

## Legal notices

PUBLIC NOTICE  
Notice to Bidders**NOTICE TO BIDDERS  
LOWER MAIN OPEN DITCH  
CONSTRUCTION  
DRAINAGE DISTRICT 117  
WRIGHT COUNTY  
(PROJECT NO. 8774)**

Notice is hereby given that sealed bids will be received by the County Auditor of Wright County, Iowa, at their office in the Wright County Courthouse, 115 North Main Street, Clarion, Iowa 50525, until 11:00 a.m. on December 14, 2020 for construction of the lower main open ditch of Drainage District 117, Wright County. Plans, specifications and form of contract are on file at the office of the County Auditor and describe the work involved and the conditions under which it is to be performed. Bids will be opened by the Engineer and the Board of Supervisors of Wright County (acting District Trustees) at a meeting to be held in the Courtroom of Wright County at 11:00 a.m. on December 14, 2020. Said bids will be acted on at a time and date to be determined at said bid opening. Plans and specifications governing the construction of the proposed improvements have been prepared by CGA, 739 Park Avenue, Ackley Iowa; phone 641-847-3273. Copies of the plans and specifications for this project can be downloaded at no charge from www.cgaconsultants.com ("Bid Info" tab located in the top right corner) or a printed copy can be obtained by contacting Beeline + Blue at 2507 Ingersoll Ave., Des Moines, IA 50312 or by phone at 515-244-1611. A \$50 refundable deposit is required for all printed plan sets and specifications. The fee is REFUNDABLE, provided the following conditions are met: 1) The plans and specifications are returned to CGA complete and in good usable condition and 2) they are returned to the above address within fourteen (14) calendar days after the award of the project.

The proposed work is located in Section 1, Township 92 North, Range 24 West, Wright County and consists of the furnishing of all materials, labor, and equipment to complete the approximate quantities of work, all as described in the plans and specifications and as listed as below. One contract will be awarded for this project.

The proposed work consists of approximately 7 stations open ditch construction; 740 feet of tile removal; sheet pile headwall; 7.1 stations of tree removal; reventing; seeding; and other related work necessary to complete this project.

All bids must be filed with the County Auditor on or before the time herein stated. All bids shall be made on forms furnished by the Owner's Engineer and contained in the specifications and must be enclosed in a separate sealed envelope and plainly identified. Each proposal shall be accompanied by deposit of cash, bid bond, cashier's or certified check, or a credit union certified share draft, in a separate sealed envelope in an amount equal to five percent (5%) of the total amount of the bid. The certified or cashier's check, if used, shall be drawn on a bank in Iowa or a bank chartered under the laws of the United States or said certified share draft should be drawn on a credit union in Iowa or chartered under the laws of the United States; and such check or share draft shall be made payable to the Wright County Auditor as security that if awarded a contract by resolution of said Supervisors, the Bidder will enter into a contract at the prices bid and furnish the required performance and payment bond and certificate of insurance. The deposit of cash shall be retained, certified or cashier's check or certified share draft may be cashed, or the bid bond redeemed, if the Contractor fails to enter into a contract, or fails to provide a certificate of insurance within ten (10) days after the acceptance of his proposal by resolution of the County Supervisors. No bidder may withdraw a bid within sixty (60) days after the date set for opening bids. If awarded, one (1) contract will be awarded to the lowest, responsive bidder for this project.

The successful bidder shall be required to execute a performance and payment bond, with sureties approved by the County Auditor in favor of the Drainage District for the use and benefit of the Drainage District and to all persons entitled to liens for labor or material, in an amount not less than one hundred percent (100%) of the contract price of the work to be done, conditioned for the timely, efficient, and complete performance of his contracts, and the payment, as they become due, of all just claims for labor performed and material used in carrying out the contract. When the contract is executed and the performance bond approved, the certified check, share draft, cash deposited, or bid bond provided with the bid shall be returned to the bidder. The performance bond shall be provided at the time the contract for work is signed.

Payment to the Contractor will be made in monthly estimates of ninety percent (90%) of the work completed during the period as provided in Section 468.100, Code of Iowa. Pursuant to Sections 468.101 through 468.103, the balance will be paid not less than 30 days after acceptance of the work by the County Supervisors acting as Trustees of the Drainage District. All payments to the Contractor shall be made by check or warrants in favor of such contractor on the drainage fund of the District, which if registered and stamped "not paid for want of funds" in accordance with Chapter 468.70 of the Code of Iowa.

