



PUBLIC RECORD

OFFICIAL PUBLICATION

OFFICIAL POWESHIEK COUNTY BOARD OF SUPERVISORS PROCEEDINGS

April 17, 2025
The Poweshiek County Board of Supervisors met in regular session at 8:30 a.m. Members present: Jason Roudabush, Jacki Bolen, and Jeff Tindle.

Moved by Bolen, second by Roudabush, to approve agenda. Three ayes. Motion carried.
Moved by Roudabush, second by Bolen, to approve April 14, 2025, board minutes. Three ayes. Motion carried.

Moved by Bolen, second by Roudabush, to enter public hearing regarding adoption of FY26 Poweshiek County Budget. Three ayes. Motion carried. Present: Jason Roudabush, Jacki Bolen, Jeff Tindle, Supervisors; Missy Ellander, Auditor. Auditor Ellander stated she had not received any comments prior to this public hearing regarding the FY26 budget as proposed. Having no public present & receiving no comments, at 9:03 a.m., it was moved by Roudabush, second by Bolen, to close the public hearing. Three ayes. Motion carried.

Moved by Bolen, second by Roudabush, to approve Resolution 2025-28, approving and adopting the FY26 Poweshiek County budget. Three ayes. Motion carried.

RESOLUTION #2025-28 RESOLUTION TO ADOPT FY'26 POWESHIEK COUNTY BUDGET

WHEREAS, upon due and proper notice, published in accordance with law, said proposed FY'26 Poweshiek County Budget was set for public hearing April 17, 2025 at 9:00 a.m., Boardroom, Courthouse, Montezuma, IA, and residents or taxpayers were given the opportunity to present objections to, or arguments in favor of, any part of the proposed budget.

WHEREAS, the Poweshiek County Board of Supervisors held a public hearing on April 17, 2025, at 9:00 a.m., Boardroom, Courthouse, Montezuma, IA, and reviewed the proposed FY'26 Poweshiek County Budget for fiscal year July 1, 2025, to June 30, 2026.

WHEREAS, the FY'26 Poweshiek County Budget, as submitted and proposed, is hereby approved and adopted for fiscal year July 1, 2025, to June 30, 2026. The budget hereby approved and adopted shall be signed by Jeff Tindle, Chairman, and made part of the public records of Poweshiek County.

THEREFORE, be it resolved by the Board of Supervisors of Poweshiek County, Iowa, that the FY'26 Poweshiek County Budget be hereby approved and adopted.

PASSED, APPROVED, and ADOPTED THIS 17 day of April 2025.

POWESHIEK CO. BOARD OF SUPERVISORS
Jeff Tindle, Chairman
Jason Roudabush, Vice Chairman
Jacki Bolen, Member
Attest: Melissa Ellander, Poweshiek County Auditor

Moved by Roudabush, second by Bolen, to approve the Adoption of Budget and Certification of Taxes for FY26 and authorize Chairman Tindle to sign and deliver to County Auditor for certification. Three ayes. Motion carried.

Moved by Bolen, second by Roudabush, to approve Resolution 2025-29, approving FY26 elected officials' salaries. Three ayes. Motion carried.

RESOLUTION #2025-29

WHEREAS, the Poweshiek County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and

WHEREAS, the Poweshiek County Compensation Board met on December 11, 2024, and made the following salary recommendations for the following elected officials for the fiscal year 2026, beginning July 1, 2025:

Elected Official	Current Salary	Prop. Incr.	Rec. Salary
Auditor	\$85,270	4.5%	\$89,107
Co. Atty	\$122,814	6.0%	\$130,183
Recorder	\$81,687	3.5%	\$84,546
Sheriff	\$113,381	6.0%	\$120,184
Supervisors	\$40,788	6.0%	\$43,235
Treasurer	\$82,037	3.5%	\$84,908

THEREFORE, BE IT RESOLVED that the Poweshiek County Board of Supervisors adopts the salary recommendations for elected officials for the fiscal year 2026, beginning July 1, 2025, as recommended by the Poweshiek County Compensation Board as follows:

Elected Official	Approved Salary	Approved Increase
Auditor	\$89,107	4.5%
County Attorney	\$130,183	6.0%
Recorder	\$84,546	3.5%
Sheriff	\$120,184	6.0%
Treasurer	\$84,908	3.5%

THEREFORE, BE IT FURTHER RESOLVED that the Poweshiek County Board of Supervisors approve the following salary adjustments for the following elected officials for the fiscal year 2026, beginning July 1, 2025:

Elected Official	Approved Salary	Approved Increase
Supervisors	\$42,012	3.0%

Approved this 17 day of April 2025.

