

REPORTING FROM THE CERRO GORDO COUNTY COURTHOUSE

PUBLIC NOTICE  
Cerro Gordo County

NOTICE OF HEARING OF ANNEXATION TO JOINT DRAINAGE DISTRICT NO. 13-128 HANCOCK & CERRO GORDO COUNTIES, IOWA

TO: Terry C. & Debby J. Baxter, Carrol W. Boehnke, David P. Boehnke, Lewis H. & Judy Ann Boehnke, Corn Belt Power Coop, Davison Family Farm, Inc., Wendell R. & Brenda S. Davison, Thomas C. & Elaine C. Deibler, Evergreen Acres Investments, LLC – Designated

Series Hancock 2, Faith Lutheran Church, Arlene B. Greiman, George & Nina Greiman, Janan M. Griggs Revocable Trust, Dawn R. Hagen, Irving J. Hall & Lois J. Hall Trust Under Agreement, Larson Rentals, LLC, Shane D. & Jennifer L. Malek, Ronna Myers, Lora Ward, David L. & Susan L. Nagle, Ryan Nedved, Patchabob Farms, LLC, Prairie Energy Cooperative, Prairie Energy Development, LC, Rick K. Prohaska, Nichole L. Rootkie, George J. Schmidt, Tracy & Connie Schroeder

Revocable Trust, Shells by Design, LLC, Stellar Industries, Inc., Linda J. Webner, Patsy F. Bell, Robert F. & Mavis E. Whelan, Robert White, Mary Esta Miller, Meredith D. Miller, Douglas W. Rose, City of Garner, owners owning lands described below which are the subject matter of this annexation procedure, lien holders of record, and actual occupants of said lands and to all other persons whom it may concern. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the Joint

Board of Supervisors have appointed Kent L. Rode, P.E., a qualified engineer, to examine such additional lands, to make a survey and plat thereof showing the relation, elevation and condition of drainage with reference to Joint Drainage District No. 13-128 and to make and file with the County Auditor's report as provided by law. Said report to specify the character of benefits received. Said report provides as follows:

PARCELS RECOMMENDED FOR ANNEXATION JOINT DRAINAGE DISTRICT NO. 13-128 HANCOCK & CERRO GORDO COUNTIES, IOWA

Hancock County Deedholder(s)	Parcel Number	Sec-Twp-Rng	Legal Description	Benefited Acres
BAXTER, TERRY C & DEBBY J	0126476000	26-97-23	S 340' OF E 557' SE SE 26 97 23	0.46
BOEHNKE, CARROL W	0815276000	15-96-23	SE NW 15 96 23	2.37
BOEHNKE, DAVID P	0136176000	36-97-23	SE NE 36 97 23	0.55
CORN BELT POWER COOP	0136252000	36-97-23	POWER SUB STATION 1 A SW COR NW 36 97 23	1.00
DAVISON FAMILY FARM, INC	0128151000	28-97-23	SW NE 28 97 23	31.84
DAVISON, WENDELL R & BRENDA S	0127101000	27-97-23	NE NE 27 97 23	13.50
DAVISON, WENDELL R & BRENDA S	0127127000	27-97-23	NW NE EXC TRS 27 97 23	5.34
DEIBLER, THOMAS C & ELAINE C	0815126000	15-96-23	TR IN NW NE 15 96 23	2.40
EVERGREEN ACRES INVESTMENTS, LLC-DESIGNATED SERIES HANCOCK 2	0133451000	33-97-23	SW SE 33 97 23	4.80
EVERGREEN ACRES INVESTMENTS, LLC-DESIGNATED SERIES HANCOCK 2	0133476000	33-97-23	SE SE EXC TR 33 97 23	2.89
FAITH LUTHERAN CHURCH	0134477000	34-97-23	TR 12' X 660' FOR ROAD ALONG E SIDE SE SE 34 97 23	0.18
FAITH LUTHERAN CHURCH	0135352000	35-97-23	TR FOR ROAD & CEMETERY SW SW 35 97 23	2.00
GREIMAN, ARLENE B	2150300082	30-96-23	30-96-23 TR 690' X 610' IN NE NE W OF RD EXC TRACTS 30 96 23	1.04
GREIMAN, GEORGE & NINA JTRS	2150300081	30-96-23	30-96-23 PARCEL 1A NE NE W OF RD 30 96 23	0.51
GRIGGS, JANAN M REVOC TRUST	0128301000	28-97-23	NE SW 28 97 23	5.31
HAGEN, DAWN R	0127126000	27-97-23	TR IN W1/2 NE 27 97 23	4.55
HALL, IRVING J & LOIS J TRUST UNDER AGREEMENT	0803102000	03-96-23	W 100' NE NE 03 96 23	2.69
LARSON RENTALS, LLC	2133000020	30-96-23	TOUCHSTONE ENERGY PRK LOT 2 EXC E 12' 30 96 23	1.10
MALEK, SHANE D & JENNIFER L	0818404000	18-96-23	E 291' OF S 300' OF E 466.71' TR NE SE 18 96 23	1.72
MALEK, SHANE D & JENNIFER L JTRS	0818403000	18-96-23	S 300' OF E 466.71' EXC E 291' NE SE 18 96 23	1.21
MYERS, RONNA & WARD, LORA	0807401000	07-96-23	N 1/2 SE E OF RR 07 96 23	5.17
MYERS, RONNA & WARD, LORA	0818101001	18-96-23	NE NE EXC PARCEL B 18 96 23	31.07
MYERS, RONNA & WARD, LORA	0818176001	18-96-23	SE NE E OF RR EXC PARCEL B 18 96 23	24.99
MYERS, RONNA & WARD, LORA	0818401000	18-96-23	N 1/2 SE E OF RR EXC TRS 18 96 23	13.22
NAGLE, DAVID L & SUSAN L	0804201000	04-96-23	NE NW 04 96 23	18.91
NAGLE, DAVID L & SUSAN L	0804226000	04-96-23	NW NW 04 96 23	0.20
NEDVED, RYAN	0133477000	33-97-23	IRREG TR IN SE SE 33 97 23	2.85
PATCHABOB FARMS, LLC	0135377000	35-97-23	TR SE COR SE SW 35 97 23	0.27
PRAIRIE ENERGY COOPERATIVE	2133000050	19-96-23	TOUCHSTONE ENERGY PRK LOT 5 EXC E 12' 19 96 23	0.87
PRAIRIE ENERGY DEVELOPMENT, LC	2133000060	19-96-23	TOUCHSTONE ENERGY PRK LOT 6 EXC E 12' 19 96 23	0.34
PROHASKA, RICK K	0808227000	08-96-23	S 15 RDS NW NW EXC W 733.65' 08 96 23	0.25
PROHASKA, RICK K	0818351000	18-96-23	SW EXC S 20 A & EXC PT W OF DD & EXC N 40 A E OF DD 18 96 23	5.13
ROOTKIE, NICHOLE L	0816226000	16-96-23	PARCEL A N1/2 NW 16 96 23	2.91
SCHMIDT, GEORGE J	0724176000	24-96-24	SE NE 24 96 24	1.55
SCHROEDER, TRACY & CONNIE REVOCABLE TRUST	0128276000	28-97-23	SE NW 28 97 23	1.69
SHELLS BY DESIGN, LLC	2133000040	19-96-23	TOUCHSTONE ENERGY PRK LOT 4 EXC E 12'	1.88
STELLAR INDUSTRIES, INC	2133000030	30-96-23	TOUCHSTONE ENERGY PRK LOT 3 EXC E 12' 30 96 23	1.42
WEBNER, LINDA J & BELL, PATSY F	0819226000	19-96-23	NW NW 19 96 23	32.63
WHELAN, ROBERT F & MAVIS E JTRS	2150300073	30-96-23	30-96-23 PARCEL 1B IN NW NE	0.25
WHITE, ROBERT ETAL	0126226000	26-97-23	NW NW 26 97 23	1.94
GARNER CITY STREETS				2.53

