

BOARD PROCEEDINGS
Wright County Board of Supervisors • June 3, 2024

June 3, 2024

Chairman Helgevoid called the regular meeting of the Wright County Board of Supervisors to order at 9:00 a.m. Members present were Kluss, Rasmussen, and Helgevoid. Motion by Rasmussen and seconded by Kluss to approve the tentative agenda. Motion carries.

Minutes of the previous regular meeting of May 28, 2024 were read and approved.

Approved claims for payment. In open forum, Bob Ritter thanked the Board for the ordinances that were passed for drainage and Secondary Roads. Ritter also thanked the Board for considering a resolution that objects to the Iowa Utility Board's authority to enact eminent domain in Wright County.

Julie Glade also spoke in open forum about the nine other counties that have passed an ordinance protecting against the Summit Carbon Solutions pipeline. Glade asked if the Board of Supervisors could protect the citizens without it coming through Planning & Zoning. The answer is no, they have a separate Board consisting of citizens throughout the County.

Tonee Nicholas, Wright County Assessor, introduced Jennifer Peterson as the new Office Clerk and Receptionist. Peggy Schluttenhofer, Wright County Treasurer, presented the request for abatement of the US Fish and Wildlife drainage assessments. These are for drainage districts 6, 90 Lateral B, and 117. Motion by Helgevoid and seconded by Rasmussen to abate the US Fish and Wildlife drainage assessments. Motion carries with Kluss opposing.

Motion by Kluss and seconded by Rasmussen to approve Resolution 2024-19, a resolution objecting to the Iowa Utilities Board's authority to enact eminent domain authority within Wright County for privately owned and operated carbon dioxide pipelines. By roll call vote: Ayes – Kluss, Rasmussen, and Helgevoid; nays – none. Resolution 2024-19 duly passes and reads as follows:

**RESOLUTION 2024-19
WRIGHT COUNTY BOARD OF**

**SUPERVISORS
A RESOLUTION OBJECTING TO THE IOWA UTILITIES BOARD'S AUTHORITY TO ENACT EMINENT DOMAIN AUTHORITY WITHIN WRIGHT COUNTY FOR PRIVATELY OWNED AND OPERATED CARBON DIOXIDE PIPELINES**

WHEREAS, Pursuant to Iowa Code § 479B.7 and Iowa Administrative Code rule 199-13.5, any person, including a governmental entity, whose rights or interests may be affected by a proposed pipeline may file a written objection with the Board not less than five days prior to the hearing scheduled on the pipeline company's application for a permit.

WHEREAS Wright County submitted a brief objecting to the Summit proceedings and requested that the IUB deny the use of eminent domain for carbon dioxide pipelines.

WHEREAS "The power of eminent domain has ancient origins... From early times to the present, property owners have argued that this power should be exercised only in limited circumstances." 1 The philosopher John Locke argued that the "great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property." 2

WHEREAS, for this reason, the framers of the Constitution sought to limit the government's use of the power of eminent domain in two important ways. 3. First, they included in the Fifth Amendment a requirement for the payment of "just compensation." 4 Second, they required that any taking of private property must be for a "public use." 5

WHEREAS, the United States Supreme Court has considered the issue of eminent domain many times. In the landmark case of *Kelo v. City of New London*, the Court discussed the federal constitutional requirements for determining "public use." The Court noted that there are two opposing rules involved in making the determination. On the one hand, the Court said, it is clear that the government may not take

one person's property for the "sole purpose" of transferring it to another person. On the other hand, the Court also said it is "equally clear" that the government may transfer property from one person to another if future "use by the public" is the purpose of the taking.

WHEREAS, if the "public use" requirement of the Fifth Amendment means anything, it means that the government should not arbitrarily take one person's private property and transfer it to another person simply for private economic gain. In this docket, Summit is seeking eminent domain over 1,035 parcels. Through this process, Summit is seeking private gain through a taking of private property that doesn't provide public use.

WHEREAS the reason is that this pipeline is fundamentally different from a road or a highway project that the general public can use. It's fundamentally different from a railroad that carries the general public as passengers. And it's fundamentally different from an electric or gas line that a utility uses to serve retail or wholesale customers. Essentially, Summit is justifying the use of eminent domain because it claims the project will create economic benefits for Iowans, but whatever ancillary benefits will accrue from construction of the project, it's clear they are not the primary purpose of the project and are in fact subjective at best. The primary purpose is clearly private economic gain.

WHEREAS the driving force behind this project is climate change policy. Since 2008, Federal tax law has provided tax credits for the sequestration of carbon.

Known as "45Q Credits" after the relevant tax provision, these tax credits were created to encourage the private sector to reduce the amount of carbon released into the atmosphere. In the recently passed Inflation Reduction Act, Congress significantly increased the value of these 45Q Credits. These credits represent a substantial public subsidy for private profit as it is. Taking yet more private property for Summit's private gain only compounds

the problem. **WHEREAS** The *Kelo* case turned on the question of whether the City's economic development plan served a "public purpose." And the Court explained that its prior eminent domain cases had defined that concept broadly due to a longstanding policy of deferring to "legislative judgments" in the area of public use.

WHEREAS "Viewed as a whole," the Court said, "our jurisprudence has recognized that the needs of society have varied between different parts of the Nation, just as they have evolved over time in response to changed circumstances. Our earliest cases in particular embodied a strong theme of federalism, emphasizing the 'great respect' that we owe to state legislatures and state courts in discerning local public needs." 6

WHEREAS, in other words, the Supreme Court was unwilling to place obstacles in front of state legislatures in the form of rigid judicial interpretations of the Constitution, and it instead preferred to allow a broad range of purposes to meet the "public use" test.

