



**Left:** Dustin Wieland between the existing fire station's garage door and a tanker. The city's Myrtle Street fire station has become cramped. Hence the \$1.6 million capital campaign that resulted in Monday's groundbreaking. CHRONICLE TIMES photo by TOM CULLEN  
**Right:** Ground was broken Tuesday, June 9, for the new Aurelia fire station. From left: Chris Ernst, David Bottjen, Cole Mier, Jake Erpelding, Tyler Erpelding, Kouper Schullenberg, Luke Erpelding, Blake Suhr, Mark Lindgren, Cindy Nelson, Fire Department and City Council; Brent Fassler, City Council; Ryan Cougill, Jim Bezon, Spencer Bezon, Josh White, Tom Mier, Dustin Weiland, Brock Mier, Leigh Peterson, Les Todd, Diane Weathers, ADC; and Zach Erpelding. Photo by JEN FASSLER

## FIRE STATION: New facility will help attract, retain volunteers

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“What we thought: these buildings need to go,” Wieland said on the heels of the groundbreaking. “We need a place for a new fire station.”

The department was left with its main fire station on Myrtle Street. Its trucks have outgrown the station's

walls. Wieland said trucks are parked front-to-back in every bay available. In the winter, a crowd of six can't gather inside the station – the gathering space is where a department off-road vehicle is supposed to sit. In an interview on Wednesday, he had to contort to walk between a tanker and the station's garage door.

Wieland said the department's current apparatus isn't designed for responding quickly. Leaving the building is a challenge because the tankers might brush up against other equipment or a garage door. If the department needed to buy a new truck,

it couldn't fit it inside. Wieland noted some of the departments trucks are over 20 years old; a replacement is due at that time.

“The last thing these volunteers should have to worry about is trying to get these trucks in and out of the building,” Wieland said. “They're responding to a call. Promptness is the goal.”

A new station was the dream.

A \$1.6 million capital campaign ensued. Volunteers promised to paint and complete finishing items on the building to save money. Hundreds of thousands in donations flowed in

over the years. The campaign finally inched over its \$750,000 fundraising target. The city council issued \$500,000 in general obligation debt. Haselhoff submitted a bid in March to the city council that was 22% below the engineer's estimate.

Wieland attributed the campaign's success to the persistence of its volunteers.

Wieland noted a new fire station will help the fire department attract new volunteers.

An Aurelia firefighter is asked to give a 10-year service commitment. Wieland acknowledged it's hard to

keep volunteers for that long — many can't honor it.

But a 10-year commitment ensures the fire department can train and retain firefighters who are qualified to respond to service calls — ranging from structural fires to emergencies. The community's support, Wieland said, was a commitment to the firefighter's commitment.

“We're thrilled to have a community that's supporting this department so much. It's overwhelming” Wieland said. “It's a really good thing that we've got this because it's going to help these future volunteers step up.”

## Judge rules Jennesses can comb through Holzhauser emails

MARCUS COUPLE MOUNTS DEFENSE AGAINST CITIZENS IN HOLZHAUSER IMBROGLIO

BY TOM CULLEN

A judge ruled that Robin and Tony Jenness of Marcus must have access to Dan Winchell's emails.

Iowa Specialty Business Court Judge Michael Schilling ruled last Monday that the emails of the former dealer-principal of Holzhauser Motors aren't subject to attorney-client privilege. Judge Schilling found that attorneys for the former dealership and Dan Winchell failed to specify what information in the emails are privileged.

“The court does not have specific information with which to determine if any emails are subject to the attorney-client privilege,” reads Judge Schilling's five-page order.

In April, lawyers for the Jennesses asked Judge Schilling to approve a search of emails belonging to Winchell and other employees at the defunct dealership. Citizens First National Bank of Storm Lake sued the dealership for defaulting on a \$6.5 million loan last April. A cascade of lawsuits from Citizens and other creditors followed. The Storm Lake bank received possession of the land that contained Holzhauser's former Ford dealerships in Storm Lake and Cherokee. A sheriff sale for the Cherokee Ford dealership is scheduled for Thursday.

Brian Rickert and Megan Ball, Des Moines attorneys representing the Jennesses, claimed they retrieved email login credentials, PIN numbers and access to Holzhauser's former software provider through a subpoena to a former employee of the dealership. The former employee also mentioned a laptop in another shareholder's posses-

sion, as well as electronic reviews by the defunct dealership's accountant.

