

# NOTICE OF HEARING-JDD 123-113

**NOTICE OF HEARING ON  
DRAINAGE REPAIRS  
OR IMPROVEMENTS  
JOINT DRAINAGE DISTRICT NO.  
123-113  
CERRO GORDO AND HANCOCK  
COUNTIES, IOWA  
DRAINAGE DISTRICT NO. 16  
CERRO GORDO COUNTY, IOWA**

TO: Thomas E & Janet J Boehnke; Concord, LLC; Hancock County Roads; Iowa DOT; Ronald F & Lynn A Kloc; Linda Lee Olson; Chris E Papousek; Charles John & Cindy A Papousek; -- Aberg, Elaine S; Bacon, Bonnie J; Bokelman, Henry L, Trustee; Bokelman, Irma C; Bokelman, John C; Brakke, Kenneth R; Bredlow, William D & Bredlow, Julie A; Burtness, Kevin R & Barrick-Burtness, Mauree; Cash, James R & Cash, Tyra J; Cerro Gordo County Engineer; City of Ventura; Coe, Judith A; Dvorak, Cynthia; Elsbury, Reagan A; Epyx Corp; Hanna, Phyllis D Et Al, Life Estate; Hanna, Phyllis Et Al, Life Estate; Hejlik, Luann R & Hejlik, Craig R; Hinrichs, Gene & Hinrichs, Katharine; Hinrichs, Scott; I C & E; Iowa DOT; Kahl, Gary N & Kahl, Carolyn E; Kisner, Jason L; Kjellsen, Dale N; Klein, Matthew J & Klein, Rebecca A; Laake, Alan M; Lieder, Lyle W & Lieder, Betty L, Trustee; Meints, Crystal K, Trustee; Nieman Farms Corp; Nieman, David B & Nieman, Lisa K; Nieman, David B Et Al; Nieman, Lois; Nieman, Nancy Et Al; Norman, Michael L & Norman, Patricia A; Ostrander, Tim R; Paschal, Debbie D & Domonoske, Tamara K; Quintus, Steven & Quintus, Sandra; Rayhons, Scott M; Ressler, Ronald D & Ressler, Karen L; Roth, Roger D & Roth, Carole A; Schaffer-Bruce Group, LLC; Schroeder, Matthew W & Schroeder, Dana A; Steinberg, Brian P & Steinberg, Tori S; Sukup, Vicki A; Thomas E & Janet J. Boehnke Rev Living Trust; Winkelman, Joanne R; Ankenbauer, Daniel J & Hohn, Elizabeth A; Backus, David A & Backus, Carol L; Boehnke, Beverly A; Boehnke, David & Boehnke, Melanie; Boehnke, Doris Jean; Boehnke, Tom Et Al; Brager, Luke W & Brager, Callie R; Brown, Paul D & Brown, Stacy L; Buckley, Paul A & Buckley, Danika A; Busch, John C; Cedar Ridge Development Inc; Cedar Ridge Homeowners Association; Clark, Timothy R; Cook, Bruce E & Cook, Debbie L; Crabb, Andrew M & Crabb, Shawna L; Dykstra, Bruce J & Dykstra, Lorene, Trustee; Five Star Cooperative; Iowa State Conservation Comm; Johnson, Susan M & Johnson, Gordon, Trustee; Jones, Diane K; Kelsey, James Michael & Kelsey, Nancy J; Lallak, Jerid & Lallak, Kelsie; Madson, Charles E & Madson, Judy I; Markla, Jeffrey David & Johnson-Markla, Kari; Maurer, Matthew M & Maurer, Amy R; Meints, Marlin D & Meints, Patricia K; Miller, Danny D & Miller, Judith A; Mishak, Craig F & Mishak, Christina M; Mueller, Darwyn L & Mueller, Shirle, Trustee; Murphy, Alan W Murphy, Heike; Olson, Linda Lee; One Vision; Outdoor Sports Training Center; Ricke, Randolph D & Ricke, Lisa J; Rinnels, Randy D & Rinnels, Laura L; Roenfanz, Thomas C & Roenfanz, Ruth A; Schroeder, David D & Schroeder, Terri L; Shoars, Scott S & Shoars, Corrine K; Sims, David K & Sims, Heather Rae; Skinner, Randall J; State Of Iowa; Thein, Douglas L & Thein, Sarah K; Thoe, Steven D & Thoe, Krystal M; Thomas E. & Janet J. Boehnke Rev Living Trust; Ventura Gun Club; Watson, Jerold J & Watson, Judith K, Trustee; Younge, Marcus R & Younge,

Robin L; Zimmer, Kim A; property owners as shown above, encumbrancers, lienholders, unknown heirs and claimants by will, to all whom it may concern, including the actual occupants of the land, or tract of land, described in and including Joint Drainage District No. 123-113, Cerro Gordo and Hancock Counties, Iowa and Drainage District No. 16, Cerro Gordo County, Iowa.

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the Joint Board of Supervisors of Cerro Gordo and Hancock Counties, Iowa, acting as trustees on behalf of Joint Drainage District No. 123-113 and the Board of Supervisors of Cerro Gordo County, Iowa, acting as trustees on behalf of Drainage District No. 16 have employed Kent L. Rode, P.E., Bolton & Menk as engineer to determine the feasibility or the necessity of having repairs, and/or improvements, all concerning the drainage facilities of Joint Drainage District No. 123-113 and Drainage District No. 16 in order to provide adequate drainage and relief for the lands included in said districts.