WHEREAS, However, after announcing that it wouldn't adopt a strict federal standard, the Court in *Kelo* went on to state that "nothing in our opinion precludes any State from placing further restrictions on its exercise of the takings power." 7

WHEREAS, even before the *Kelo* case was decided, many states had imposed "public use" requirements that were stricter than the more flexible federal minimum standard, and many states since then have imposed additional restrictions in the wake of the *Kelo* decision. These additional restrictions on the use of eminent domain can take the form of either state constitutional requirements or state statutory requirements. Iowa has adopted additional restrictions.

WHEREAS, Like the Fifth Amendment to the United States Constitution, Article I, section 18 of the Iowa Constitution also contains a "takings" clause, and like the Fifth Amendment, it also requires that

private property not be taken "for public use" without "just compensation."

WHEREAS The Iowa Supreme Court is the final authority on the interpretation of the Iowa Constitution, and while it generally considers Federal interpretations of the Takings Clause to be persuasive, it is not required to interpret the Iowa Takings Clause in the same flexible way as the Supreme Court interprets the Federal Takings Clause.

WHEREAS The Iowa Supreme Court recently considered the issue of constitutional authority for eminent domain in the case of *Puntenney v. Iowa Utilities Board*, which involved an oil pipeline being built by Dakota Access, LLC. In considering the issue, the Iowa Supreme Court thoroughly reviewed the *Kelo* case and decided not to follow the majority opinion, which had found economic development to be a valid public purpose. Instead, the Iowa court announced that Justice O'Connor's dissenting opinion, which a number of other states follow, was the better interpretation for purposes of the Iowa Constitution because it provides stronger protection against the abuse of eminent domain. 8

THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Wright County, under the authority of **I.A. Code 331.301(1)**, shall "exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the county and its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents." Based on the findings of the Iowa Supreme Court in *Puntenney v. Iowa Utilities Board*, the Wright County Board of Supervisors finds in fact they are not limited by **I.A. Code 331.301(1)**, to be "inconsistent with the laws of the general assembly" in protecting and preserving private property takings utilizing eminent domain due to the lack of public purpose where in this case the sole purpose is private economic gain by Summit Carbon Solutions and affiliates. Therefore,

the Wright County Board of Supervisors objects to the use of eminent domain for private economic gain and urges the Iowa Utilities Board not to grant Summit the use of eminent domain for this project.

PASSED AND APPROVED this 3rd day of June, 2024.

1 See generally Mary Massaron Ross, *The Debate Over the Meaning of "Public Use"*, Eminent Domain Use & Abuse: Keio in Context at s 1.1.

2 See id.

3 See U.S. CONST. Amend. V ("nor shall private property be taken for public use, without just compensation").

4 See generally William Michael Treanor, "The Origins and Original Significance of the Just Compensation Clause of the Fifth Amendment," 94 Yale L.J. 694 (1985).

5 See Lauren A. Wiggins and Timothy Sandefur, *A Bibliography of Sources on Public Use in Eminent Domain*, 10 Chap. L. Rev. 235 (2006). See also David Schultz, *What's Yours Can be Mine: Are There Any Private Takings After Kelo v. City of New London?* 24 UCLA J. Envtl. L. & Pol'y 195 (2006).

6 *Kelo v. City of New London*, 545 U.S. 469 (2005)

7 *Kelo v. City of New London*, 545 U.S. 469 (2005)

8 *Puntenney v. Iowa Utilities Board*, 928 N.W.2d 829 (2019).

Jeremy Abbas, Assistant to the Wright County Engineer, gave an update on the Secondary Roads. Blade operators were able to blade 468 miles last week. Trucks continue to haul spot rock and scheduled rock with 48 of 90 segments completed. Crews were able to unplug a tile under Nelson Avenue and under a 36" culvert. The open rails on the C70 bridge began to be poured last week and hope to finish the open rails this week.

Motion by Rasmussen and seconded by Kluss to adjourn the meeting. Motion carries.

*Karl Helgevoid, Chairman,
Wright County Board of Supervisors
Betty Ellis, Wright County Auditor*

Published in the Eagle Grove Eagle on Thursday, June 20, 2024

BOARD PROCEEDINGS
Eagle Grove Community School District • June 10, 2024

**EAGLE GROVE COMMUNITY SCHOOL DISTRICT
EAGLE GROVE, IOWA 50533
MINUTES OF MONTHLY MEETING OF BOARD OF DIRECTORS
MONDAY, June 10, 2024**

CALL TO ORDER: The Eagle Grove Community School District Board of Education met in regular session on Monday, June 10, 2024 at 6:00 PM in the board meeting room at the Emerson Building with President Tracy Crail presiding. Members present were: Director A. Capsel and A. Willard. Others present: Superintendent J. Toliver. Directors D. Robinson and A. Parrott were absent.

COMMUNICATIONS AND CELEBRATIONS: Karissa Everson, Josh Schild and Heidi Vasquez gave updates in their buildings.

PUBLIC COMMENT CARDS: None.

CONFLICT OF INTEREST DECLARATION: None noted.

APPROVAL OF AGENDA: Motion by Director A. Capsel, seconded by Director A. Willard, to approve the proposed agenda. The motion carried. Ayes: A. Capsel, T. Crail, A. Willard. Nays: None.

APPROVAL OF CONSENT ITEMS: Motion by Director A. Willard, seconded by Director A. Capsel, to approve minutes of meeting on May 10, 2024; the monthly bills and Balance Sheets for all district funds; Termination of Sofia Padilla, (ELEM Associate); resignation from Jayme Todd, (ELEM Teacher), Clarissa Hohensee (MS Associate); Contracts for Hope Brown (MTSS Coordinator), Joe Chamberlain (Bus Driver), Carrie Christopher (HS Volleyball Assistant), Josh Pernell (Teacher), Kala Thury (Teacher), Cale Wesselink (Custodian); open enrollment applications for 3 student: The motion carried. Ayes: T. Crail, A. Capsel, A. Willard. Nays: None.