Total Recommended Hancock County Annexation Area 235.53 Ac

YOU ARE FURTHER NOTIFIED that said report has been filed with the County Auditor of Hancock County, and Cerro Gordo County, Iowa, and the Boards of Supervisors have set the time and place of hearing on said report for April 12, 2021 at 11:00 a.m. at the Basement Meeting Room, Hancock County Law Enforcement Center, 875 State Street, Garner, Iowa. Additionally, the meeting will be held online using go to meeting link: <https://global.gotomeeting.com/join/285737349> or by calling: 1 (646) 749-3122 and using access code: 285-737-349.

At said hearing, the Joint Board of Supervisors shall consider such report, plats and profiles and if satisfied that any of such lands are materially benefited by the district and that such annexation is feasible, expedient, and for the public good, it shall proceed to annex said lands to Joint Drainage District No. 13-128

as provided by law.

YOU ARE FURTHER NOTIFIED that all objections to the proposed annexation of said lands and any claim for damages must be in writing and filed with the County Auditor of Hancock County or Cerro Gordo County at or before the time set for hearing.

YOU ARE FURTHER NOTIFIED that at such hearing, the Joint Board may hear evidence both for and against the approval of the report or any portion thereof, but it shall not be competent to show that any of the land in the district assessed for benefits will not be benefited by such repairs or improvements to some degree. Any interested party may be heard in argument by himself or counsel.

If Landowners have private tile maps that display water being tiled into or out of the watershed as depicted in the Engineer's Report, they

are asked to provide these maps to the Engineer before the time set for hearing so that the impact of such maps can be determined.

YOU ARE FURTHER NOTIFIED that if you fail to object, the Joint Board of Supervisors can make a final decision to make repairs and/or improvements of Joint Drainage District No. 13-128, 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 Joint Board of Supervisors of Hancock & Cerro Gordo Counties, Iowa, acting as Trustees of Joint Drainage District No. 13-128. At the time fixed for hearing, the Joint Board shall examine said report and may hear evidence

thereon, both for and against the annexation of said lands to said district. For further particulars, you are referred to the Engineer's Report of Annexation which is on file at the County Auditor's Office of Hancock County & Cerro Gordo County, Iowa.

Dated this 22nd day of February, 2021, at Garner, Iowa.

By order of the Joint Board of Supervisors of Hancock & Cerro Gordo Counties, Iowa.

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

Published in the Mirror-Reporter on March 17, 2021.



**PUBLIC NOTICE**

**Cerro Gordo County Board of Supervisors (continued from page 6B)**

(Cust) (Minor)  
Under Iowa Uniform Transfers to Minors Act (State)

ADDITIONAL ABBREVIATIONS MAY ALSO BE USED THOUGH NOT IN THE ABOVE LIST (End of form of Note)

Section 13. Loan Agreement and Closing Documents. The form of Loan Agreement in substantially the form attached to this Resolution is hereby approved and is authorized to be executed and issued on behalf of the issuer by the Chairperson and attested by the County Auditor. The Chairperson and County Auditor are authorized and directed to execute, attest, seal and deliver for and on behalf of the County any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 14. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said County and the purchaser of the Notes.