The work under the proposed contract shall begin within 15 days of the Notice to Proceed. All work is to be completed by July 1, 2021 including seeding and finishing work. The Contractor shall pay the said District Five Hundred (\$500.00) per day as liquidated damages for each calendar day the work remains uncompleted after the completion date stated above.

Published upon the order of the Board of Supervisors of Wright County (acting as District Trustees), who also reserve the right to reject any or all proposals and to waive formalities and technicalities.

BY: Wright County Auditor  
Betty Ellis  
515-532-2771

Published in the Wright County  
Monitor on Nov. 19 & 26, 2020.

PUBLIC NOTICE  
City of Clarion

## REGULAR SESSION

The Clarion City Council met in regular session Tuesday Nov. 17, 2020 at 4:30 p.m. in the Council Chambers with Mayor Duane Asbe presiding. Present were Council members Dave Maxheimer, Andy Young, Jim Williams, Dan Hennigar, and Shayne Hennigar. Also, in attendance were City Administrator Clint Middleton, Attorney Zach Chizek, DPW Jon DeVries, and Police Chief Steve Terhark.

Mayor Asbe called the meeting to order and polled the Council for any conflicts of interest with the agenda no conflicts were reported. Mayor Asbe asked if there were any citizens present to address the council no citizens to address council.

Motioned by Williams seconded by Maxheimer to approve consent agenda minutes 2020.11.03, Financial Report-October 2020, Licenses/Permits- (Building, Liquor, Tobacco, Sign, Peddler, Street Closure) Building Permit-Keith Poolman, carport; Peddlers- El Taco Riendo ii. Liquor-Red Shed. Roll call vote taken Maxheimer, Aye; S. Hennigar, Aye; Williams, Aye; Young, Aye; D. Hennigar, Aye. Motion passed.

Motioned by Maxheimer seconded by Young to open public hearing on Hospital Loan Agreement. All Ayes. Motion passed.

Motioned by Maxheimer seconded by S. Hennigar to close public hearing on Hospital Loan Agreement. All Ayes. Motion passed.

Motioned by Maxheimer seconded by D. Hennigar to approve Resolution (20-83) Determining to proceed with issuance of Hospital Revenue Note not to exceed \$4,000,000. Roll call vote taken S. Hennigar, Aye; Williams, Aye; Maxheimer, Aye; Young, Aye; D. Hennigar, Aye. Motion passed.

Motioned by D. Hennigar seconded by Williams to approve Resolution (20-84) approving Loan application and Loan Agreement. Roll call vote taken S. Hennigar, Aye; Maxheimer, Aye; Williams, Aye; D. Hennigar, Aye; Young, Aye. Motion passed.

Motioned by Williams seconded by S. Hennigar to approve Resolution (20-85) approving pay request #1 for Housing Project for \$2,687.20. Roll call vote taken Williams, Aye; Young, Aye; D. Hennigar, Aye; S. Hennigar, Aye; Maxheimer, Aye. Motion passed.

Motioned by Williams seconded by D. Hennigar to approve Resolution (20-86) to fix a date of meeting at which to take action for issuance of Bonds not to exceed \$200,000. Roll call vote taken Maxheimer, Aye; D. Hennigar, Aye; Williams, Aye; Young, Aye; S. Hennigar, Aye. Motion passed.

Motioned by Maxheimer seconded by Williams to adjourn.