Approve Graduation List: Motion by Director A. Capsel, seconded by Director A. Willard, to approve the Graduation List for 2024.. The motion carried. Ayes: A. Capsel, T. Crail, A. Willard. Nays: None.

PURCHASES OVER \$25,000: Motion by A Willard, seconded by A. Capsel to approve the following purchases over \$25,000:- Purchase of Chromebooks for Students, Purchase of Great Minds Reading Curriculum, Purchase of Classroom

furniture for classroom remodels from EPIC Furniture) The motion carried. Ayes: T. Crail, A. Capsel, A. Willard. Nays: None.

Leasing Agreement with Full Warranty Bus Leasing: Motion by Director A. Capsel, seconded by Director A. Willard to approve the lease with Full Warranty Bus Leasing. The motion carried. Ayes: T. Crail, A. Capsel, A. Willard. Nays: None.

Resolution to Transfer funds for Safety Equipment: Motion by Director A. Capsel, seconded by Director A. Willard to approve the resolution to transfer funds for safety equipment in the amount of \$5842.24. The motion carried. Ayes: T. Crail, A. Capsel, A. Willard. Nays: None.

Handbooks: Motion by Director A. Willard, seconded by Director A. Capsel, to approve Student and Staff handbooks as presented. The motion carried. Ayes: T. Crail, A. Capsel, A. Willard. Nays: None.

Policy Update: Motion by Director A. Capsel, seconded by Director A. Willard, to approve Policy 604.12 High School Options Program.. The motion carried. Ayes: A. Capsel, T. Crail, A. Willard. Nays: None.

Superintendent Evaluation Materials were distributed

Sub Teacher Rates for 2024-2025: Motion by Director A. Willard, seconded by Director A. Capsel, to approve Sub Teacher Rates at \$150.00 for the 2024-2025 school year. The motion carried. Ayes: A. Capsel, T. Crail, A. Willard. Nays: None.

28E Agreement with ICCC: Motion by Director A. Capsel, seconded by Director A. Willard, to approve a 28E agreement with Iowa Central Community College for 10 seats in the High School Option Program for the 2024-2025 School Year. The motion carried. Ayes: A. Capsel, T. Crail, A. Willard. Nays: None.

Sharing Agreement with AEA for Teacher Librarian: Motion by Director A. Capsel, seconded by Director A. Willard, to approve the sharing agreement with the AEA for Teacher Librarian for the 2024-2025 school year. The motion carried. Ayes: A. Capsel, T. Crail, A. Willard. Nays: None.

Reports and documents considered by the Board at this meeting are on file in the Board Secretary's office, 448-4749, Monday through Friday, 8:00 a.m - 4:00 p.m.

Superintendent Jess Toliver

Board President Tracy Crail
**NUTRITION FUND INVOICES
FOR MAY, APPROVAL JUNE 10, 2024**

ANDERSON-ERICKSON DAIRY CO.- MILK..... 8,082.90
BIMBO BAKERIES USA- BREAD... 2,249.55
Elan Financial- Servsafe..... 160.00
MARTIN BROTHERS DISTRIBUTING CO INC- SUPPLIES... 40,265.48
Eagle Grove CSD- Senior Refunds, General Fees..... 1,820.06
..... 52,577.99

ACTIVITY FUND BILLS FOR MAY, APPROVAL JUNE 10, 2024

ALGONA COMMUNITY SCHOOLS- BOYS TRACK ENTRY FEE..... 125.00
AMAZON- SUPPLIES 743.92
ASPI SOLUTIONS INC- TRACK REGISTRATION SOFTWARE..... 300.00
ATLANTIC COCA-COLA BOTTLING- SUPPLIES..... 316.59
BELMOND-KLEMME COMMUNITY SCHOOLS- MS BOYS TRACK ENTRY FEE..... 80.00
BOONE & SCENIC VALLEY RAILROAD- 2ND GRADE FIELD TRIP... 1,292.00
CARL FISCHER LLC- MUSIC ARRANGEMENT..... 25.00
CLARION-GOLDFIELD-DOWS-GIRLS TRACK ENTRY FEE... 100.00
CLARMOND COUNTRY CLUB- REGIONAL GOLF ENTRY FEE..... 80.00
DECKER SPORTING GOODS, INC- SUPPLIES..... 5,442.00
DUCK KING FUN LLC- 5TH & 6TH GRADE PBIS REWARD..... 725.00
EAGLE GROVE CSD- CASH..... 3,837.70

EAGLE GROVE GOLF COURSE- BOYS GOLF FEES..... 60.00
FAREWAY STORES- SUPPLIES... 297.82
FCA- SUPPLIES..... 670.00
FOREST CITY- BOYS TRACK ENTRY FEE..... 110.00
FORT DODGE CSD- BOYS TRACK ENTRY FEE..... 150.00
GATES PARK GOLF COURSE- BOYS GOLF FEE..... 105.00
HAUGLAND, ZACH- REIMBURSEMENT SUPPLIES..... 55.98
HUMBOLDT COMMUNITY SCHOOLS- BOYS TRACK ENTRY FEE..... 125.00
INSTRUMENTALIST AWARD LLC- AWARDS..... 196.00
JEWELL GOLF & COUNTRY CLUB- GIRLS GOLF ENTRY FEE..... 30.00
JOSTENS- YEARBOOKS... 2,558.60
LAKE MILLS HIGH SCHOOL- GIRLS TRACK ENTRY FEE..... 100.00
LEKSELL, SHERRY - REIMBURSEMENT PROM SUPPLIES... 387.33
MARTIN BROS DISTRIBUTING INC- SUPPLIES..... 233.20
MINNTEX CITRUS INC- FRUIT