Section 15. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Notes issued hereunder which will cause any of the Notes to be classified as arbitrage notes within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Notes it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Notes will be used in a manner that would cause the Notes to be arbitrage notes.

Section 16. Approval of Tax Exemption Certificate. Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Notes. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The County Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Notes to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 17. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Notes from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Notes; (c) consult with Bond Counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Notes; (e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 18. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Notes if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Notes under applicable Federal law or regulations.

Section 19. Qualified Tax-Exempt Obligations. For the sole purpose of qualifying the Notes as "Qualified Tax-Exempt Obligations" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of the United States, as amended, the Notes are deemed designated and may be treated as designated pursuant to Internal Revenue Code Section 265(b)(3)(B)(ii) and (iii) to the extent the amount of the Notes does not exceed the outstanding amount of the Refunded Bonds (\$4,520,000) previously designated under Sec-

tion 265(b)(3)(B), the average maturity date of the Notes is not later than the average maturity date of the Refunded Bonds, and the Notes will finally mature not later than 30 years after the date the original qualified tax-exempt obligation was issued. The Issuer further represents that the Notes are issued to refund (other than to advance refund within the meaning of Section 149(d)(5) of the Internal Revenue Codes of 1986, as amended) the Refunded Bonds. Finally the aggregate face amount of the Notes does not exceed Ten (10) Million Dollars. For the sole purpose of qualifying the remainder of the Notes (\$53,000) as "Qualified Tax Exempt Obligations" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of the United States, as amended, the Issuer hereby designates the Notes as qualified tax-exempt obligations and represents that the reasonably anticipated amount of tax-exempt governmental and qualified 501(c)(3) obligations which will be issued during the current calendar year will not exceed Ten (10) Million Dollars.

Section 20. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 21. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

Motion passed unanimously. Watts moved with Latham seconding, to approve the Loan Agreement, Delivery Certificate, and Transcript Certificate, and authorize the Chair to sign. Motion passed unanimously.

Latham moved with Watts seconding, to approve dock permit 61P. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-40, CODE OF CONDUCT PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 24 CFR; Part 85 (85.36(b)(3)) and other applicable federal and state standards, regulations, and laws.

APPLICATION This Code of Conduct applies to all officers, employees, or agents of Cerro Gordo County, Iowa engaged in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS No employee, officer, or agent of Cerro Gordo County, IA shall participate in the selection, award or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His or her partner; or
- d. An organization which employs, or is about to employ one of the above;

has a financial or other interest in the firm selected for award. Cerro Gordo County officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

REMEDIES To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against Cerro Gordo County's officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents. Motion passed unanimously.

Latham moved with Watts seconding, to approve Resolution 2021-41, WHEREAS, it is the policy of Cerro Gordo County to provide equal opportunity to all employees, applicants, and program beneficiaries; to provide equal opportunity for advancement of employees; to provide program and employment facilities which are accessible to the handicapped and to administer its programs in a manner that does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation, and WHEREAS, the Board of Supervisors has ultimate responsibility for the overall administration of the affirmative action/equal opportunity program. The total integration of equal opportunity into all parts of personnel and program management is the Administrative Services Office responsibility. The Administrative Services Office will

review all policies and procedures as they affect equal opportunity and affirmative action and ensure compliance with relevant federal and state statutes; and, WHEREAS, the right of appeal and recourse is guaranteed by Cerro Gordo County. Any person who feels that he or she has been denied employment, participation, representation, or services in any program administered by Cerro Gordo County because of race, creed, color, religion, sex, national origin, age, disability, political affiliation, sexual orientation or citizenship has the right to file an equal opportunity complaint. Information and assistance relative to equal opportunity complaints shall be provided by the Administrative Services Office, who can be contacted at the Cerro Gordo County Courthouse, 220 N Washington Avenue, Mason City, IA 50401 (641)421-3075; and, WHEREAS, this Equal Opportunity Policy of Cerro Gordo County shall be posted in conspicuous places within the County Courthouse, distributed to all employees, contractors, and to the persons of all advisory and policy-making groups. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-42, WHEREAS, Cerro Gordo County has received federal funding through the Community Development Block Grant (CDBG) program; and, WHEREAS, Section 519 of the Department of Veteran Affairs and U.S. Department of Housing and Urban Development, and Independent Agencies Appropriations Act of 1990 requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient's jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and, WHEREAS, all recipients of CDBG funds are further required to follow a policy of enforcing applicable state and local laws against physically barring entrances or exits to a facility that is the subject of a non-violent protest demonstration; and, WHEREAS, Cerro Gordo County endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its jurisdiction of this policy, NOW, THEREFORE, BE IT RESOLVED, Cerro Gordo County hereby prohibits any law enforcement agency operating within its jurisdiction from using excessive force against any individuals engaged in nonviolent civil rights demonstrations. In addition, Cerro Gordo County agrees to enforce any applicable state or local laws against physically barring entrances or exits from a facility or location that is the subject of a non-violent protest demonstration. Cerro Gordo County further pledges enforcement of this policy within its jurisdiction and encourages any individual or group who feels that Cerro Gordo County has not complied with this policy to file a complaint. Information and assistance relative to excessive force complaints shall be provided by the Administrative Services Office, (641) 421-3075. Motion passed unanimously.

