

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Larry L. Peterson and Kristina Kaye Peterson, 23838 A Highway 9, Forest City, IA 50436

You are each of you are hereby notified:

1. The written contract dated October 10, 2014, and executed by Ann Brighton as vendors, and Larry L. Peterson and Kristina Kaye Peterson as vendees, recorded on November 5, 2014, in the office of the Hancock County Recorder, recorded as document reference number 14-1576, for the sale of the following described real estate:

Lot Three (3), Block Nineteen (19), Crystal Lake, Hancock County, Iowa.

has not been complied with in the following particulars:

- (a) Abandoned the property
(b) Failure to Pay September 2017.....\$650.00

(c).....
(d).....Total \$650.00

2. The contract shall stand forfeited unless the parties in default, within 30 days after the completed service of this notice, shall perform the terms and conditions in default, and in addition pay the reasonable costs of serving this notice.

3. The amount of attorney fees claimed by the Vendors pursuant to Section 656.7 of the Code of Iowa is \$50.00 (not to exceed \$50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

Vendor
Ann Brighton, Vendor
(or Successors in Interest)
By Kristopher Duer, Attorney
ICIS PIN No: AT0011293
PO Box 349
Buffalo Center, IA 50424

Published in The Leader on Wednesday, Aug. 16, Aug. 23, and Aug. 30, 2023

GARNER CITY COUNCIL MINUTES 8.8.23

**Garner City Council
City of Garner
Meeting Minutes
08/08/2023**

The Garner City Council met at City Hall on August 8, 2023. Mayor Schmidt called the meeting to order at 5:30 PM with the following councilors present: Glen Juhl, Amber Jenniges, and Don Bell. Also present was City Administrator Jim Collins.

A motion by Jenniges to approve the agenda was supported by Juhl. Motion carried 3-0.

Public Input: None

A motion by Juhl to approve the consent agenda that consisted of the July 25 minutes, Your Place Sports Bar Class C Liquor License, Kwik Star #920 Class B Retail Alcohol License, two Special Class C Retail Alcohol Licenses for Moni Jo's, the Claims report and City Financials was supported by Jenniges. Motion carried 3-0. Councilor Lewerke joined the

meeting at 5:36 PM.

Mayor Schmidt announced his proclamation that Francis Zrostlik's birthday will be commemorated each year on August 14th for the significant contributions he made for the City of Garner.

Tom Christianson from Jaspersen Insurance provided the annual property/liability insurance renewal summary. Council requested that the deductible be raised to \$5,000 and to increase cyber liability coverage to \$2,000,000.

A motion by Lewerke to approve Resolution no. 2023 - 74, a resolution approving V&K Engineering's services for a new UV disinfectant system at the wastewater treatment plant, was supported by Bell, Ayes: Bell, Lewerke, Juhl, Jenniges. Nays: none. Motion carried.

A motion by Jenniges to approve Resolution no. 2023 - 75, a wage resolution increasing Rec Director Rudisill's salary to \$60,592.16 and adding an additional week of va-

cation, was supported by Lewerke. Ayes: Bell, Lewerke, Juhl, Jenniges. Nays: none. Motion carried.

A motion by Jenniges to approve Resolution no. 2023 - 76, a resolution accepting Rick Ermer's \$5,000 donation to the Garner Little League Baseball Complex, was supported by Bell, Ayes: Bell, Lewerke, Juhl, Jenniges. Nays: none. Motion carried.

A motion by Lewerke to approve Resolution no. 2023 - 77, a resolution accepting Plas-Tech Tooling's donation of \$10,000 for the Garner Little League Baseball Complex, was supported by Juhl. Ayes: Bell, Lewerke, Juhl, Jenniges. Nays: none. Motion carried.

A motion by Juhl to approve Resolution no. 2023 - 78, a resolution accepting Unicover's \$10,000 donation for the Garner Little League Baseball Complex, was supported by Bell, Ayes: Bell, Lewerke, Juhl, Jenniges. Nays: none. Motion carried.

A motion by Lewerke to approve Resolution no. 2023 - 79, a resolution awarding the pool painting project to Paintball LLC was supported by Jenniges. Ayes: Bell, Lewerke, Juhl, Jenniges. Nays: none. Motion carried.

A motion by Jenniges to approve Resolution no. 2023 - 80, a resolution approving Visu-Sewer's proposal to clean 19,037' of sewer main, was supported by Lewerke. Ayes: Bell, Lewerke, Juhl, Jenniges. Nays: none. Motion carried.