SALES..... 1,542.05
MOTLEY, TANA - REIMBURSEMENT SUPPLIES..... 48.00
MUSIC THEATRE INTERNATIONAL - MUSICAL RIGHTS 2024-2025..... 1,305.00
NASSP- MEMBERSHIP DUES 24-25..... 385.00
NINE & DINE- TIC GOLF MEALS... 104.00
PUTNEY, AMY- REIMBURSEMENT SUPPLIES..... 49.87
RIDDELL INC- SUPPLIES... 836.06
SCIENCE CENTER OF IOWA- 1ST GRADE FIELD TRIP..... 474.50
SHRIVER, ANN- ACCOMPANIST... 67.50
SMASH PARK- 7TH GRADE PBIS REWARD..... 720.00
SPRING VALLEY GOLF COURSE- GIRLS GOLF FEE..... 166.00
THACKER, RICH- REIMBURSEMENT..... 50.00
TMI SERVICES- PORTABLE TOILET..... 195.26
WEBSTER CITY COMMUNITY SCHOOLS- GIRLS TRACK ENTRY FEE..... 125.00
WUBBEN, ANTHONY- REIMBURSEMENT SUPPLIES... 198.65
..... 24,413.03

GENERAL FUND BILLS FOR APPROVAL - JUNE 10, 2024

Access Elevator & Lifts Inc. - Safety Inspection..... 695.00
Allegiant Technologies, fax lines..... 42.19
Alt, Alana, meeting expense reimbursement..... 76.37
Amazon Capital Services, supplies..... 4,283.43
AWS, web service..... 27.79
Bomgaars, supplies..... 2,862.95
Bytespeed, equipment (Safety Grant)..... 147,943.00
Central Iowa Dist, cleaning supplies..... 464.00
Clarion-Goldfield-Dows Schools, HS Couns Sharing..... 8,596.78
Comm1- Telephone Service... 567.12
Cornwell, Frideres, Maher & Assoc P.L.C., FY23 Audit..... 4,730.00
Column Software PBC- Board Minutes..... 227.49
Crisis Prevention Institute- Membership Fees..... 586.75
DSG, supplies..... 129.93
Eagle Building Supply, supplies..... 291.24
Eagle Grove City of, water bills 1,903.45
Eagle Grove Greenhouse, supplies..... 1,420.61
Eagle Grove Schools, wire transfers and interest for IPERS..... 50.00
Fareway, supplies..... 865.16
Feld, alarm inspections..... 2,165.25
First Bank Card Services, supplies..... 178.40
Hawkeye West Pest Control, monthly service..... 190.00
Humboldt Schools, open enrollment tuition..... 63,171.90
John Deere Financial, oil..... 38.81

Mid Country Machinery, supplies..... 95.04
MidAmerican Energy, utilities..... 8,426.40

Medical Enterprises Inc- testing kits..... 41.00
Morgan, Victoria - reimburse for supplies..... 106.66
Muzzey, David- reimburse for choral registration..... 371.28
Nutrition Fund- Early Retirement..... 5,453.66
Prairie Lakes AEA 8, printing..... 415.32
Quill- supplies..... 8.15
Rieman Music, repairs..... 35.86
School Bus Sales, repair parts..... 180.42
School Nurse Supply- Supplies..... 247.11
SCI Communications-..... 863.40
Secure Shred, shred service... 61.00
Solution Tree, registration... 4,614.00
Sports World, ribbons..... 817.32
T & D, vehicle repairs..... 5,672.11
Temeyer, Pauline, reimb for class..... 1,620.00
Tew, Dwight, reimb for supplies..... 41.55
Timberline Billing Services- Claim Aid..... 886.27
Toliver, Jess, meeting expense..... 95.65
Verizon, cell phone service... 914.36
W & H, fuel..... 7,013.37
Walmart, supplies..... 210.46
Webster City Schools, open enrollment..... 70,295.00
Wilson, Beth- reimburse for conference..... 80.00
Woodman Controls, tech support... 1,616.00
..... 351,689.01

OFFICIALS - PREPAID IN MAY (WK OF 05/24) - APPROVED JUNE 10, 2024

Drake, Brenda- Official Softball 5/22/24..... 120.00
Gerhard, Steve- Official 5/23/2024..... 130.00
Hamilton, Bryce- Baseball official 5/22/24..... 130.00
Hanson, Pat - Baseball official 5/22/24..... 130.00
McClellan, Ryan- Official Baseball 5/23/24..... 130.00
Richardson, Reggie- Softball official 5/22/24..... 120.00
..... 760.00

OFFICIALS - PREPAID IN MAY (WK OF 05/31) - APPROVED JUNE 10, 2024

Leber, Brandon- Softball official 5/28/24..... 120.00
McClellan, Ryan- Baseball official 5/28/24..... 130.00
Thurm, Joshua- Baseball official 5/28/2024..... 130.00
Slater, Jason- Softball official 5/28/24..... 120.00
Steil, Chloe- JUV official 5/30/24..... 90.00
Richardson, Reggie- Softball official 5/30/24..... 120.00

Osborn, Brooklyn- JJV official 5/30/24..... 90.00
Alber, Matthew- Softball official 5/30/24..... 120.00
..... 920.00

OFFICIALS - PREPAID IN JUNE (WK OF 06/7/2024) - APPROVED JUNE 10, 2024

Dewaard, Luke- Baseball official 6/7/2024..... 130.00
Hansen, Pat- Baseball official 6/4/2024..... 130.00
Houck, Trev- Softball official 6/3/2024..... 120.00
McClellan, Ryan- Baseball official 6/7/2024..... 130.00
Meinders, Dave- Softball official 6/07/2024..... 120.00
Osborn, Brooklyn- JJV official 6/4/2024..... 90.00
Osborn, Brooklyn- JJV official 6/6/2024..... 90.00
Richardson, Reggie - Softball 6/7/24..... 120.00
Schiff, Christian- Softball official 6/3/2024..... 120.00
Smith, Josh- Baseball official 6/7/2024..... 130.00
Smith, Michael- Baseball official 6/3/2024..... 130.00
Steil, Chloe- JJV official 6/4/2024... 90.00
Steil, Chloe- JJV official 6/6/2024... 90.00
..... 1,620.00