Latham moved with Watts seconding, to authorize the Chair to sign Residential Anti-Displacement and Relocation Assistance Plan. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-43, PROCUREMENT POLICY: PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

APPLICATION This policy applies to the procurement of all supplies, equipment, construction, and services of and for Cerro Gordo County related to the implementation and administration of the CDBG award. All procurement will be done in accordance with 24 CFR; Part 200 and Appendix II to part 200.

POLICY GENERAL PROCUREMENT PRACTICES Cerro Gordo County will adhere to the following general procurement practices: document procurement standards; maintain oversight of contractors to ensure performance in accord with standards; avoid acquisition of unnecessary or duplicative items; encourage procurement or use of shared goods and services; use Federal excess and surplus property when feasible; encourage value-engineering clauses in construction contracts;

award contracts only to responsible contractors; limit use of time and materials contracting; and use good administrative judgement to settle all contractual and administrative issues.

COMPETITION Cerro Gordo County will provide full and open competition; prohibit use of state or local geographical preferences; develop written procedures for procurement transaction to ensure competition is not restricted; and ensure that pre-qualified lists are current.

METHODS OF PROCUREMENT Procurement under grants shall be made by one of the following methods, as described herein: (a) micro-purchase; (b) small purchase procedures; (c) sealed bids (formal advertising); (d) competitive proposals; (e) noncompetitive proposals.

A. Micro-purchase includes the acquisition of supplies or services that do not exceed \$3,000 (or \$2,000 for acquisitions for construction subject to Davis-Bacon Act)

B. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$150,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations (minimum of 2) shall be obtained from an adequate number of qualified sources.

C. In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction.

1. In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:

- a. A complete, adequate and realistic specification or purchase description is available.
- b. Two or more responsible bidders are willing and able to compete effectively for the Cerro Gordo County's business; and
- c. The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.

2. When sealed bids are used for a procurement under a grant, the following apply:

- a. A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers.
- b. The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.
- c. All bids shall be opened publicly at the time and place stated in the invitation for bids.
- d. A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of Cerro Gordo County indicates that such discounts are generally taken.
- e. Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.

D. Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant, the following requirements apply:

- 1. Requests for Proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical.
- 2. Requests for Proposals shall be solicited from an adequate number of qualified sources.
- 3. Cerro Gordo County shall have a method for conducting evaluation of the proposals received and for selecting awardees.
- 4. Awards will be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price (other than architectural/engineering) and

other factors considered. Unsuccessful offerors will be promptly notified in writing.

5. Cerro Gordo County should use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor's qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It cannot be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort.

E. Noncompetitive proposals is procurement through solicitation of a proposal from only one course, or after solicitation from a number of sources, competition is determined inadequate. Noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:

- 1. The item is available from only a single source;
- 2. After solicitation of a number of sources, competition is determined inadequate;
- 3. A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and
- 4. The awarding agency (IEDA) authorizes noncompetitive proposals. (Sole source procurement for supplies, equipment, construction, and services valued at \$25,000 or more must have prior approval of the Iowa Economic Development Authority).

F. Cerro Gordo County will provide, to the greatest extent possible, that contracts be awarded to qualified small and minority firms, women business enterprises, and labor surplus area firms whenever they are potential sources.

G. Any other method of procurement must have prior approval of the Iowa Economic Development Authority.

RECYCLED MATERIALS Cerro Gordo County will procure items with the highest percentage of recycled materials practical.

CONTRACT PRICING A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.

B. Cerro Gordo County shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders.

PROCUREMENT RECORDS Cerro Gordo County shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. Cerro Gordo County shall make technical specifications and procurement documents available for review upon request.

BONDING REQUIREMENTS Bonding requirements for construction or facility improvement contracts must meet the federal minimum requirements or receive a determination that the federal interest is protected. Motion passed unanimously.

Latham moved with Watts seconding, to approve Civil Rights-Fair Housing-Equal Opportunity Applicable Laws and Regulations that apply when using Federal CDBG Money. Motion passed unanimously.

Latham moved with Watts seconding, to approve the report from the Zoning Director and the Environmental Health Service Manager concerning Manure Management Plan Updates for EJ Pork- Sheldon's Site (site #58266) and C.B. Neel & Sons (site #63839) and forward to the DNR. Motion passed unanimously.

Latham moved with Watts seconding, to adjourn at 10:18 a.m. Motion passed unanimously.

Various tabulations, reports, correspondence and other documents that were presented at today's meeting are placed on file with the supplemental minutes.

Chairman Casey Callanan  
Board of Supervisors  
ATTEST:  
Ada Westmore, Auditor  
Cerro Gordo County  
CLAIMS  
Ahlers & Cooney PC, legal.....  
1,363.50 1  
Blanchard Properties, rent.....