The Jennesses claimed the emails are critical to their defense against the bank, which has alleged the couple guaranteed to pay back the loan's remaining balance. This spring, the bank conveyed to Judge Schilling that the dealership still owes over \$2 million on the loan, even after it seized and liquidated the entirety of its vehicular inventory.

Attorneys for Holzhauser claimed they didn't deserve access to the files they retrieved. Winchell filed an affidavit — his last filing in any of the lawsuits involving Holzhauser — attesting that the former employee had no authority to share company logins and passwords.

The judge disagreed. Schilling found Holzhauser's attorneys made a “broad statement” of some emails containing privileged information, but the claim isn't “legally sufficient for the court to decide whether the attorney-client privilege applies to any emails.”

The judge instead ruled that it was more appropriate to require Holzhauser's attorneys to comb through the files and create a privilege log for the Jennesses and other parties involved in the lawsuit.

The Storm Lake bank is seeking individual judgments against each of the shareholders who promised to repay the bank what it owed. Winchell and the Jennesses signed guarantees in 2019 that promised payment in full, the bank claims.

Two couples who were shareholders of the dealership — Bryan Lam and his wife Vanessa Xau, and Chuck and Elizabeth White — have settled with the bank.

The Jennesses, Dan Winchell, the dealership and Winchell's ex-wife, Barbara Winchell, have denied the bank's claims and countersued, alleging the bank breached its duty to lend in good faith.

A jury trial is scheduled for November.

## May stays with the “status-quo”

Minimal rain expands state drought

Below-average precipitation in the latter half of May resulted in slight degradation of drought conditions that had been largely stable earlier in the month thanks to the ample precipitation recorded in April.

According to an Iowa Department of Natural Resources water summary update posted June 5, the expansion of ‘moderate drought’ conditions in northwest, southwest and southeastern Iowa were the most notable changes.

Preliminary statewide precipitation levels indicate that the state received just below three inches of rain in May, over two inches below average.

All of Iowa's National Weather Service co-op stations reported precipitation deficits last month.

Only a small portion of central and eastern Iowa saw near-normal conditions while southwest Iowa saw a large precipitation deficit ranging from three to four inches.

Average statewide temperatures for May sat around 60 degrees, just barely above the average temperature for this time of year.

In the first half of May, temperatures were four to six degrees above average and then dropped four to six degrees below normal in the latter half of the month.

Much of the state saw near-normal temperatures with slightly cooler conditions in the southern part of the state.

According to the U.S. Drought Monitor, drought conditions remained comparable across much of the state in May with some drought conditions expand-

ing to parts of western Iowa largely due to the below-normal precipitation.

By the end of May and early June, 72% of the state was considered ‘abnormally dry’ — an increase of over 20%.

Meanwhile, over 6% of the state that was considered ‘abnormally dry’ has been downgraded to ‘moderate drought’ status.

Nearly 28% of the state is considered to be free of any drought or dryness through the beginning of June, with much of that area being in central and eastern Iowa.

The Climate Prediction Center's Seasonal Drought Outlook released on May 31 indicates that drought conditions could persist in parts of northwestern, southwestern and northeastern Iowa through most of the summer

Expansion of drought conditions is expected in the western third of the state while no drought is anticipated for the other two-thirds.

## NOR-AM: Thanks Rep. Feenstra for his work to ‘cut through red tape’

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The expanded facility will operate 24 hours a day with three shifts and 80 employees.

“Nor-Am is excited to be in the Cherokee community,” the company said in a statement to the Chronicle Times.

Nor-Am was founded by Galva native Greg Brandt and built their first warehouse in Le Mars in 1965.

Since then, the company has expanded to 13 facilities in seven states, including Iowa, Minnesota, Nebraska, Missouri, Kansas and Wisconsin.

Nor-Am specializes in storing and handling a variety of temperature-sensitive products, including USDA inspected products. Fresh meats from Iowa farms are among their handled products.

### FEENSTRA FACILITATED GLOBAL SHIPPING

In February, U.S. Rep. Randy Feenstra, R-Hull, announced an initiative taken by his office to “cut through red tape” and assist Nor-Am with shipping refrigerated products to the European Union.