POWESHIEK CO. BOARD OF SUPERVISORS
Jeff Tindle, Chairman
Jason Roudabush, Vice Chairman
Jacki Bolen, Member
Attest: Melissa Ellander, Poweshiek County Auditor

Jeff Lorenz, Cost Advisory Services, met with board to present the FY24 Central Service Cost Allocation Plan for Poweshiek County. This is prepared to establish the indirect costs the county incurs regarding the local DHHS office and the amount of reimbursement to allocate to the county.

Moved by Roudabush, second by Bolen, to approve cost allocation plan and authorize Chairman Tindle to sign the Certificate of Cost Allocation Plan. Three ayes. Motion carried.

Moved by Bolen, second by Roudabush, at 10:29 a.m., to adjourn.

Melissa Ellander, Poweshiek County Auditor
Jeff Tindle, Chairman

PUBLISHED IN THE RECORD, 4-24-25

IN THE IOWA DISTRICT COURT FOR POWESHIEK COUNTY IN THE MATTER OF THE ESTATE OF PATRICIA ANN NELSON Probate Case No. ESPR019972 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To all persons interested in the estate of Patricia Ann Nelson, deceased, who died on or about March 30, 2025:

You are hereby notified that on April 11, 2025, the Last Will and Testament bearing the date of January 11, 2022, of Patricia Ann Nelson, deceased, was admitted to probate in the above-named court and that Sheri Sharer was appointed Executor of the estate of Patricia Ann Nelson. Any action to set aside the will must be brought in the District Court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the Decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named District Court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated: April 14, 2025

Executor of Estate: Sheri Sharer,
803 S 3rd St., PO Box 388,
Montezuma, IA 50171

Attorneys for Estate: Patrick J. Mahaffey and Michael W. Mahaffey
Mahaffey Law Office, PC
107 S. 4th Street
P.O. Box 850
Montezuma, IA 50171
Ph: 641-623-5425
Date of second publication: April 24, 2025

833 Broad Street
P.O. Box 268
Grinnell, IA 50112
Ph: 641-236-6506

PUBLISHED IN THE RECORD, 4-17-25, 4-24-25

ORDINANCE #26 AN ORDINANCE TO PROVIDE REGULATION OF BURNING WITHIN THE CITY OF DEEP RIVER BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEEP RIVER, IOWA:

SECTION 1-PURPOSE

The purpose of this ordinance is to establish requirements for certain types of controlled burns within the City of Deep River. Notification is required as a courtesy to avoid the local fire departments and emergency personnel from being called out mistakenly at the report of a controlled burn. Notification is also required to assist local fire departments and emergency personnel in responding to controlled burns in the case of emergency. In addition, issuing penalties/fines for the blatant disregard, or carelessness of open burning during unfavorable conditions or state issued burn bans which can unnecessarily endanger life and property.

SECTION 2- DEFINITIONS

"Brush pile burns" are any open burn set for the purpose of burning wood, tree limbs, leaves, grass clippings, yard trimmings, and branches.

"Burn barrel" is any steel barrel, drum, or other non-combustible container specifically designed to hold a fire for the purposes of burning landscape waste or yard trimmings. Burn barrels must be outfitted with a heavy screen type device with no openings greater than 1 inch to act as a spark arrester.

"Controlled or prescribed burn" is any open burn set intentionally for purposes of forest management, farming, field clearing, prairie maintenance or land clearing operations where reasonable measures have been taken to prevent the unintentional spread of the burn.

"Incident Commander" is the Fire Chief or other authorized Fire Department officer responsible for all aspects of the emergency response who has the authority of directing, ordering, and controlling resources by virtue of explicit statutory, regulatory, or delegated authority.

"Open Burning" means any burning of combustible materials where the material is not contained, and the products of combustion are emitted into the open air without passing through a chimney, stack, or spark arresting device.

"Recreational fires" are any fires for cooking, heating, recreation, and ceremonies.

"Required burn information" is the information required to be provided to Poweshiek County.

Dispatch through the nonemergency phone number prior to a purposeful burn.

"Structure burns" are any fires which are for the burning of agriculture structures intentionally set for the purpose of destruction and/or removal. Structure burns for the purpose of this ordinance are to be considered open burns.

"Structures" means barns, machine sheds, storage cribs, animal confinement buildings, and homes located on the premises and used in conjunction with crop production, livestock or poultry raising and feeding operations.