.....	450.00	1
CDW Government, Inc., IT Hardware .....	352.09	1
City of Mason City, utilities.....		
.....	179.71	1
Clear Lake Ind Telep, telephone.....		
.....	856.56	1
First National Bank, software.....		
.....	31.79	1
First National Bank, supplies.....		
.....	114.75	2
First National Bank, telephone.....		
.....	80.02	1
First National Bank, utilities.....		
.....	38.80	1
GreatAmerica Financi, repair.....		
.....	167.68	1
Huber Supply Co Inc, med equip....		
.....	22.95	1
Iowa State Associati, training.....		
.....	300.00	1
Larson Printing Comp, supplies.....		
.....	191.40	1
Legler, Ann Marie, supplies.....		
.....	16.88	1
Marco Inc, Lease - Office Equipm.....	1,609.81	1
Mason City Public Ut, utilities.....		
.....	377.83	1
Meyer, Tomas, dues.....	215.00	1
Midwest AcuTech LLC, data line.....		
.....	420.00	1
North Iowa Media Gro, publication ..		
.....	514.75	1
North Iowa Media Gro, serve notice ..		
.....	160.83	1
Office Elements, supplies.....	9.74	1
Olmsted Co Sheriff's, serve notice ..		
.....	100.00	1
Omnitel Communicatio, telephone ..		
.....	575.08	1
One Vision, custodial.....	29.87	1
Rockwell Coop Teleph, telephone ..		
.....	373.70	1
Schneider Geospatial, map maint ..		
.....	3,765.00	1
Schneider Geospatial, online info....		
.....	2,745.00	1
Shipman Gutters LLC, freight.....		
.....	100.00	1
Shred Right, printing.....	37.22	1
Staples Business Cre, supplies.....		
.....	261.64	1
Thornton Public Libr, contribution...		
.....	4,210.75	1
Tierney Main Street, rent.....		
.....	3,300.00	1
United Parcel Serv, mailing.....		
.....	24.78	1
US Cellular, telephone.....	734.14	2
Vanguard Appraisals, appraisal.....		
.....	3,087.50	1
Verizon Wireless, telephone.....		
.....	287.40	2
VISA, advertising.....	400.20	1
VISA, dues.....	589.00	1
VISA, equip.....	674.08	1
VISA, food/provisions ..	1,108.33	1
VISA, freight.....	250.00	1
VISA, legal.....	16.04	1
VISA, mailing.....	269.25	1
VISA, paint.....	97.26	1
VISA, public ed.....	99.50	1
VISA, software.....	453.99	1
VISA, supplies.....	476.11	2
VISA, training.....	89.00	1
Walmart Community, food/provisions.....	48.08	1
Webster County Sheri, legal.....		
.....	24.00	1
Wellmark Blue Cross, purch serv ...		
.....	55,500.00	1
West Payment Center, data proc.....		
.....	292.02	1
WEX Bank, fuels.....	5,731.69	2
GRAND TOTAL: .....	93,224.72	

Published in the Mirror-Reporter on March 17, 2021.

**PUBLIC NOTICE**  
**Cerro Gordo County**

**NOTICE OF RECLASSIFICATION**  
**JOINT DRAINAGE DISTRICT**  
**NO. 13-128**  
**HANCOCK AND CERRO GORDO COUNTIES, IOWA**