Clint Middleton, City Administrator  
Duane Asbe, Mayor  
Athene Annuity & Life Co. Aviva Life Annu ..9.00  
Brown Supply Co, Supplies .....347.40  
Central Iowa Distributing, Car Wash & Wash Supplies.....351.40  
City Of Clarion, Hsa Health Acct...383.44  
Clarion Wtr Swr, Clarion Wtr Dpt.....868.37  
Fst Ct Ni Bank, Loan Pymt .....222.00  
Hanson Sons Tire Servic, St Dept-Loader.....2,313.42  
Hawkins Water Treatment, Chemicals .....6,527.15  
Imwca, Installment5-Wc Prem 20-21.....6,902.00  
Iowa Rural Water Assn, Vision Insurance.....154.35  
Ipers, Health Ins.....74.76  
Urnesh Hardware, Supplies.....2,956.09  
Ziegler, Parts.....103.50  
Arnold Motor Supply, Supplies.....914.25  
Fed Fica, Fed/Fica Tax.....9,647.99  
Clarion Health In, Health Ins .....683.48  
Wmtel, Wastewater Plant.....79.90  
Collection Services Cente, Witholding.....369.23  
Mid-America Publishing Co, Publications .....171.43  
Aflac Insurance, Aflac.....59.40  
Philips Healthcare, Aed Batteries .....585.00  
Quality Pump Control, Transducers.....2,331.00  
T & S Sanitation, Garbage Pick Up .....83.00  
Hsa-Marker, Hsa Personal ..75.00  
Aces, 1Yr Renewal Veritas Essential.....13.99  
Wright Farm Services, Chevy 1500.....322.45  
Hsa Devries, Hsa Personal 200.00 Hsa-Simmons Scott, Hsa Personal.....15.00  
Hsa Krueger, Hsa Personal..50.00  
Macqueen Equip. Emergency, Supplies.....52.72  
Hsa-Middleton, Hsa Personal.....50.00  
Reding Gravel, Pay Request #2.....420,289.69  
Terry Lyons, Latch Assembly Key-lock .....39.00  
Claims Total .....457,245.41  
General Fund .....12,244.74  
Road Use Fund .....5,057.78  
Employee Benefit Fund Fund .....6,161.95  
Water Fund .....9,408.09  
Water Well Project Fund .....420,289.69  
Sewer Fund .....4,083.16

Published in the Wright County  
Monitor on Nov. 26, 2020.

PUBLIC NOTICE  
City of Clarion

## REQUEST FOR PROPOSALS

The City of Clarion is requesting proposals for grant administration services to assist with a project funded with Community Development Block Grant (CDBG) funds through the Iowa Economic Development Authority (IEDA).

The City has received funds to complete a new Water Treatment Facility.

The selected contractor will work with the city to ensure compliance with CDBG program requirements. Activities will include but are not limited to project reporting, preparation of disbursement requests, and other activities required under the state of Iowa's CDBG program. A full description of the work specifications are available at City Hall at 121 1<sup>st</sup> St SW, Clarion, Iowa 50525.

Proposals to the city should include the minimum information:  
Experience with IEDA's CDBG program  
Description of past grant administrative services provided  
Description of organizational capacity to complete all necessary grant administration activities  
References from previous clients of related work within the past five years  
Cost of services

Proposals must be submitted no later than 3:00 pm December 11<sup>th</sup> 2020. Proposals should be submitted to City of Clarion, c/o Clint Middleton, 121 1<sup>st</sup> St SW, Clarion, Iowa 50525.

Questions regarding this request for proposals should be directed to Clint Middleton/515-532-2847/cmiddlet@clarioniowa.gov.

## Section 3 clause

A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising

the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

Clint Middleton, Clarion City Administrator

Published in the Wright County  
Monitor on Nov. 26, 2020.

PUBLIC NOTICE  
District CourtIN THE IOWA DISTRICT COURT  
FOR WRIGHT COUNTY  
CASE # JGJV002892IN RE THE GUARDIANSHIP OF:  
YJC  
CHILD  
NOTICE OF GUARDIANSHIP  
PROCEEDING

TO: NOE CABALLERO AND JEYDI LARA QUINTANILLA, whose whereabouts are unknown upon whom personal service of summons cannot be had, and is an interested party in said proceedings: You are notified that on Oct. 14, 2020, the Petitioner, Nelis Yesenia Garcia Caballero, by and through her attorney, filed a Petition for Appointment of Guardian for Minor Child in the County Court of Wright County, Iowa, at Case No. JGJV002892, the object of which is

to determine whether the appointment of a guardian is in the best interests of the minor child, among other things.

You are further notified that a hearing will be held on said Petition before the Honorable Derek J. Johnson, Judge of the County Court of Wright County, on the 4<sup>th</sup> day of Dec., 2020, at 10:30 a.m., or as soon thereafter as the same may be heard.