Councilor Juhl commended Officer Brandt for service above and beyond his duties as he witnessed Brandt changing a tire for a person in need.

A motion by Lewerke to adjourn the meeting at 6:05 PM was supported by Juhl. Motion carried 4-0.

Karen Halder
City Clerk
Tim Schmidt
Mayor

Published in The Leader on Wednesday, Aug. 16, 2023

CORWITH CITY COUNCIL MINUTES 8.8.23

The City Council of the City of Corwith met in regular session on Tuesday, August 8, 2023, in the Council Room at City Hall. Mayor Hobscheidt called the meeting to order at 5:30 p.m. with the Pledge of Allegiance. Council members present were Steenhard, Lloyd, and Hankins. Absent: Garman

Hankins moved to approve the Agenda; Steenhard seconded the motion. Vote: Ayes-Steenhard, Lloyd, Hankins Nays-None Absent: Garman

Steenhard moved to approve the Consent Agenda; Hankins seconded the motion. Vote: Ayes-Steenhard, Lloyd, Hankins Nays-None Absent: Garman

CLAIMS REPORT

VENDOR, REFERENCE...AMOUNT
941 FORM, FED/FICA TAX \$ 2,074.18
ALLIANT ENERGY, MONTHLY STATEMENT \$ 85.07
BAKER & TAYLOR BOOKS, BOOKS/DVD \$ 197.30
BEST CO. MONTHLY STATEMENT \$ 38.00
CARD SERVICES, OFFICE SUPPLIES LIB/CITY..... \$ 532.90
PRODUCTIVITY PLUS CNH ACCOUNTS, OPERATIONAL SUPPLIES \$ 35.82
CINDY TEBBEN, MILEAGE MTG. CTHSE. \$ 31.88
COMMUNICATIONS 1 NETWORK, MONTHLY STATEMENT ... \$ 252.68
CITY OF CORWITH, MONTHLY STATEMENTS \$ 1,801.55
CORWITH FARM SERVICE, SUPPLIES \$ 58.80
DSG SUPPLY, WATER SUPPLIES \$ 82.50
ECHO GROUP, INC., ELECTRIC BALLAST \$ 122.79
FENCHEL DOSTER & BUCK PLC, PROPERTY & FIRE TRUCK SALES \$ 1,125.00
GOLD EAGLE COOPERATIVE, WEED CONTROL \$ 324.10
GORDON FLESCH COMPANY, INC., MONTHLY STATEMENT \$ 148.43
HAWKINS, INC. WATER SUPPLIES MINI BULK \$ 346.04
IAMU, SGNC JULY-SEPT 23 SAFETY TRAIN \$ 791.64
IDNR, NPDES WASTEWATER DUES \$ 239.27
IPERS, IPERS \$ 1,412.11
JEO CONSULTING GROUP INC, GOLD EAGLE REVIEWS...\$ 142.50
CATHY LLOYD, STREET REPAIR REIMBURSEMENT \$ 600.00
MID-AMERICA PUBLISHING, PUBLICATIONS \$ 313.06
NEXT GENERATION TECH, ANNUAL MICROSOFT 365... \$ 150.00
NIACOG, FY24 NIACOG MEMBER DUES \$ 252.70