To: Dale R. Anderson, Robert N. Anderson, Jr., Ross D. Anderson, Justin M. & Dacia R. Asche, Jeremy & Madison Ashland, Gary G. Bachman, Vera Bachman & Vera Bachman Life Estate, Edwin F. & Carol A. Barker, Daniel C. & Elizabeth V. L. Baxter, Schmidt Family Irrevocable Trust, Terry C. & Debby J. Baxter, Robert Black, Boehnke Farms, Inc., Carrol W. Boehnke, Dale W. & Annette C. Boehnke, Daniel P. & Susan M. Boehnke, David P. Boehnke, Mark A. & Roseann L. Boehnke, Lewis H. & Judy Ann Boehnke, Dolores Boehnke Trust, Edna Boehnke, Karen R. Boehnke & Robert A. Boehnke Trust, Mark A. Boehnke & Roseann L. Boehnke Revocable Trust, Phillip C. & Sharon S. Boehnke, Phillip L. & Carole D. Boehnke, Thomas E. (Tom) & Janet J. Boehnke, Ronald L. & Brenda G. Bogle, Dwight C. Bovenmyer Family Trust, Vivian R. Bovenmyer, LaVonne A. Brager Revocable Trust, BRBR, LLP, Ruth & Carl Chiko, City of Garner, Corn Belt Power Coop, D S P, LC, Davison Family Farm, Inc., Wendell R. & Brenda S. Davison, Willis R. & Jane G. Davison, Robert & Diane Deibler, Thomas C. & Elaine C. Deibler, Dana M. DeLong, Cynthia K. Dvorak, Jeffrey D. Meyer, Richard D. Meyer, Jan S. Eichers Separate Property Revocable Living Trust, Carole Engstler, Evergreen Acres Investments, LLC—Designated Series Hancock 2, Evergreen Acres Investments, LLC—Designated Series Hancock 3, Faith Lutheran Church, Bradley & Sherrie Fandel, Roger D. Furness, Dorian D. Goll, Heather L. & Bryan L. Gorder, Arlene B. Greiman, Evelyn Greiman, Daniel D. Greiman, Keith A. Greiman, Kevin L. Greiman, George & Nina Greiman, Janan M. Griggs Life Estate, Janan M. Griggs Revocable Trust, Terry J. Grimm & Julie K. Meyering, William D. (Bill D.) & Patricia K. Haes, Dawn R. Hagen, Irving J. Hall & Lois J. Hall Trust Under Agreement, Steven C. Hall, Hancock County Roads, Daniel M. Harris & Sara J. Phillips, Douglas S. & Jaci L. Hayes, Ronald E. & Rose A. Hejna, Patty L. Hestad, Hollatz Family Trust, Brian J. Hollatz, Jonathan L. & Elizabeth H. Hollatz, Michael R. & Dee Etta Hollatz, Sharon L. Hollatz, Kent J. & Karen E. Hueneman, Mark N. & Carol Ann Juhl, John P. & Sheryll Klesel, Michael R. & Traci Klesel, LaNita E. Knutson Life Estate, Jimmy Richard Kozisek Revocable Living Trust, Laddie R. Kozisek III, Wayne & Beverly A. Kozisek, Jerry & Barbara Kropp, Manlian Sophia Kuan Living Trust, Larson Rentals, LLC, Gary & Sally Litterer, Seth A. Malek, Shane D. & Jennifer L. Malek, Beverly D. Marshall, Gary McCabe, Maurice E. McCabe Testamentary Trust, Maxine K. McCabe, Ronald McCabe, Jeffrey D. Meyer, Linda K. Mishak, Daniel B. & June E. Muff, Ronna Myers & Lora Ward, David L. & Susan L. Nagle, Ryan Nedved, North Central Iowa Rail Corridor, Northern Natural Gas Company, Marvin Nygaard Revocable Trust & Celia Nygaard Revocable Trust, R. Scott Ollenburg, Billy L. & Janell Olson, Russell John Olson, Chris E. Papousek, Charles John Papousek, Cindy A. Papousek, Patchabob Farms, LLC, Gwendolyn & Eldon Pearson, Michael K. & Bonnie J. Pergande, Prairie Energy Cooperative, Prairie Energy Development, LC, Mary Marlene Prohaska, Rick K. Prohaska, Grant J. Pueggel, Harold H. & Carol A. Pueggel Life Estate, Mark Pueggel, Marlys P. Pueggel Revocable Trust Agreement, Thomas H. Pueggel Trust & Julie A. Pueggel Trust, Ardean Rasmussen, Ardean Rasmussen Life Estate, Lynn Marie Stanley, Redstem Trust, Dave Roenfanz, LLC, Thomas C. & Ruth A. Roenfanz, Nicholas L. Rootkie, George J. Schmidt, Jeffery P. & Diane L. Schmidt, Schroeder Family Trust, Aeris Younge, Marcus Younge, Chadwick Younge, Tracy & Connie Schroeder Revocable Trust, Shells By Design, LLC, St. John's Lutheran Church, Stellar Industries, Inc., Robert R. Tusler, Allen D. & Jeanette E. Upmeyer, Dale C. & Linda R. Upmeyer Revocable Living Trust, Kathryn A. Upmeyer, Nicholas D. & Kimberly K. Upmeyer, Urban Farmers, LLC, Weather Data Services, Inc., Linda J. Webner,

Patsy F. Bell, Whamo, LLC, Robert F. & Mavis E. Whelan, Robert White, Mary Esta Miller, Meredith D. Miller, Douglas W. Rose, Roger A. & Debra K. Winter, David & Rebecca Ziesmer, Ausborn, Terry & Susan, Boehnke, Armand & Marjule; Boehnke, Doris Jean; Boehnke, Walter; Brager, Adelaide; Brager, Lavonne; Brager, Rahn; Ayers, Cristine; Johnson, Randy; Prescott, Larry & Carol; Price, Janann; Pueggel, Harold & Carol; Pueggel, Mark & Courtney; Ransom, Francis Keith & June; Thomas & Janet Boehnke Rev Living Trust; Ward, Barbara; Cerro Gordo County Secondary Roads; including all owners, encumbrancers, lien holders, unknown heirs and claimants by will, and to all others to whom it may concern, including actual occupants of all the lands within Joint Drainage District No. 13-128, Hancock and Cerro Gordo Counties, Iowa.

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the Joint Board of Supervisors of Hancock & Cerro Gordo Counties, Iowa, acting as Trustees for Joint Drainage District No. 13-128, appointed a Classification Commission, as provided by law, for the reclassification of Joint Drainage District No. 13-128, Hancock & Cerro Gordo Counties, Iowa. The classification commission has filed its report with the Hancock County Auditor, 855 State Street, Garner, Iowa. The report fixes the percentage of actual benefits and makes an equitable apportionment of costs and expenses of the repairs or improvements required in this District.

RECLASSIFICATION is shown in the Commissioners' Report on Reclassification of benefits for each of the 40-acre tracts or other tracts in Joint Drainage District No. 13-128. All schedules are set out in full here-in below.

**COMMISSIONERS' REPORT**  
**RECLASSIFICATION OF BENEFITS**  
**JOINT DRAINAGE DISTRICT**  
**NO. 13-128**  
**HANCOCK & CERRO GORDO COUNTIES, IA**  
**2021**

We, Brent Renner, Kevin Pope, and Kent L. Rode, P.E., having previously filed oath, depose, and say that we are the commissioners duly appointed to reclassify lands within the boundaries of Joint Drainage District No. 13-128 Hancock and Cerro Gordo Counties, Iowa. Pursuant to said appointment, we have examined the Joint Drainage District's records, as recorded by the Hancock County and Cerro Gordo County Auditors, to establish the original intended assessment boundary of this District. Any lands previously not recorded within the boundary of this District but have been found to be receiving benefits from the facilities of this District, were annexed into the District. We have examined each quarter-quarter section or smaller tract of land and have classified each of these parcels. The percentage of benefit each parcel derives from the District's drainage facilities has been determined. There are the DD 13 & 128 Open Ditch, Lateral 1, Lateral 2, Lateral 3, Lateral 3A, Lateral 3B, Lateral 3C, Lateral 3D, Lateral 4, Lateral 4A, Lateral 5 Open Ditch, Lateral 5 Main Tile, Lateral 6, Lateral 6A, Lateral 6B, Lateral 7A Open Ditch, Lateral 7B Open Ditch, Branch 2, Lateral 8 schedules.