The Feb. 3 press release

stated that Feenstara and his team worked with the cold storage company to receive approval from the United States Department of Agriculture and Plant Health Inspection Service to ship various refrigerated products to the EU.

The announcement came the same day as President Donald Trump's initial threats of a trade war with Canada, Mexico and China.

“This approval from the USDA will protect more than 50 good-paying jobs in Cherokee and ensure that goods like beef, pork and poultry can be exported,” Feenstra said in the February release.

In July 2023, Feenstra collaborated with Representatives from Kansas and California to introduce the Fortifying Refrigeration Infrastructure and Developing Global Exports (FRIDGE) Act at the federal level. The goal was to direct the USDA to negotiate contracts and deliver the appropriate needs, assessments, training and other technical assistance to “enhance infrastructure construction” — including cold chain storage — in “new and developing” foreign markets.

“I've toured Nor-Am's facility in Le Mars and appreciate not only their investments in our rural communities, but also their work delivering Iowa beef, pork, turkey, chicken and dairy across the globe,” Feenstra said. “At the federal level, I had my FRIDGE Act included in the Farm Bill to support



**Left:** Nor-Am President Scott Albers spoke during Tuesday's open-house, reflecting on what expansion to the Cherokee community has done for the company and what the facility expansion means for future operations. **Right:** Bill Anderson, CEO of the Cherokee Area Economic Development Corporation spoke to Tuesday's guests about what Nor-Am has brought to the city of Cherokee since their arrival in 2022.

businesses like Nor-Am by building new refrigeration infrastructure at home and abroad so that our producers could access new export markets.”

The Farm Bill received a one-year extension last December from the House and the Senate, ultimately preventing a government shutdown.

“I also appreciate Congressman Feenstra's introduction of the FRIDGE Act to construct more cold-storage infrastructure and help Iowa producers ship their high quality goods across the world. We are fortunate to have him representing Northwest Iowa farmers and busi-

ness in Congress,” Nor-Am President Scott Albers said in February's statement.

Iowa stands among the leaders of agricultural exports nationwide. According to the USDA's Foreign Agricultural Service, the U.S. exports nearly \$650 million worth of dairy, livestock and poultry products to the EU in 2024.

As of 2022, the United States Trade Representative reported that Iowa led the country in agricultural exports when it shipped approximately \$16.5 million worth of domestic agricultural products. One of the top exports to the EU in the same sector was pork, totalling around \$2.7 billion.

## POLICE & COURTS

### Jury to hear contractor's lawsuit in December

BAINBRIDGE CLAIMS QUIMBY STIFFED \$200K PAYMENT FROM SEWER OVERHAUL

#### Quimby countersues

A jury will be empaneled in December to hear a Kingsley contractor's claims that the City of Quimby bilked it out of \$204,000 from a sewer improvement project in 2021.

Cherokee County District Court Judge Patrick Tott scheduled a four-day jury trial, beginning Dec. 2, to hear Bainbridge Construction's claims that Quimby withheld a

\$204,000 retainage payment that was required to be remitted in late 2021 from a sewer improvement project on West Third Avenue. The contractor sued the city last January.

The city denied the contractor's claims and countersued. Logan Brundage, a Des Moines attorney representing the city, claimed Bainbridge committed breach of contract and breach of implied warranty for its work on the project four years ago. Brundage claimed Bainbridge “failed to properly perform the work in accordance with the contract requirements” and caused damages to city infrastructure. Weeks after the contractor's lawsuit was filed, Mayor Heidi Taylor told The Chronicle Times Bainbridge left three large potholes from the project.

Bainbridge denied the city's countersuit. Bill Larson, a Sioux City attorney representing Bainbridge, told The Chronicle

Times that the potholes were left by a different contractor who was hired for the sewer improvement project. Larson claimed the city's engineering firm and the Bainbridge reached an impasse over the potholes because there wasn't a definitive solution on how to correct them — Larson described potholes at issue as a sinkhole.

#### Probation, plea deal for assault

A Cherokee man was sentenced to two years probation for injuring his wife's arm during an assault in the Hilltop Trailer Park in March.

Cherokee County District Court Judge Charles Borth sentenced Chad Kinnison, 40, to the probation term in an order May 30. Kinnison agreed to serve the sentence, according to court records. He pleaded guilty to domestic assault, second offense, an aggravated misdemeanor. In ex-

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