MANAGEMENT FUND BILLS - APPROVED JUNE 10, 2024

EGCSD, retiree insurance... 962.84
..... 962.84

PPEL/DEBT SERV/SAVE FUND BILLS - APPROVAL JUNE 10, 2024

Access Elevator, service call 700.18
Amazon Capital Serv, printer..... 1,647.00
Central Iowa Dist., floor stripper/finish..... 6,110.00
CDW-G, equipment..... 91,806.09
Chase, princ/int payment SAVE revenue bonds..... 588,258.00
Eagle Building Supply, building projects..... 744.35
GF Leasing, copiers..... 3,054.25
ICN, internet access..... 404.10
Lund Const., roadstone at ball park..... 8,384.44
Menards, repairs..... 1,323.30
Oldson's, repairs..... 1,075.30
Quadiant Leasing, postage meter lease..... 370.02
Schindler, elevator repairs... 569.10
Sherwin Williams, paint ... 1,927.94
Tjaden Electric, repairs..... 609.20
Toppers & Trailers Plus, trailer..... 14,680.00
United Truck & Body, bus repairs ... 11,759.83
Velux America, skylight repair..... 2,050.06
Woodman Controls, repairs ... 217.88
..... 735,691.04

Published in the Eagle Grove Eagle on Thursday, June 20, 2024

COUNCIL PROCEEDINGS
City of Eagle Grove • June 3, 2024

Regular Council Meeting
Monday June 3rd, 2024

Mayor Boyd called the meeting to order at 6:30p.m. With Council Members Lorenzen, Axtell, Pamperin, Weland and Limerick. Absent: Vandewater. Also present: City Administrator Davis and City Attorney Legvold.

Public Forum: Richard Cahalan spoke on the need for more activities for seniors in the community. He mentioned day trips, activities in the parks, coffee with the Mayor, and provided examples of past activities and events that seniors could participate in throughout the community.

A motion was made by Lorenzen and seconded by Axtell to approve the Consent Agenda which includes May 20th, May 28th minutes and claims. Roll Call: All Ayes

ARNOLD MOTOR SUPPLY, VEHICLE MAINT '96 RANGER... 121.06
BEHLE INC., POOL REPAIRS 136,675.60
RAY BELTRAN, LODGING REIMB 420.31
BOMGAARS, SUPPLIES ... 1,119.35
BOUND TREE MEDICAL LLC, EMS SUPPLIES 116.60
ELAN FINANCIAL SERVICES, PARKS MULCH.....2,414.72
CINTAS CORP, FLOOR MATS..... 73.19
CITY CLERK, 2023 STREET PROJECT.....172,742.09
EAGLE BUILDING SUPPLY, BLDG MAINT 64.78
ELECTRONIC ENGINEERING CO, EMS BATTERIES 445.84
FIRST CITIZENS - MASON CITY, 2022A BOND PRINCIPAL 123,906.25
FIRST STATE BANK, 2022B BOND PRINCIPAL..... 50,421.60
GOLDFIELD ACCESS NETWORK, TELEPHONE, INTERNET... 309.06
HAWKEYE WEST PEST CONTROL, QUARTERLY PEST CONTROL..... 375.00
HEWETT WHOLESALE INC, CONCESSION STAND SUPPLIES..... 2,336.53
HSA - SSB ACH, HSA TRANSFER JUN 2024..... 8,795.73
IMWCA, YEARLY WORK COMP

PREM 36,687.00
INTOXIMETERS, SUPPLIES... 60.00
IOWA FINANCE AUTHORITY, C0867R PRINCIPAL..... 946,472.14
IOWA ONE CALL, NOTIFICATIONS..... 33.40
J & J SPORTS, SHIRTS FOR SUMMER BALL TEAMS.....2,910.00
L & M SERVICES AND MAINT, CLEAN UP-513 NE 4TH ST ... 523.64
LYLE'S FORD-MERCURY, VEHICLE PARTS-STREET..... 39.60
MID-AMERICA PUBLISHING, ENVELOPES.....666.25
MIDAMERICAN ENERGY, ELECTRICITY.....21,318.38
PITNEY BOWES, POSTAGE METER LEASE 163.53
POSTMASTER, POSTAGE FOR UTILITY BILLS395.75
R&D INDUSTRIES INC, MONTHLY SVCS, TECH SUPPORT... 2,030.75
R&J MATERIAL HANDLING, EQUIPMENT MAINT-BOBCAT..... 241.97
SHERWIN-WILLIAMS, PAINT-POOL..... 204.19
SITE SERVICES INC, ASBESTOS REMOVAL 1,620.00
STOREY KENWORTHY, AP CHECKS..... 935.00
T & D SERVICE, '19 F350... 347.47
THE TRASH MAN, GARBAGE REVENUE 2,456.53
THE WELLNESS CENTER, MEMBERSHIPS 356.00
UMB BANK, N.A., 2011,2014 PRINCIPAL..... 736,881.25
VERIZON, CELLPHONES, LANDLINES 1,431.34
WRIGHT COUNTY TREASURER, 902 N ARTHUR TAXES..... 200.00

Fund Totals

GENERAL 16,790.06
ROAD USE TAX 185,926.61
EMPLOYEE BENEFITS ... 28,872.82
LOCAL OPTION SALES TAX 136,675.60
GARBAGE 2,456.53
DEBT SERVICE 911,209.10
CAPITAL IMPROVEMENT RESV ... 1,402.45
WATER..... 7,330.04
SEWER 19,176.55
SEWER REV BOND SINKING 946,472.14
Beer/Liquor Licenses: Eagle Grove Chamber of Commerce special

Class C Retail
Cigarette Permits:
W&H - 215 N Commercial
Fareway - 205 NW 1st
Caseys - 200 S Commercial
Dollar General - 613 S Commercial
Opened Hearing at 6:40 pm: on Dangerous Dog Order. Markeisa Friedl provided an overview of the incident and provided evidence that the dog is not dangerous. Dave Walker provided an overview of the incident from his perspective and provided evidence of a dog bite. Closed Hearing at 6:57 pm.