NICAO ENERGY ASSISTANCE, ADMINISTRATIVE FEE..... \$ 17.50
NORTH IOWA ENVIRONMENTAL, LLC, WATER/WASTEWATER SVCS..... \$ 450.00
NUWAY-K&H COOP, MONTHLY STATEMENT \$ 269.30
OVERHEAD DOOR COMPANY, DOOR REPAIRS \$ 294.90
PRAIRIE ENERGY COOPERATIVE, MONTHLY STATEMENT \$ 20,059.80
PENTON, COLLIN, MOWING PARKS/CEMETERY..... \$ 1,760.00
ROETHLER ELECTRIC INC, PUMP MOTOR REPAIRS - LAGOON \$ 380.00
SALES TAX, SALES TAX ... \$ 801.71
SHORT ELLIOTT HENDRICKSON, INC, WATER MAIN PROJECT \$ 6,984.33
SPENCER MOWING SERVICE, MOWING PARK \$ 160.00
STATE HYGIENIC LABORATORY, WATER TESTING \$ 410.00
STOREY KENWORTHY/MATT PARROTT, PURCHASED CITY CHECKS \$ 415.22
SWENSON'S HARDWARE, SUPPLIES \$ 69.95
TRULSON AUTO PARTS, F250 OIL CHANGE \$ 36.96
WASTE MGMT OF NORTHERN IOWA, MONTHLY STATEMENT..... \$ 60.65
IA DEPT OF REVENUE, WATER EXCISE TAX..... \$ 255.29
Accounts Payable Total ... \$ 43,583.93
Refund Checks Total
Total Paid On: 7/20/23... \$ 3,558.56
Total Paid On: 8/03/23... \$ 3,123.27
Total Payroll Paid..... \$ 6,681.83
**** REPORT TOTAL ****
..... \$ 50,265.76
GENERAL \$ 7,560.42
FIRE TOWNSHIP CONTRIBUTE... \$ 15.09
ROAD USE TAX \$ 1,964.53
WATER..... \$ 1,045.29
SEWER..... \$ 3,487.02
ELECTRIC..... \$ 26,784.41
TOTAL FUNDS..... \$ 50,265.76
Fund.....Revenues...Expenses
General.....\$ 2,643.61...\$ 7,620.00
Fire Township..... \$ 139.04
State Relief ARPA.....
Road Use Tax \$ 169,834.43... \$ 877.76
Employee Benefit \$ 52.87... \$ 567.92
Emergency..... \$ 31.11
Local Option Sales Tax \$ 2,796.82
CDBG.....
Debt Services...\$ 223.87.....
Fire Station.....
Water.....\$ 4,550.32...\$ 10,281.88
Sewer.....\$ 3,487.35...\$ 2,789.32
Electric...\$ 27,168.00...\$ 25,449.74
Total.....\$ 210,788.38...\$ 47,725.66
Public Forum:

Resident was present to address the Council on the proposed wage increases for City Employees.

Resident was present to address Council on whether the City or resident is responsible for expenses incurred from the removal of two utility poles behind City Hall. There was also discussion about who is responsible for expenses incurred when connecting to a water/sewer line.

Business Items:
Resolution 1276 - Filling Vacancy on Council by Appointment. Hankins made a motion to appoint Kimber Mullenbach to fill the vacancy on Council; Steenhard seconded the motion. Roll Call: Ayes-Steenhard, Hankins Nays-Lloyd Absent: Garman. Motion carried.

Kimber Mullenbach was sworn in as the new City Council Member at 5:50 p.m.

Denise Group, Library Director, presented the Annual Library Report to Council.

Placement of Transformers Behind City Hall - Hankins made a motion to replace the transformer pole behind City Hall with a new larger pole that will hold the necessary transformers; Steenhard seconded the motion. Vote: Ayes: Steenhard, Lloyd, Mullenbach, Hankins Nays: None Absent: Garman

Expense of Removal of Utility Poles Behind City Hall - Discussion was held during Public Forum. Resident will pay for the removal.

Steenhard made a motion to approve a request from a resident to cut the curb back on First Street for easier access when entering and leaving driveway; Lloyd seconded the motion. Vote: Ayes: Steenhard, Lloyd, Mullenbach, Hankins Nays: None Absent: Garman

Hankins made a motion to adopt Resolution 1275 - Employee Handbook Updates; Steenhard seconded the motion. Roll Call: Ayes: Steenhard, Lloyd, Mullenbach, Hankins, Nays: None Absent: Garman

SRF Loan and Environmental Information for Upcoming Water Project Public Hearing opened at 6:02 p.m. and closed at 6:02 p.m. No comments were made.

Lloyd made a motion to approve Resolution 1277 - Approving the SRF Loan and Environmental Information Document; Steenhard seconded the motion. Roll Call: Ayes: Steenhard, Lloyd, Mullenbach, Hankins Nays: None Absent: Garman

Steenhard made a motion to pay Blacktop Services \$40,000 of the \$202,554.55 due for completed

street work; Lloyd seconded the motion. Vote: Ayes: Steenhard, Lloyd, Mullenbach, Hankins Nays: None Absent: Garman

Steenhard made a motion to Re-scind the Proposed Rent Increase for the Post Office due to the current contract being in place until 2029; Lloyd seconded the motion. Vote: Ayes: Steenhard, Lloyd, Mullenbach, Hankins Nays: None Absent: Garman

Offer to Buy City Property Public Hearing opened at 6:14 p.m. A resident was present and expressed concerns about what the property would be used for and whether it would remain a residential property. The Buyer stated that the property will remain residential. No other comments were made. Public Hearing Closed at 6:17 p.m.