YOU ARE FURTHER NOTIFIED that the Boards of Supervisors of Cerro Gordo and Hancock Counties requested that said engineer make a preliminary survey and investigation of the possible repairs or improvements of Joint Drainage District No. 123-113 and Drainage District No. 16.

YOU ARE FURTHER NOTIFIED that drainage engineer, Kent L. Rode, P.E. has filed his report with the Auditors of Cerro Gordo and Hancock Counties in which he recommends certain repairs and improvements. That the engineer's estimate for the costs of the proposed repairs and improvements are as follows:

Drainage District No. 16

Estimated Main Open Ditch Repair Cost = \$52,000.00

Estimated Average Cost per Acre = \$52.47

Joint Drainage District No. 123-113

Estimated Lateral 5 Improvement Cost = \$207,000.00

Estimated Average Cost per Acre = \$888.41

YOU ARE FURTHER NOTIFIED that this report and recommendations in full are on file in the office of the Cerro Gordo County Auditor at the Courthouse in Mason City, Iowa, and in the office of the Hancock County Auditor at the Courthouse in Garner, Iowa, for your information. Electronic copies of the report may be obtained via email by contacting the auditor's office at [sshonka@cgcounty.org](mailto:sshonka@cgcounty.org). You are encouraged to review the report prior to the date set for hearing in this notice. Said reports have been reviewed and considered by the Boards of Supervisors and they have been tentatively approved as the Boards have determined that the repairs and/or improvements are necessary and feasible. The engineers' report also contains the following recommendations and proposals:

1. Right of Way. If the report recommends, or it is later determined, acquisition of additional right of way for this project may be considered at this hearing or a continuation thereof.

2. Annexation. That at a later date, an annexation of additional lands may be considered by the board, if needed.

3. Reclassification. That at a later date, the board may consider reclassification with appropriate adjustment of assessments, if needed.

4. Interest Rate and Waivers. The board will consider the appropriate interest to charge and determine the length of time that assessments may be paid of not less than ten (10) nor more than twenty (20) years and the interest rate for this project.

For further particulars, you are referred to the engineer's report for Joint Drainage District No. 123-113 and Drainage District No. 16 now on file in the office of the Cerro Gordo and Hancock County Auditors.

YOU ARE FURTHER NOTIFIED that the Boards of Supervisors of Cerro Gordo and Hancock Counties, acting on behalf of Joint Drainage District No. 123-113 and Drainage District No. 16 has fixed a time and place of hearing on said report and proposed repairs or improvements for September 8th, 2020 at 10:05 a.m., at the Cerro Gordo County Supervisors Board Room, Cerro Gordo County Courthouse, 220 N. Washington Avenue, Mason City, Iowa.

You may attend the meeting in person or join by clicking on the link below.

Click on Join now.

[https://teams.microsoft.com/join/19%3ameeting\\_MjY1ZDczMTEiNGFmNS00MzEwLThiY2QtNTM0Mjg1ODNhMGVm%40thread.v2/0?context=%7b%22Tid%22%3a%22b96ba42-2a80-49e6-b2a4-2378e4ce77bd%22%2c%22Oid%22%3a%22f0d05e59f-5bac-40ca-95ac-fea824961603%22%7d](https://teams.microsoft.com/join/19%3ameeting_MjY1ZDczMTEiNGFmNS00MzEwLThiY2QtNTM0Mjg1ODNhMGVm%40thread.v2/0?context=%7b%22Tid%22%3a%22b96ba42-2a80-49e6-b2a4-2378e4ce77bd%22%2c%22Oid%22%3a%22f0d05e59f-5bac-40ca-95ac-fea824961603%22%7d)

At said hearing, the Boards of Supervisors shall hear objections to the feasibility of such repairs and/or improvements and of the drainage district as may be presented by and for any landowner in the district. The report of the engineer as filed herein may be amended before final action is taken thereon by the Boards of Supervisors. This hearing may be continued from time to time without further notice as determined by the Boards of Supervisors.

YOU ARE FURTHER NOTIFIED THAT ALL OBJECTIONS TO THE ENGINEER'S REPORT OR TO ANY MATTER CONNECTED WITH THIS HEARING MUST BE IN WRITING AND FILED WITH THE CERRO GORDO COUNTY AUDITOR OR THE HANCOCK COUNTY AUDITOR AT OR BEFORE THE TIME FIXED FOR HEARING. Any interested party may be heard in an argument by himself or by counsel. Anyone who fails to object in writing shall be held to have waived all objections and claims for damages. Any interested party may file a written supporting statement with the Auditor, at or before the date for hearing.

YOU ARE FURTHER NOTIFIED that if you fail to object, the Boards of Supervisors can make a final decision to make repairs, improvements, acquire additional right of way, annex additional lands and reclassify. As a consequence of your failure to object you lose your right to appeal the final decision within twenty (20) days to the Iowa District Court.

This notice is published and mailed as provided by law at the direction of the Boards of Supervisors of Cerro Gordo and Hancock Counties, Iowa, acting on behalf of Joint Drainage District No. 123-113 and Drainage District No. 16.

*Adam Wedmore  
Cerro Gordo County Auditor  
Michelle K. Eisenman  
Hancock County Auditor*

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