A motion was made by Pamperin and seconded by Axtell to take NO Action on Resolution 2024-70: A Resolution Overruling the Dangerous Dog Order. Roll Call Vote: all ayes.

Mayor Boyd opened the Public Hearing at 7:02 p.m. on the Adoption of a Community Development and Housing Needs Assessment. City Administrator Davis provided an overview of the Community Development and Housing Needs Assessment. No further public comment was provided. Mayor Boyd closed the Public Hearing at 7:04 p.m.

A motion was made by Weland and seconded by Lorenzen to approve Resolution 2024-72: A Resolution Adopting a Community Development and Housing Needs Assessment. Roll Call Vote: all ayes

Mayor Boyd opened the Public Hearing at 7:05pm on Submission of a CDBG Application. City Administrator Davis gave an overview of the CDBG Application. Council member Axtell and Lorenzen asked questions related to parking and other building permit/code items. Developer Bob Torkelson provided answers to those questions. City Administrator Davis read the following:
CITY OF EAGLE GROVE - PUBLIC HEARING ANNOUNCEMENTS
A. Explain how the need for the activities was identified.
•The need for the proposed 125 W Broadway Upper Story Project is to help provide affordable, safe, and adequate housing for residents

of the City of Eagle Grove, especially families who are considered low-to-moderate income (LMI). The proposed project will help establish three new residential units at this property of which all three of the units will be made available to LMI families and individuals for a period of at least three years.
B. Explain how the proposed activities will be funded and the sources of funds.

•The project will be funded with a combination of CDBG funds and private dollars provided by the developer of the property, Torkelson Properties, LLC. Torkelson Properties, LLC, will cover any cost overages as part of their agreement with the City of Eagle Grove
C. Announce the date the CDBG application will be submitted to the State.

•The grant application will be submitted to the Iowa Economic Development Authority no later than June 30, 2024, at midnight.
D. Announce the requested amount of federal funds.

•The City is requesting \$550,000 in CDBG funds for the proposed project.

E. Announce the estimated portion of funds that will benefit low-and-moderate income persons.
•The project will result in the construction of three new rental units including three one-bedroom units. Of the three units created by this project, all three of the units will be rented to families or individuals who meet the LMI requirements for the County for a period of at least three years.

F. Announce where the proposed activities will be conducted.

•The proposed project activities will take place in the City of Eagle Grove on the second floor of the property at 125 W. Broadway.

G. Announce plans to minimize displacement of persons and businesses resulting of funded activities.

•The proposed project will not result in the displacement or relocation of any persons or businesses.

H. Announce plans to assist per-

sons actually displaced.
•No persons will be displaced by the proposed project.

I. Announce the nature of the proposed activities.

•The nature of the proposed project involves the construction of three new residential units on the second floor of an existing commercial building in the City's historic downtown. The project will include construction of walls, kitchen and bathroom facilities, new windows, a secondary exit at the back of the building, and other utility, electrical, plumbing, and life safety improvements.

With no further public comments, Mayor Boyd closed the Public Hearing at 7:07pm

A motion was made by Pamperin and seconded by Limerick to approve Resolution 2024-73: A Resolution Accepting Location and Endorsing Proposed Torkelson Properties Upper Story Project Located at 125 W. Broadway, Eagle Grove, Iowa. Roll Call Vote: all ayes
A motion was made by Pamperin and seconded by Weland to approve Resolution 2024-74: A Resolution Authorizing a Development Agreement with Torkelson Properties for the Upper Story Project at 217 W. Broadway. Roll Call Vote: all ayes

Mayor Boyd opened the Public Hearing at 7:23pm on Submission of a WHTC Application. City Administrator Davis provided an overview of the WHTC Application. Council member Axtell had comments relating to storm water retention. Developer Bob Powers provided comments and answers to those concerns. With no further public comment, Mayor Boyd closed the Public Hearing at 7:29pm.

A motion was made by Weland and seconded by Pamperin to approve Resolution 2024-75: A Resolution Supporting a WHTC Application. Roll Call Vote: all ayes
A motion was made by Weland and seconded by Limerick to approve Resolution 2024-76: A Resolution Setting Date for Public Hearing regarding the Budget Amendment for

FY2024. Roll Call Vote: all ayes
A motion was made by Limerick and seconded by Axtell to approve Quote for Striping Services from Danielson Services for Spruce Drive Curb Painting. Roll Call: all ayes except Lorenzen who abstained.

A motion was made by Weland and seconded by Axtell to approve Resolution 2024-77: A Resolution Appointing to Memorial Hall Board. Roll Call Vote: all ayes

A motion was made by Limerick and seconded by Axtell to approve Resolution 2024-78: A Resolution Authorizing Fiscal Year Transfers for FY2024. Roll Call Vote: all ayes

Mayor Boyd opened the Public Hearing at 7:47pm on Urban Renewal Plan Amendment for the Eagle Grove Urban Renewal Area. Richard Cahalan asked about the current City's General Obligation Debt, Internal Advance Loan, Past Grants and Loans to the Eagle Grove Rec Center. Denise Reed asked questions regarding the Urban Renewal Process. City Administrator Davis provided answers to those concerns and discussed at length the Urban Renewal Process, Credit Backstop, and Limited Guarantee of the Eagle Grove Rec Center. Eagle Grove Rec Center Board member Bob Torkelson and Christa Willson provided an overview of what is needed to complete the Eagle Grove Rec Center and thanked the Council for this very important process. With no further public comment, Mayor Bod closed the Public Hearing at 8:30 p.m.