Steenhard made a motion to approve Resolution 1278 - Accepting Offer to Buy City Property (Lot Three (3) and the Southeasterly 32 feet of Lot Four (4), in Block Twelve (12), in the Original Town of Corwith, Hancock County, Iowa) for \$3,729.00 from Michelle and Spencer Hankins; Lloyd seconded the motion. Roll Call: Ayes: Steenhard, Lloyd, Mullenbach Nays: None Absent: Garman

Lloyd made a motion to accept the City Attorney's Resignation; Hankins seconded the motion. Vote: Ayes: Steenhard, Lloyd, Mullenbach, Hankins Nays: None Absent: Garman. Current City Attorney will continue to represent the City until a new attorney is hired.

Steenhard made a motion to approve Resolution 1280 - Approving Wage Increases for City Employees; Lloyd seconded the motion. Roll Call: Ayes: Steenhard, Lloyd, Mullenbach Nays: Hankins Absent: Garman. Motion carried. Mayor or Hobscheidt then vetoed Resolution 1280. A formal veto letter will be sent to Council Members stating his reasons for the veto.

Budget Amendment Public Hearing opened at 6:30 p.m. and closed at 6:30 p.m. No comments were made.

Lloyd made a motion to approve Resolution 1279 - Approving the FY24 Budget Amendment; Hankins seconded the motion. Roll Call: Ayes: Steenhard, Lloyd, Mullenbach, Hankins Nays: None Absent: Garman

Lloyd made a motion to approve Resolution 1281 - Approving Wage Increase for Library Director; Hankins seconded the motion. Roll Call: Ayes: Steenhard, Lloyd, Mullenbach, Hankins Nays: None Absent: Garman

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NOTICE TO BIDDERS

SECTION 00100 - NOTICE TO BIDDERS

Main Open Ditch Repair
Joint Drainage District No. 123-113 & Drainage District No. 16
Cerro Gordo and Hancock Counties, Iowa

Time and Place for Filing Sealed Proposals. Sealed bids for the work comprising the repair as stated below must be filed before 10:00 a.m. on August 30, 2023, in the office of the County Auditor, 220 N. Washington Ave., Mason City, Iowa.

Time and Place Sealed Proposals Will be Opened and Considered. Sealed proposals will be opened, and bids tabulated at 10:00 a.m. on August 30, 2023, in the Board Room of the Cerro Gordo County Board of Supervisors, for consideration by Joint Drainage District Trustees at its meeting at 10:30 a.m. on September 5, 2023. The Joint Drainage District Trustees reserves the right to reject any and all bids.

Time for Commencement and Completion of Work. Work on the

Repair shall commence upon approval of the contract by the Joint Trustees, and as stated in the Notice to Proceed. All work under the Contract must be substantially complete on or before December 15, 2023. Damages in the amount of \$500.00 per day will be assessed for each day the work remains incomplete.

Bid Security. Each bidder shall accompany its bid with bid security, as defined in Section 468.35 of the Iowa Code in the amount equal to five percent of the total amount of the bid.

Contract Documents. Copies of the project documents are available for a price of \$25 per set. This fee is refundable, provided the plans and specifications are returned complete and in good usable condition, and they are returned within fourteen (14) calendar days after the award of the project. Please make your check payable to Bolton & Menk, Inc. and send it to 1609 US Hwy 18, Algona, Iowa 50511, (515) 395-3140. You may view the digital

plan documents for free by entering Quest project #8625908 on the website's Project Search page. Documents may be downloaded for \$0.00. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, viewing, downloading, and working with this digital project information.

Preference of Products and Labor. Preference shall be given to domestic construction materials by the contractor, subcontractors, material, men, and suppliers in performance of the contract and further, by virtue of statutory authority, preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa statutes. Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed nonresponsive and rejected.

Sales Tax Exemption Certificates. The bidder shall not include sales

tax in the bid. The County Auditor will distribute tax exemption certificates and authorization letters to the Contractor and all subcontractors who are identified. The Contractor and subcontractor may make copies of the tax exemption certificates and provide a copy to each supplier providing construction materials. These tax exemption certificates and authorization letters are applicable only for this specific project under the Contract.

Payment for work done will be in accordance with estimates approved monthly by the Engineer and in Drainage Warrants issued by the Drainage District, which, if registered and stamped "not paid for want of funds", shall bear interest at a rate fixed by the Trustees not to exceed the maximum set by law in accordance with Chapter 468 of the Code of Iowa, as amended. The Trustees reserves the right to issue Drainage District Improvement Certificates pursuant to Chapter 468 of the Code of Iowa, as amended, which certifi-

cates may be given in exchange for outstanding warrants issued to the Contractor or to the holder thereof. Said warrants to be surrendered, if called by the Trustees, in exchange for Drainage District Improvement Certificates which shall be taken by the Contractor or holder at par and shall bear interest at a rate fixed by the Trustees not to exceed the maximum set by law in accordance with Chapter 468 of the Code of Iowa, as amended.