SECTION 3- NOTIFICATION PRIOR TO BURN AND UPON COMPLETION

Prior to any structure burns, controlled or prescribed burns, or brush pile burns the individual(s) overseeing the burn shall provide notice to the Poweshiek County Dispatch Center by calling the non-emergency phone number for Poweshiek County Dispatch and providing all required burn information.

In addition, upon completion of the burn, the individual(s) shall notify the Poweshiek County Dispatch Center.

SECTION 4- REQUIRED BURN INFORMATION

Prior to any structure burn, controlled or prescribed burn within Poweshiek County the individual(s) overseeing the burn are required to provide the following information within one (1) hour prior to the start of the burn.

1. The address of the burn. If an exact address is not available, an approximate location will be required.

2. The type of burn.

3. Estimated acreage of the burn, or approximate size of the structure.

4. Any fire control equipment such as tractors, plows, water trucks being used.

5. Name and cell phone contact information for the individual(s) overseeing the burn.

Verbal confirmation from a Poweshiek County Dispatcher is required prior to any burn beginning.

SECTION 5- GENERAL CONDITIONS FOR OPEN BURNING

All open and controlled or prescribed burns must also be conducted in accordance with the following conditions.

1. All open burning must be attended to by an adult person until such fire is extinguished; or in a manner approved by the fire department having jurisdiction.

2. All open burning is prohibited during National Weather Service Red Flag Warnings issued for Poweshiek County.

3. All open burning is prohibited in Poweshiek County during state issued burn bans except where allowed by a burn permit issued by the Fire Chief of the jurisdiction.

4. Any city or township fire department may prohibit any or all open burning within their fire district when the city or township fire department determines atmospheric conditions or local circumstances make such fire hazardous or a nuisance.

SECTION 6- COMPLIANCE WITH OTHER REQUIREMENTS OR LAWS

Compliance with any other local, state, or federal laws are required for all burns or fires. Furthermore, this Ordinance shall not authorize any type of burn or fire that is not authorized by another local, state, or federal law. Completion of notification shall not act as an exemption to any active state or county burning ban.

This Ordinance shall apply to all properties within the boundaries of Deep River, Iowa.

SECTION 7- EXEMPTIONS

1. Grills or Smokers. This ordinance shall not apply to outdoor grills or smokers. Grills and smokers can be wood or charcoal burning, propane or natural gas burning, or electric.

2. Outdoor fireplaces. This Ordinance shall not apply to outdoor fireplaces. Outdoor fireplaces can be wood burning, propane or natural gas burning, or alcohol burning.

3. Recreational fires. This Ordinance shall not apply to open fires burning charcoal or untreated seasoned wood for cooking, recreational, or ceremonial purposes. Cooking, recreational or ceremonial fires must be within a manufactured or constructed fire ring to be exempt from open burn bans.

4. Burn barrels. This Ordinance shall not apply to any burn barrels properly outfitted with spark arresting screen/device used for the purpose of burning landscape waste or yard trimmings. Burn barrels must be at least fifteen (15) feet away from structures or any other combustible material.

5. Other allowable exemptions as identified in Iowa Administrative Code Chapter 23.2 and 100.4.

SECTION 8- PENALTY FOR NONCOMPLIANCE

A violation of this Ordinance shall be enforceable as a County Infraction. A Poweshiek County Sheriff Deputy or the Incident Commander of the Fire Department having jurisdiction within Poweshiek County shall have the authority to cite an individual(s) for a violation of this ordinance.

The penalties for a violation of this Ordinance shall include:

During State or Fire Department Issued Burn Ban or National Weather Service Red Flag Warning:

1. For a 1st Offense: A civil penalty of up to \$250, court costs, plus reasonable FEMA Costs for responding fire departments)

2. For a 2nd Offense: A civil penalty of up to \$500, court costs, plus reasonable FEMA Costs for responding fire departments)

3. For a 3rd and subsequent Offense(s): A civil penalty of up to \$1,000, court costs, plus reasonable FEMA Costs for responding fire departments)

A verbal or written warning may be issued in lieu of a 1 Offense violation by the Incident Commander of the Fire Department having jurisdiction or a Poweshiek County Sheriff Deputy at their sole discretion.

In addition to the above penalties for violation of this Ordinance, additional penalties may be imposed upon an individual(s) for violating state issued open burn bans in accordance with Iowa Code Section 100.40.

During All Other Times:

1. For a 1st Offense: A verbal or written warning issued by either a Poweshiek County Sheriff Deputy or the Incident Commander of the Fire Department having jurisdiction.