A motion was made by Weland and seconded by Pamperin to approve Resolution 2024-79: A Resolution to Approve the Urban Renewal Plan Amendment for the Eagle Grove Urban Renewal Area. Roll Call Vote: Ayes-Pamperin, Lorenzen Weland and Limerick. Nays-Axtell Department reports were given.

A motion was made by Weland and seconded by Limerick to adjourn the meeting at 8:36pm.
Mayor
City Administrator

Published in the Eagle Grove Eagle on Thursday, June 20, 2024

COUNCIL PROCEEDINGS
City of Goldfield • June 10, 2024

Goldfield City Council Meeting
June 10, 2024

The Goldfield Council met in regular session on June 10, 2024 at the Goldfield City Hall. Mayor Fiscus called the council meeting to order at 7:02 p.m. Council Members present Petersen, Duncalf, Crees and Meinke. Also present City Clerk, Kathy Nelson; PW Superintendent Jim Sisson; Police Chief, Ray Beltran; WCED Director Darrel Stenven Carlyle; City Attorney Lynn Seaba. Absent Council Member Schermer.

PW Superintendent Jim Sisson gave an update. He discussed with the council the quote from CIT Sewer Solutions. Motion by Meinke, second Crees to approve the quote of \$2970.00 to camera the sewer line down by Buttermilk Creek. All ayes. Motion carried. Absent Schermer.

Ash trees were discussed, Jim will be getting more information.
Motion by Crees, second Duncalf to approve Logan Reed's building permit to widen his driveway. Motion by Crees, second Meinke to approve Kirk and Danielle Bricker's building permit to add a deck and put in a driveway. All ayes. Motions carried. Absent Schermer.

Motion by Petersen, second Crees to approve the May 13 th minutes. Motion by Meinke, second Crees to approve the May 22 nd minutes. Motion by Petersen, second Duncalf to approve the June claims. All ayes. Motions carried. Absent Schermer.

CLAIMS REPORT

VENDOR
ABENS-MARTY-CURRAN AGENCY
ACCESS SYSTEMS LEASING
AGSOURCE LABORATORIES
ATURA ARCHITECTURE
CARGILL, INCORPORATED
CHRIS PETERSEN
CITY OF GOLDFIELD
CITY OF GOLDFIELD
DANKO EMER. EQUIPMENT
EAGLE GROVE LIBRARY
DEPARTMENT OF TREASURY
ELECTRIC PUMP
ELECTRONIC ENGINEERING
FIRST BANK
GOLDFIELD CEMETERY
GOLDFIELD POST OFFICE
GOLDFIELD TELEPHONE CO
HAWKEYE WEST PEST CONTROL
HEIMAN INC
HENNINGAR CONSTRUCTION LLC
IPERS COLLECTION
JIM SISSON
JOHN DEERE FINANCIAL
K.C. NIELSEN, LTD.
L & L SERVICE, INC.
MID AMERICAN ENERGY
MID-AMERICA PUBLISHING
MIDWEST BREATHING AIR LLC
MOTOROLA SOLUTIONS INC.
MT SHEARING
NORTH CENTRAL IA VAC SERVICES
PSI PRINTING SERVICES INC
RASMUSSEN LAWN CARE
SEABA LAW OFFICE, PLC
T & S SANITATION
TREASURER STATE OF IOWA
ULINE
VERIZON
W & H COOP
Payroll Checks
***** REPORT TOTAL *****

JUNE CLAIMS

REFERENCE
INSURANCE EXPENSE 53,846.00
COPIER LEASE 222.20
TESTING/SAMPLES 67.50
PRODUCE BID DOCUMENTS-SCHOOL 324.37
SALT-WATER PLANT 6,633.21
MEETING 46.75
UTILITY DEPOSIT-MARK MONNIER 100.00
WATER/SEWER COMMUNITY CENTER 64.89
RADIO HARNESS, HELMET-FIRE 463.40
2ND HALF FY 23-24 3,026.50
FED/FICA TAX 2,477.30
RADIO READ METER-WATER TOWER 15,750.00
MICROPHONE, CHARGER, HAND HELD 812.50
NEW WELL/HOUSING PAYMENT 35,728.25
2ND HALF FY 23-24 2,200.00
WATER/SEWER BILLS 141.51
PHONE/INTERNET 276.11
PEST CONTROL 99.36
POLY TUFF-FIRE DEPT. 582.01
REPAIR WATER VALVE/LAGOON PIPE 8,914.38
IPERS - REGULAR 1,418.68
GENERAC ANNUAL RENEWAL LIFTSTATION 296.96
JOHN DEERE LEASE 503.58
MOWER PARTS 719.48
TIRE REPAIR-BACK HOE 35.00
GAS/ELECTRIC 2,324.34
PUBLISHING LEGALS 308.91
SERVICE-BREATHING AIR COMPRESS 432.28
RADIO-FIRE DEPARTMENT 4,340.66
SPRING CLEAN UP 2024 2,548.60
MAINT. WATERMAIN VALVES/LAGOON PIPE 8,468.75
CITY HALL/FIRE SUPPLIES 176.67
BROADLEAF-SCHOOL PARK/COMM.CENTER 350.25
LEGAL EXPENSE 1,122.00
GARBAGE MAY 55.00
WATER EXCISE TAX MAY 2024 1,000.43
DOLLIES CHAIRS-COMMUNITY CTR 1,194.78
SIM CARD-WATER 40.01
GAS/DIESEL 711.28
9,588.65
167,412.55

AMOUNT

EXPENSES
GENERAL 53,215.26
FIRE DEPT. 11,169.03
ROAD USE TAX 5,918.72
EMPLOYEE BENEFITS 2,454.98
DEBT SERVICE 20,364.40
COMM. CENTER 1,194.78
WATER 64,098.71
SEWER 8,996.67
TOTAL 167,412.55

REVENUE

GENERAL 30,419.14
CORN LP 4,167.00
FIRE DEPT. 27.70
ROAD USE TAX 7,220.04
EMPLOYEE BENEFITS 2,195.97
EMERGENCY FUND 766.82
LOCAL OPTION TAX 7,808.80
DEBT SERVICE 4,524.42
WATER 17,581.81
SEWER 11,494.97
TOTAL 86,206.67

Police Chief Ray Beltran discussed the May dispatch report.
Council discussed the school sale and getting items priced.