Progress payments will be made in an amount equal to ninety percent (90%) of the work completed. Final payment will be made not less than thirty (30) days after completion of the work and acceptance by the Board, subject to the conditions and in accordance with the provisions of Chapter 468 of the Code of Iowa, as amended.

PROJECT DESCRIPTION: This project consists of construction of 18.4 stations of open ditch excavation, 18.4 stations of spoil bank leveling, 18.4 stations of open ditch seeding and fertilizing, clear-

ing and grubbing, rip rap placement, repairs to surface drainpipes and tile extension pipes, and all other miscellaneous items relates thereto.

The Joint Board of Supervisors acting as Trustees will select any or no bid that is in the best interest of the joint drainage district.

All bidders will be required to complete each division of the "Proposal, Attachment C, Bid Items and Quantities" (including all alternate options) to be considered for award.

Bidders must bid on all Divisions. The Joint Board of Supervisors as Trustees will select any combination of Divisions, which is in the best interest of the drainage district.

This Notice is given by authority of the Joint Drainage District Trustees in Cerro Gordo and Hancock Counties, Iowa.

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

Published in The Leader on Wednesday, Aug. 16 and Aug. 23, 2023

HANCOCK COUNTY BOS MINUTES 8.1.23

**August 1, 2023
Garner, Iowa**

The Hancock County, Iowa, Board of Supervisors met in adjourned session on the above captioned date pursuant to adjournment with Supervisors Florence (Sis) Greiman, Gary Rayhons, and Jerry J. Tlach present. Absent: none.

The minutes of July 24, 2023, meeting were read and approved.

On motion by Supervisor Tlach, seconded by Supervisor Rayhons and carried unanimously, the Board gave approval to the following Resolution:

RESOLUTION #2023-031

WHEREAS the Hancock County Board of Supervisors as Trustees for Drainage District 7 Lateral 255 has responsibility for the maintenance and repair of district improvements; and WHEREAS Iowa law provides that no person is permitted to obstruct a district tile line, including obstruction caused by tree roots; and

WHEREAS it has been determined that a district improvement in the form of a drain tile has become blocked or obstructed by tree roots which requires removal to prevent obstruction of the drain tile; and

WHEREAS it has been determined that the obstruction is due

to trees growing on property owned by Rodney Swanson and said obstruction constitutes a nuisance which requires abatement; and WHEREAS Rodney Swanson was requested to provide a proposal for the abatement of the nuisance and/or the removal of the obstruction, but has not yet done so; and

WHEREAS the Board of Supervisors has determined that Rodney Swanson should be given notice to abate the nuisance and to remove the obstruction.

NOW THEREFORE BE IT RESOLVED

That written notice be given to Rodney Swanson that he has

caused obstruction of a district tile line; that this obstruction constitutes a nuisance which requires abatement and that he has 90 days from the date of the notice to abate.

It is further resolved that should Rodney Swanson fail to abate the nuisance that the drainage district is authorized to abate the nuisance and assess the costs of abatement to Rodney Swanson. It is further resolved that the drainage district attorney shall be authorized to pursue any legal or equitable remedies available to the District as deemed appropriate and necessary to obtain abatement of the nuisance and recovery of the costs of abatement.

On motion by Supervisor Tlach, seconded by Supervisor Rayhons and carried unanimously, the Board gave approval of change order no.1 for Drainage District no. 57 Main Tile and Lateral 49 Tile.

On motion by Supervisor Rayhons, seconded by Supervisor Tlach and carried unanimously, the Board gave approval to the following: Pay estimate no. 1 for Drainage District no. 57 Main Tile and Lateral 49 Tile with Rognes Brothers Excavating, Inc. in the amount of \$230,104.26. Approved the completion of work report for Drainage District no. 57 Main Tile and Lateral 49 Tile and set date and time

for completion of work hearing for August 21, 2023, at 9:30 a.m. Disallowance of various Homestead Tax Credit applications.

No further business to come before the Board, motion made to adjourn at 10:18 a.m. by Supervisor Rayhons and carried. All Supervisors present voting, "Aye," session to adjourn and will meet again on August 7, 2023.

ATTEST:
Ann Hinders, Deputy Auditor
Florence Sis Greiman, Chair

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