The Main Open Ditch, Lateral 7A Open Ditch, and Lateral 7B Open Ditch schedules apportion costs related to facility repairs that were part of the 2020 Main Open Ditch and Lateral 7 Repair Project. The costs are divided to the lands in the district according to the relative percentages of benefit they receive. These schedules are intended to provide a basis upon which to spread levies required to cover the cost of the recent open ditch repair project as well as those costs for future repairs to these facilities. An estimated cost for the 2020 Main Open Ditch and Lateral 7 Repair Project apportioned to each facility was utilized as the dollar amount for these three schedules.

For the remaining schedules, Lateral 1, Lateral 2, Lateral 3, Lateral 3A, Lateral 3B, Lateral 3C, Lateral 3D, Lateral 4, Lateral 4A, Lateral 5 Open Ditch, Lateral 5 Main Tile, Lateral 6, Lateral 6A, Lateral 6B, Branch 2, Lateral 8 we have apportioned an assumed dollar amount to

**RECLASSIFICATION SCHEDULE**  
**DRAINAGE DISTRICT 13 OPEN DITCH**  
**DRAINAGE DISTRICT NO. 13 & 128**  
**HANCOCK & CERRO GORDO COUNTY, IOWA**  
**Drainage District 13 Open Ditch Maintenance Assessment Schedule**  
**This schedule is intended for payment of the Drainage District 13 Open Ditch portion of the 2020 Drainage Improvement costs and all future maintenance.**

Deedholder(s)	Parcel Number	Sec-Twp -Rng	Legal Description	Benefited Acres	Class. %	Assessment (\$)	Ratio To Total Cost
<b>CERRO GORDO</b>							
AUSBORN, TERRY E AUSBORN, SUSAN F	50610000100	6-96-22	BEG NW COR NW1/4 06-96-22; TH N 90°00' E 748' ALG N LINE NW1/4; TH S 1°14' W 1202.7'; TH N 89°47' W 730' TO W LINE NW1/4; TH N 0°22' E 1198.9' ON W LINE NW1/4 TO POB SURV BK 1987 PG 2060 (ALSO AG DWELLING)	18.34	31.47	\$1,480.56	0.3022%
BOEHNKE, ARMAND L BOEHNKE, MARJULE K	50710000100	7-96-22	NW NW 07-96-22	37.48	38.66	\$1,818.83	0.3712%
BOEHNKE, ARMAND L BOEHNKE, MARJULE K	50710000300	7-96-22	SW NW 07-96-22	39.16	77.05	\$3,624.95	0.7398%
BOEHNKE, DORIS JEAN	50730000100	7-96-22	NW SW 07-96-22	39.00	56.80	\$2,672.26	0.5454%
BOEHNKE, DORIS JEAN	50730000300	7-96-22	NE SW 07-96-22	35.62	53.70	\$2,526.41	0.5156%
BOEHNKE, DORIS JEAN	50730000400	7-96-22	W 48 RDS OF SW SW 07-96-22 (ALSO AG DWELLING)	17.85	21.27	\$1,000.68	0.2042%
BOEHNKE, DORIS JEAN	50730000500	7-96-22	E 32 RDS OF SW SW 07-96-22	15.14	22.08	\$1,038.79	0.2120%
BOEHNKE, DORIS JEAN	50730000600	7-96-22	SE SW 07-96-22	38.64	69.86	\$3,286.69	0.6708%
BOEHNKE, WALTER W	50710000200	7-96-22	NE NW 07-96-22	7.01	11.58	\$544.80	0.1112%
BOEHNKE, WALTER W	50710000400	7-96-22	SE NW 07-96-22	21.01	44.09	\$2,074.29	0.4233%
BRAGER, ADELAIDE A	50740000700	7-96-22	L 1 BRAGER SUB	30.18	61.32	\$2,884.91	0.5888%
BRAGER, ADELAIDE A	50740000800	7-96-22	L 2 BRAGER SUB (ALSO AG DWELLING)	5.28	8.63	\$406.01	0.0829%
BRAGER, LAVONNE A	50630000200	6-96-22	SW SW 06-96-22	32.45	45.31	\$2,131.69	0.4350%
BRAGER, RAHN W AYERS, CRISTINE L	50630000100	6-96-22	NW SW 06-96-22	38.15	90.34	\$4,250.20	0.8674%
JOHNSON, RANDY L	50610000200	6-96-22	NW NW 06-96-22 BEG NW COR SEC 06; TH N 90°00' E 748' ALG N LINE NW1/4; TH S 1°14' W 1202.7'; TH N 89°47' W 730' TO W LINE NW1/4; TH N 0°22' E 1198.9' ON W LINE NW1/4 TO POB SURV BK 1987 PG 2060	14.88	27.13	\$1,276.38	0.2605%
JOHNSON, RANDY L	50610000300	6-96-22	NE NW 06-96-22	12.97	8.88	\$417.78	0.0853%
PRESCOTT, LARRY PRESCOTT, CAROL J	13130000300	31-97-22	SW SW 31-97-22 (ALSO AG DWELLING)	24.06	23.43	\$1,102.31	0.2250%
PRICE, JANANN E	50610000400	6-96-22	SW NW 06-96-22	37.97	74.50	\$3,504.98	0.7153%
PRICE, JANANN E	50610000500	6-96-22	SE NW 06-96-22	14.91	9.06	\$426.24	0.0870%
PUEGGEL, HAROLD H PUEGGEL, CAROL A MARK PUEGGEL, REMAINDERMAN	50630000600	6-96-22	NE SW 06-96-22 EXC THAT PART OF E 60 RDS OF S 107 RDS OF E1/2 SW1/4	8.75	9.27	\$436.12	0.0890%
PUEGGEL, MARK A PUEGGEL, COURTNEY R	50630000700	6-96-22	S 10 AC OF E1/2 SW1/4 06-96-22 EXC E 60 RDS OF S 107 RDS	0.94	0.58	\$27.29	0.0056%
RANSOM, FRANCIS KEITH RANSOM, JUNE M	50740000500	7-96-22	SE SE 07-96-22	10.66	17.29	\$813.44	0.1660%
THOMAS E & JANET J BOEHNKE REV LIVING TRUST	50740000100	7-96-22	NW SE 07-96-22	2.13	3.69	\$173.60	0.0354%
WARD, BARBARA J	50740000900	7-96-22	L 3 BRAGER SUB	2.00	5.91	\$278.05	0.0567%
CERRO GORDO COUNTY SECONDARY ROADS				22.94		\$2,174.55	0.4440%
			<b>Subtotal</b>	<b>527.52 Ac</b>		<b>\$40,371.81</b>	<b>8.2396%</b>
			<b>Total</b>	<b>10,458.86 Ac</b>		<b>\$490,000.00</b>	<b>100.00%</b>
			<b>Hancock County</b>			<b>\$449,628.19</b>	<b>91.7604%</b>
			<b>Cerro Gordo County</b>			<b>\$40,371.81</b>	<b>8.2396%</b>