Motion by Petersen, second Crees to approve the 2nd reading of Ordinance #185, Water Deposit Increase for Renters. Roll Call Vote: Ayes: Crees, Meinke, Duncalf, Petersen. Motion by Petersen, second Meinke to waive the third reading of Ordinance #185, Water Deposit Increase for Renters. Roll Call Vote: Ayes: Crees, Meinke, Duncalf, Petersen. Nays: None. Absent Schermer. Motions Carried.

ORDINANCE NO. 185

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF GOLDFIELD, IOWA, BY AMENDING PROVISIONS RELATING TO CUSTOMER GUARANTEE DEPOSITS FOR WATER RATES AND SEWER RATES.

BE ENACTED BY THE CITY COUNCIL OF THE CITY OF GOLDFIELD, IOWA:
SECTION 1: Section 33.6 of Chapter 33 UTILITIES – BILLING CHARGES, of the Code of Ordinances for the City of Goldfield, Iowa (2014) is repealed and the following section is adopted in lieu thereof:
33.6 CUSTOMER GUARANTEE DEPOSITS . Customer deposits shall be required of all customers who are tenants and of those customers who have a prior record of failure to pay water bills when due. A deposit of three hundred (\$300.00) dollars shall be required from all tenants. A deposit of two hundred (\$200.00) shall be required from all customers who have had water disconnected for non-payment. Deposits must be paid prior to new connection for service or continuation of service after shut off due to non-payment.

SECTION 2: SEVERABILITY. If any section, provision or part thereof of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in effect immediately after its adoption and publication as provided by law.

ADOPTED BY THE GOLDFIELD, IOWA, CITY COUNCIL ON THE 10 th DAY OF JUNE, 2024.

Gabe Fiscus, Mayor Kathy Nelson, City Clerk

A quote for acoustic panels for the community center was reviewed. It was determined that we would pass on the quote and look into other sources to purchase. Will have more information for the July's meeting.
Resolution 780 Employee Salaries was tabled for employee reviews. Will review at the July meeting.
Motion by Petersen, second Crees to approve Council pay January 2024-June 2024. All ayes. Motion carried. Absent Schermer.

Reminder July 1 st there will be a 6% increase on water/sewer bills.
City Hall will be closed June 24 th -26 th . Clerk attending classes in Ames.

Motion by Crees, second Meinke to adjourn at 8:04 p.m.

Kathy Nelson, City Clerk Gabe Fiscus, Mayor

Published in the Eagle Grove Eagle on Thursday, June 20, 2024

SHERIFF'S SALE
EQCV025103

Notice of Sheriff's Levy and Sale
IN THE IOWA DISTRICT COURT
FOR WRIGHT COUNTY

STATE OF IOWA
WRIGHT COUNTY

Docket No. (Sale No.) 24-0401 (1)
Court No. EQCV025103

SPECIAL EXECUTION

PLAINTIFF: JPMORGAN CHASE BANK, NATIONAL ASSOCIATION VS.

DEFENDANT: KATE S. PORTER A/K/A KATE PORTER; STEVE PORTER; AND PARTIES IN POSSESSION - IN REM

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) rights, title, and interest in Real Estate Property to satisfy the judgment. The property to be sold is:

LOT 4, EXCEPT THE NORTH 4 FEET OF THE EAST 60 FEET IN BLOCK 4, AND A TRACT OF LAND ADJOINING SAME ON THE EAST, LOCATED AND BOUNDED AS FOLLOWS: BEGINNING AT A POINT 4 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 4, THENCE EAST 10 FEET, THENCE SOUTH 66 FEET,

THENCE WEST 10 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 4, THENCE NORTH 66 FEET TO THE PLACE OF BEGINNING, IN BLOCK 4, HEWETT'S SECOND ADDITION TO EAGLE GROVE, WRIGHT COUNTY, IOWA Street Address 112 N WESTERN AVE, EAGLE GROVE, IOWA 50533
The described property will be offered for sale at public auction for cash only as follows:
Date of Sale 08/06/2024
Time of Sale 10:00 AM
Place of Sale WRIGHT COUNTY SHERIFF'S OFFICE
719 2ND ST SW
CLARION, IA 50525

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 applicable.
Judgment Amt \$66,312.82
Costs \$255.00
Accruing Costs \$9,915.99
Interest 3.25% of \$62,814.32 TO AND FROM 10/20/2022 = \$9894.04
Attorney SOUTHLAW (515) 223-7325
Date 06/07/2024
Sheriff Jason Schluttenhofer
Deputy BRENDA MAJERUS

Published in the Eagle Grove Eagle on Thursday, June 20 & 27, 2024

PUBLIC HEARING
NOTICE

Public Hearing for Wright
County Board of Adjustments
June 24th, 5:00Pm at the
Wright County Engineers Office
416 5 th Ave. SW

A request from Distributed Data LLC to place a cryptocurrency data center Southwest of Eagle Grove in section 7 of Troy township. This area is zoned agricultural and Distributed Data LLC is requesting a variance. The Wright County Board of Adjustment will meet to consider a special Exemption for this request. Written comments must be received by June 24 th . 5:00pm. Please mail to Wright County Planning and Zoning 416 5 th Ave. SW, Clarion IA. 50525

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