Attorney for the Petitioner: Qingye "Isabella" Li, Kendall Law Office, PC LLO, 11414 West Center Road, Suite 309, Omaha, Nebraska 68144, Phone: (402) 346-9095.

Published in the Wright County  
Monitor on Nov. 12, 19, & 26 2020.

PUBLIC NOTICE  
ProbateNOTICE OF PROBATE OF WILL,  
OF APPOINTMENT OF  
EXECUTOR,AND NOTICE TO CREDITORS  
PROBATE NO. ESPR017230  
THE IOWA DISTRICT COURT  
WRIGHT COUNTY.

IN THE MATTER OF THE ESTATE OF GERALDINE M. ACKERMAN, Deceased.

To All Persons Interested in the Estate of Geraldine M. Ackerman, Deceased, who died on or about Sept. 18, 2020:

You are hereby notified that on the 7<sup>th</sup> day of Oct., 2020, the Last Will and Testament of Geraldine M. Ackerman, deceased, bearing date of April 30, 2019 was admitted to probate in the above named court and that Dennis Ackerman, was appointed Executor of the estate. 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 (unless otherwise allowed or paid) a claim is thereafter forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate pay-

ment 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 this 9<sup>th</sup> day of October, 2020.

You are hereby notified that on the 7<sup>th</sup> day of Oct., 2020, the Last Will and Testament of Geraldine M. Ackerman, deceased, bearing date of April 30, 2019 was admitted to probate in the above named court and that Dennis Ackerman, was appointed Executor of the estate. 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 (unless otherwise allowed or paid) a claim is thereafter forever barred.

Patrick B. Chambers, Attorney at Law, ICIS PIN No: AT0001450  
Attorney for Executor  
Patrick B. Chambers, Attorney at Law  
623 Second St., P.O. Box 516  
Webster City, Iowa 50595

Date of second publication 22<sup>nd</sup>  
day of Oct., 2020.

Published in the Wright County  
Monitor on Nov. 19 & 26, 2020.

PUBLIC NOTICE  
Storm Water  
DischargePUBLIC NOTICE OF STORM  
WATER DISCHARGE

ReNewTrient, I LLC plans to submit a Notice of Intent to the Iowa Department of Natural Resources to be covered under the NPDES General Permit General Permit No. 1 - Storm Water Discharge Associated with Industrial Activity.

The storm water discharge will be from the clarion Nutrient Recovery Facility which processes organic and regenerative fertilizers, located in NW 1/4 of SW 1/4 of Section 36, Township 91N, Range 24W.

Storm water will be discharged from one point source and will be discharged to the following stream: Ditch 3 to unnamed ditch to the Iowa River.

Comments may be submitted to the Storm Water Discharge Coordinator, Iowa Department of Natural Resources, Environmental Services Division 502 E. 9<sup>th</sup> St., Des Moines, Iowa 50319-0034. The public may review the Notice of Intent from 8 a.m. - 4:30 p.m., Monday through Friday, at the above address after it has been received by the department.

Published in the Wright County  
Monitor on Nov. 26, 2020.

PUBLIC NOTICE  
Board of Supervisors

## NOVEMBER 9, 2020

Chairman Kluss called the regular meeting of the Wright County Board of Supervisors to order at 9:00 a.m. Members present were Rasmussen, Helgevoid, and Kluss.

Minutes of the previous regular meeting of November 2, 2020 were read and approved after one correction.

Approved claims for payment. Kelly Evans and Eric Giersvik with ISG gave an update on the progress last week with the Agribusiness Park. Jetco is scheduled to be onsite to install the flume possibly on Tuesday this week. CEC Electric has most of the electrical installed.

The water supply system will be tested this week. The DNR permit has been submitted. This testing can be discharged over the ground or through the sewer lines.

Held discussion on liquidated damages on the contractor not completing the project in a timely matter as per the contract. This will be ongoing conversation. Kluss then asked if the sewer is going to be completed this week? Eric G. stated that if Jetco gets there this week it should be done.

Lee Gallentine (Clapsaddle-Garber Associates) gave the Board of Supervisors and the landowners present an overview of the process to date on DD #117. Gallentine also updated them on an email response from the NRCS concerning the wetland determinations.