the lands in the district according to the relative percentages of benefit they derive. These schedules do not represent a 2021 levy but are intended to provide a basis upon which to spread levies required to cover future costs incurred by the Drainage District for each facility. We have established the interior drainage boundaries to the lands served and benefited by these facilities. The enclosed schedules with plats reflect the benefited lands established for each facility. Schedules: The individual schedules are intended to list all parcels benefited by the district facility for which the schedule is prepared. For each parcel in the district, the schedules provide the following:

- The names of the landowner thereof as shown on the transfer books in the Hancock County or Cerro Gordo County Auditors' Offices.
- The parcel numbers and descriptions.
- The number of benefited acres.
- The classification or percentage of benefits derived relative to a 100% benefit assigned to the tract found to have the greatest benefit.
- An apportionment of the estimated total project costs for the 2020 Main Open Ditch and Lateral 7 Repair Project or an assumed dollar

amount for the remaining Lateral facilities according to our classification of the benefited lands.

6. The ratio of cost to the total cost. The schedules also show benefits to the North Central Iowa Rail Corridor, Hancock County Secondary Road ROW, and Cerro Gordo County Secondary Road ROW.

We recommend that this report containing eighteen (18) schedules be adopted. The Open Ditch Schedule below lists only Cerro Gordo County parcels.

A complete list of Schedules can be found on the Cerro Gordo County Auditor's website at: <https://www.cerrogordoauditor.gov/drainage>.

**(See table ABOVE)**

YOU ARE FURTHER NOTIFIED that the assessment schedule sets out a classification and assessment which shall be the basis for future repairs and improvements made in this District. The Hancock and Cerro Gordo Counties Joint Board of Supervisors has tentatively approved the report as filed and has fixed the time for hearing on said report for April 12, 2021 at 11:30 a.m. at the Basement Meeting Room, Hancock County Law Enforcement Center, 875 State Street, Garner, Iowa. Additionally, the meeting will be held online using go to meeting

link: <https://global.gotomeeting.com/join/285737349> or by calling: 1 (646) 749-3122 and using access code: 285-737-349.

YOU ARE FURTHER NOTIFIED that all objections to the Reclassification Report must be in writing and filed with the Hancock County or Cerro Gordo County Auditor at or before the time set for the hearing. At said hearing the Hancock & Cerro Gordo Counties Joint Board of Supervisors shall hear and determine all written objections to the report, and may affirm, increase or decrease the percentage of benefits or apportionment of costs and expenses made in the report against any tract of land in the District, as may affect to the Joint Board to be just and equitable.

YOU ARE FURTHER NOTIFIED that at such hearing, the Joint Board may hear evidence both for and against the approval of the report or any portion thereof, but it shall not be competent to show that any of the land in the district assessed for benefits will not be benefited by such repairs or improvements to some degree. Any interested party may be heard in argument by himself or counsel. If Landowners have private tile maps that display water being tiled into or out of the watershed as depicted in the Engineer's

Report, they are asked to provide these maps to the Engineer before the time set for hearing so that the impact of such maps can be determined.

YOU ARE FINALLY NOTIFIED that your failure to file a written objection may result in the consequence of waiving your right to appeal any decision to the District Court.

THIS NOTICE is published and mailed as provided by law at the direction of the Joint Board of Supervisors of Hancock & Cerro Gordo Counties, Iowa, acting as Trustees of Joint Drainage District No. 13-128.

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

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