center

A public test will be held to demonstrate the Unisyn Freedom Vote voting system which will be used to count the votes. The public test will begin at 10:00 am Thursday

May 30, 2024 at the Winneshiek County Courthouse and will continue until all tests are completed.

The polling sites are handicapped accessible. Any voter who is physically unable to enter the polling place has the right to vote in the voter's vehicle. For further information, please contact the County Auditor's office at (563) 382-5085 or auditor@co.winneshiek.ia.us.

Pre-registered voters are required to provide an approved form of identification at the polling place before receiving and casting a regular ballot. Voters who are not pre-registered – such as voters registering to vote on election day – and voters changing precincts must also provide proof of residence. A voter who is unable to provide an approved form of identification (or prove residence if required) 1) may have the voter's identity/residence attested to by another registered voter in the precinct, 2) prove identity and residence using Election Day Registration documents, or 3) cast a provisional ballot and provide proof of identity/residence at the County Auditor's office by Noon, June 10, 2024. Election Day Registrant testers must provide an approved form of identification. For additional information about providing proof of identity and/or residence visit: <https://sos.iowa.gov/voterid> or phone (563) 382-5085.

The Post-Election Audit of the ballots cast in one precinct will be held Thursday June 6, 2024 in the County Auditor's Office.

A reminder to voters for the Primary Election, voters must choose a political party to register with and receive that party's ballot: Democratic, Republican, or Libertarian.

The following races and candi-

dates will be included on the ballots:

US State Representative:  
Democratic: Sarah Corkery  
Republican: Ashley Hinson  
Libertarian: none

State Senator District 32:  
Democratic: none  
Republican: Mike Klimesh  
Libertarian: none

State Representative District 63:  
Democratic: none  
Republican: Michael R. Bergan  
Libertarian: none

County Board of Supervisors District 3:  
Democratic: Shirley Vermace  
Republican: Dan Hovden  
Libertarian: none

County Board of Supervisors District 4:  
Democratic: none  
Republican: Daniel Langreck  
Libertarian: none

County Auditor:  
Democratic: none  
Republican: Benjamin D. Steines  
Libertarian: none

County Sheriff:  
Democratic: none  
Republican: Dan Marx  
Libertarian: none

This notice is given by the Winneshiek County Commissioner of Elections. Additional information is available at: [www.winneshiekcoun-ty.iowa.gov](http://www.winneshiekcoun-ty.iowa.gov).

Benjamin D. Steines  
Winneshiek County Auditor & Commissioner of Elections  
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## City of Waucoma • Notice of Public Hearing-Amendment of Current Budget

NOTICE OF PUBLIC HEARING - AMENDMENT OF CURRENT BUDGET			
City of WAUCOMA			
Fiscal Year July 1, 2023 - June 30, 2024			
The City of WAUCOMA will conduct a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2024			
Meeting Date/Time:	Contact:	Phone:	
6/3/2024 08:00 PM	Marlene Klemp	(563) 380-6528	
<b>Meeting Location:</b> Waucoma City Hall, 103 1st Ave SW, Waucoma, IA 52171			
There will be no increase in taxes. Any residents or taxpayers will be heard for or against the proposed amendment at the time and place specified above. A detailed statement of: additional receipts, cash balances on hand at the close of the preceding fiscal year, and proposed disbursements, both past and anticipated, will be available at the hearing. Budget amendments are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <a href="https://dom.iowa.gov/local-gov-appeals">https://dom.iowa.gov/local-gov-appeals</a> .			
REVENUES & OTHER FINANCING SOURCES	Total Budget as Certified or Last Amended	Current Amendment	Total Budget After Current Amendment
Taxes Levied on Property	1 91,775	0	91,775
Less: Uncollected Delinquent Taxes - Levy Year	2 0	0	0
Net Current Property Tax	3 91,775	0	91,775
Delinquent Property Tax Revenue	4 0	0	0
TIF Revenues	5 0	0	0
Other City Taxes	6 23,660	0	23,660
Licenses & Permits	7 1,200	0	1,200
Use of Money & Property	8 3,800	0	3,800
Intergovernmental	9 139,000	0	139,000
Charges for Service	10 133,000	0	133,000
Special Assessments	11 0	0	0
Miscellaneous	12 25,000	14,000	39,000
Other Financing Sources	13 0	500,000	500,000
Transfers In	14 0	0	0
<b>Total Revenues &amp; Other Sources</b>	<b>15 417,435</b>	<b>514,000</b>	<b>931,435</b>
EXPENDITURES & OTHER FINANCING USES			
Public Safety	16 158,950	0	158,950
Public Works	17 184,900	445,100	630,000
Health and Social Services	18 0	0	0
Culture and Recreation	19 34,800	11,200	46,000
Community and Economic Development	20 1,500	0	1,500
General Government	21 73,100	0	73,100
Debt Service	22 0	0	0
Capital Projects	23 0	0	0
Total Government Activities Expenditures	24 453,250	456,300	909,550
Business Type/Enterprise	25 150,000	0	150,000
<b>Total Gov Activities &amp; Business Expenditures</b>	<b>26 603,250</b>	<b>456,300</b>	<b>1,059,550</b>
Transfers Out	27 0	0	0
<b>Total Expenditures/Transfers Out</b>	<b>28 603,250</b>	<b>456,300</b>	<b>1,059,550</b>
<b>Excess Revenues &amp; Other Sources Over (Under) Expenditures/Transfers Out</b>	<b>29 -185,815</b>	<b>57,700</b>	<b>-128,115</b>
Beginning Fund Balance July 1, 2023	30 672,495	0	672,495
<b>Ending Fund Balance June 30, 2024</b>	<b>31 486,680</b>	<b>57,700</b>	<b>544,380</b>
<b>Explanation of Changes:</b> A loan is needed for a large street project and a waterline will be installed out to the ballpark.			

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