Dean Kluss mentioned that he and Randall Thayer had discussions with the NRCS office in regards to a CREP site. Gallentine stated that the Open Ditch option would follow the current tile route through the timber. Dennis Nelson stated that there is no private tile hooked onto the last 700 feet and that there is no wetland determinations for this area.

Motion by Dean Kluss and seconded by Karl Helgevoid to proceed with the Improvement-Open Ditch option in accordance with the Engineer's Report on the DD 117 Main Tile dated September 13, 2020. Motion carried.

Motion by Rick Rasmussen to set the bid letting for DD 117 Open Ditch for December 14, 2020 at 11:00 AM in the Board of Supervisors Room, Wright County Courthouse basement. Motion carried.

Adam Clemons, Wright County Engineer updated the board on Secondary Roads projects. Last week they responded to a chem-

ical spill (liquid nitrogen) on DD #3. They dumped two loads of sand to block the water on Sycamore Street at the culvert to stop the water running down stream.

Shari Plagge, Wright County Assessor, presented the Family Farm Tax Credit applications. Plagge stated that there are two stacks; one that should be accepted and the second that should be denied as they do not meet the qualifications.

Motion by Helgevoid and seconded by Rasmussen to accept the recommendation of the County Assessor on the approval and denials of the Family Farm Tax Credits. Motion carries.

Sandy McGrath with Public Health gave an update on COVID. The COVID numbers are still going up in Wright County. She emphasized that if you are sick, stay home. They have scheduled a special Public Health meeting for tomorrow morning to discuss the increase in cases.

Central Iowa Community Service (CICS) representatives were on ZOOM to meet on the possible action of changing regions.

Jan Sheehan, County Social Services Coordinator, gave a little history on the County Social Services history and that Central Iowa Community Services did accept Cerro Gordo and Webster Counties to join their region. That would make Wright County not contiguous with the County Social Services region.

Russell Wood introduced himself as the Director of the Central Iowa Community Services (CICS) and also introduced the Administrative Team. CICS does pay for all the same services as County Social Services. All counties in the region will have the same services available to their citizens.

After much discussion, there was a motion by Helgevoid and seconded by Rasmussen to send a letter to County Social Services to withdraw from the County Social Services Region and to proceed with Central Iowa Community Services region effective June 30, 2021. Motion carries unanimously.

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

Dean Kluss, Chairman  
Wright County Board of Supervisors

Published in the Wright County  
Monitor on Nov. 26, 2020.

PUBLIC NOTICE  
Revocable TrustIN THE MATTER OF THE  
TRUST:  
JAYNE L. SCHIPULL  
REVOCABLE TRUST  
TRUST NOTICE

TO ALL PERSONS regarding Jayne L. Schipull, deceased, who died on or about the 6<sup>th</sup> day of June, 2020. YOU ARE HEREBY NOTIFIED that Dean C. Schipull is the trustee of the Jayne L. Schipull Revocable Trust. Any action to contest the validity of the trust must be brought in the District Court of Wright County, Iowa, within the later to occur of four (4) months from the date of second publication of this notice or thirty (30) days from the date of mailing this notice to all heirs of the decedent settlor whose identities are reasonably ascertainable. Any suit not filed within this period shall be forever barred.

Notice is further given that any person or entity possessing a claim against the trust must mail proof of the claim to the trustee at the address listed below via certified mail, return receipt requested, by the later to occur of four (4) months from the second publication of this notice or thirty (30) days from the date of mailing this notice if required or the claim shall be forever barred unless paid or otherwise satisfied.

Dated this 16<sup>th</sup> day of November, 2020.  
Jayne L. Schipull Revocable Trust  
Dean C. Schipull, Trustee  
210 W. Cedar St.  
Goldfield, Iowa 50542

Brinton, Bordwell & Johnson

BY: Richard E. Bordwell  
Attorney for Trustee  
120 Central Ave. W., P.O. Box 73  
Clarion, Iowa 50525  
Address  
Date of Second Publication  
3<sup>rd</sup> day of Dec., 2020

Published in the Wright County  
Monitor on Nov. 26 & Dec. 3, 2020.



Look,  
a big *rectangle!*  
Let's try and find other rectangles  
in this newspaper.

When you talk to your child, you build vocabulary, so everyday moments become learning moments. For more tips, visit [bornlearning.org](http://bornlearning.org)

 

Legals are your right to know