2. For a 2nd Offense: A civil penalty of up to \$250, court costs, plus reasonable FEMA Costs for responding fire departments)

3 For a 3rd Offense: A civil penalty of up to \$500, court costs, plus reasonable FEMA Costs for responding fire departments)

4. For a 4th and subsequent Offense(s): A civil penalty of up to \$1,000, court costs, plus reasonable FEMA Costs for responding fire departments)

A verbal or written warning may be issued in lieu of a 2" or subsequent violation(s) by the Incident Commander of the Fire Department having jurisdiction or a Poweshiek County Sheriff Deputy at their sole discretion.

EFFECTIVE DATE

This ordinance shall be in effect immediately after its final passage and publication as provided by law.

Passed and approved this the 14th day, in the month of April 2025.

Derec Koch, Mayor
ATTEST: Jacki McDermott, City Clerk
PUBLISHED IN THE RECORD, 4-24-25

MONTEZUMA WATER BOARD MEETING

April 16, 2025
The Montezuma Water Board met in regular session at City Hall on April 16, 2025.

PRESENT: Sheets, Cranston, Lowry, Holland, and Kivi.

ABSENT: None.

ALSO, PRESENT: Chris Widmer and Christy Sanger

The board meeting was called to order at 8:30 a.m.

Board member Sheets made the motion to approve the consent agenda which consisted of the following:

• Minutes from the meeting held on: Mar. 19, 2025.

• Claims

• Pay App #1 – Gingerich Well & Pump

\$501,125

A second was made by Board member Kivi. Ayes: all; Nays: None.

Widmer reported that as of Apr. 14, Gingerich Well & Pump has dug down 740 feet. They are drilling 24/7 at this time but will take time off for Good Friday. He also stated that he would ask about the board getting an on-site look at the construction taking place after the May board meeting.

A motion to adjourn was made at 8:38 a.m. by Board member Cranston and seconded by Board member Sheet. Ayes: all; Nays: None.

Board Secretary/City Clerk

ARENDET AND ARENDT INS TORT LIABILITY INS 33,367.71
AUDAS SANITATION & RECYCL 64.84
COMPASS BUSINESS SOLUTION CHECKS 396.37

CYCLONE PEST CONTROL 50.00
DELTA DENTAL OF IOWA INSURANCE 71.15
GINGERICH WELL & PUMP 501,125.00
HAWKINS INC CHEMICALS 2,577.37
HOMETOWN HARDWARE MATERIALS 28.35
IA DEPT OF REV-TREAS EXCISE TAX 2,396.39
MICROBAC COMPANY WATER TEST 762.50
MONTEZUMA LIGHT PLANT UTILITY BILL/ SPLIT#4347 4,309.88
MUNICIPAL SUPPLY CO WATER LINE MATERIALS 2,067.00
NEW CENTURY FARM SERVICE FUEL 191.04
SINCLAIR NAPA PARTS 30.29
STEELE EXCAVATING INC MAIN REPAIR 1,280.00
STRAND ENGINEERING FEES 15,120.10
THE RECORD LEGAL PUBLICATIONS 49.21
U.S. CELLULAR CELL PHONE FEES 215.37
USA BLUE BOOK TESTING SUPPLIES 628.93
WELLMARK B.C./B.S. INSURANCE 2,635.26
WINDSTREAM PHONE FEES 280.03
CLAIMS TOTAL 567,646.79
WATER FUND 51,401.69
WATER BOND SINKING FUND 516,245.10
PUBLISHED IN THE RECORD, 4-24-25

CITY OF BROOKLYN WATER DEPARTMENT NOTICE:

The 2024 Annual Drinking Water Quality Report for the City of Brooklyn will not be sent to customers individually but is available 7 A.M. – 4 P.M. Monday thru Friday at City Hall, 138 Jackson St., Brooklyn, Iowa. If you have any questions, please call 641-522-7066.

It is also available on the City of Brooklyn Website.

2024 WATER QUALITY REPORT FOR Brooklyn Water Department

This report contains important information regarding the water quality in our water system. The source of our water is groundwater. All of the water is purchased. Purchased water comes from Poweshiek Water Association. Our water quality testing shows the Following results:

CONTAMINANT	MCL-(MCLG)	Compliance		Date	Violation	Source
		Type	Value & Range			
Copper (ppm)	AL = 1.3 (1.3)	90 th	0.0113 (0300360-0.0131)	2024	No	Corrosion of household plumbing systems; Erosion of natural deposits; Leaching from wood preservatives
Lead (ppb)	AL=15 (0)	90 th	ND	2024	No	Corrosion of household plumbing systems; erosion of natural deposits
950 DISTRIBUTION SYSTEM						
Chlorine (ppm)	MRDL = 4.0 (MRDLG = 4.0)	RAA	0.8-2.8	Daily	No	Water additives used to control microbes
Total Trihalomethanes (ppb) TTHM	80 (N/A)	LRAA	55	Yearly	No	By products of drinking water disinfection
Total Haloacetic Acids (ppb) HAA5	60 (N/A)	LRAA	29	Yearly	No	By products of drinking water disinfection
CONTAMINANT	MCL-(MCLG)		Compliance	Date	Violation	Source
		Type	Value & (Range)		Yes / No	
8670701 – Poweshiek	Water Association					
01 – WELLS #1-#14	@LAB FAUCET					
Barium	2 (N/A)	SGL	0.0097	2022	No	Discharge from drilling waste & metal refineries; erosion of natural deposits
Selenium (ppb)	50 (50)	SGL	1.7	2022	No	Discharge from petroleum & metal refineries & mines, erosion natural deposits
Sodium (ppm)	N/A (N/A)	SGL	10.5	7/6/23	No	Erosion of natural deposits; added to water during treatment process
Fluoride	4 (4)	SGL	0.1	04/11/2022	No	Water additive that promotes strong teeth; Erosion of natural deposits. Discharge from fertilizer & aluminum factories
Nitrate as N (ppm)	10 (10)	SGL	0.600	2024	No	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits
Total Coliform bacteria	0 (≥ than 5% of monthly sample)		1 positive 2024	Monthly 2024	No	Naturally present in the environment
Fecal Coliform & E.coli	0 (≥ than 5% of monthly sample)		0 positive 2024 (N/A)	Monthly 2024	No	Human & Animal fecal waste
Hexavalent chromium (ppb)	N/A (N/A)		2.5 (2.2-2.5)	2013	No	UCMR3 random systems selected by EPA to determine regulations
Chromium (ppb)	100 (100)	SGL	2.5	2022	No	UCMR4 random systems selected by EPA to determine regulations
UCMR 4 HAA5	N/A (N/A)		<0.30-5.2	2021	No	Discharge from petroleum and metal refineries, erosion of natural deposits, discharge from mines
UCMR 4 manganese	2 (N/A)		<.02	2021	No	Discharge from drilling wastes and metal refineries, erosion of natural deposits
UCMR 4 TOC	N/A (N/A)		<1000	2021	No	UCMR4 random systems selected by EPA to determine regulations
Turbidity (NTU)	TT (N/A)		0.1NTU (.01-.08 NTU)	Daily 2024	No	Soil Runoff

Note: Contaminants with dates indicate results from the most recent testing done in accordance with regulations.

DEFINITIONS

- Maximum Contaminant Level (MCL) – The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.
- Maximum Contaminant Level Goal (MCLG) – The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
- ppb – parts per billion.
- ppm -- parts per million.
- pCi/L – picocuries per liter
- N/A – Not applicable
- ND – Not detected
- RAA – Running Annual Average
- SGL—single sample result
- Treatment Technique (TT) – A required process intended to reduce the level of a contaminant in drinking water.
- Action Level (AL) – The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.
- Maximum Residual Disinfectant Level Goal (MRDLG) - The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.
- Maximum Residual Disinfectant Level (MRDL) - The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.
- NTU – Nephelometric Turbidity Units measures amount of turbidity in water. Turbidity is a measure of cloudiness.
- RTCR-Revised Total Coliform Rule

GENERAL INFORMATION

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water posed a health risk. More information about contaminants or potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (800-426-4791).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (800-426-4791).

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Brooklyn Water Department is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <<http://www.epa.gov/safewater/lead>>.

SOURCE WATER ASSESSMENT INFORMATION

This water supply obtains some or all of its water from another public water supply. It is a consecutive water supply, where an originating parent supply provides drinking water to one or more downstream supplies.

Original Supply ID
IA8670701

Original Supply Name
Poweshiek Water Association

CONTACT INFORMATION

For questions regarding this information, please contact Brian VanTomme at (641) 522-7066 during the following hours: 7:00am – 4:00pm. You may receive a copy of the Consumer Confidence Report at City Hall.

Decisions regarding the water system are made at the Brooklyn City Council meetings held on the first and third Mondays of the month at 6:00 p.m. at 138 Jackson Street and are open to the public.

PUBLISHED IN THE RECORD, 4-24-25</