

PROCEEDINGS: Lakota

City of Lakota
Unapproved Minutes
Regular Council Meeting
Lakota Community Center
December 7, 2020
7:00 p.m.

Mayor Heidecker called the meeting to order at 7:05 p.m. Council members present were Hagedorn, Janssen, Meyer, Price and Steven. City Staff present were: Pam Robb and Sue Kearney

Hagedorn moved; Janssen seconded to approve the agenda. All approved, motion carried.

Steven moved; Price seconded to approve the 11/02/2020 Regular Meeting minutes. All approved, motion carried.

Hagedorn moved; Steven seconded to approve payroll, payment of bills, bank statements and tax id reports presented. All approved, motion carried.

Public Forum- Lakota resident's David Horak and Tanner and Samantha Weringa were present.

City Clerk provided City financial reports. Steven moved; Price seconded to approve KCEDC 21/22 annual commitment of \$1,020.00. All approved, motion carried.

Old Business:

David Horak and Tanner Weringa expressed their concerns about 102 Smith St. They have witnessed multiple animals, rodents, and bats at this abandoned property. Property owner on record was notified in June 2020 to abate nuisance by demolition. Mayor had previously been in contact with property owner on a timeline to demolish. Property owner has stopped returning Mayor's phone calls. City will plan to demolish property in 2021.

No action taken on Storm Water Drainage Utility or Environmental Covenant.

New Business:

Rustin Lingbeek, PE, SEH, Inc. discussed with the council Well #2 and funding. The city will have to seek bids on the rehab of Well #2. There are not enough available funds in the original water plant project loan amount to cover well rehab. Clerk was asked to get a loan rate from FTSB.

Hagedorn moved, Price seconded to approve WTP Project-Henkel Construction change order No. 4, (\$15,310.00) All approved, motion carried.

Meyer moved; Steven seconded to approve WTP Project-Henkel Construction Pay Request No. 9 Final, \$20,377.50 All approved, motion carried.

Hagedorn moved; Price second-

ed to adjourn the meeting at 7:52 pm. All approved, motion carried.

Pamela Robb, City Clerk
Attest: Nathan Heidecker, Mayor

City of Lakota
November 2020 Claims

AgSource-Route Charge
 /Testing..... 144.00
 Alliant Energy
 -City Elec/Gas..... 2012.28
 Anderson Sanitation-Nov
 Garbage Svc..... 2465.62
 Bomgaars Supply-Timer..... 16.99
 City Of Lakota-Utility Bill..... 62.60
 Colonial-Insurance..... 115.66
 EFTPS-Nov Fed/FICA Tax.... 1299.95
 Grass Masters-Fall Broadleaf
 Control..... 657.36
 Gworks-2021 License
 /Support..... 2667.28
 Hansen, Michael
 -Mileage/Phone..... 139.59
 Iowa Dept Of Natural Reso
 -Annual Water Use Fee..... 95.00
 Iowa Pump Works, Inc.
 -Pump Breakers..... 179.10
 Iowa Rural Water Assoc
 -2021 Dues..... 225.00
 IPERS-Nov IPERS..... 940.55
 K&H Coop Oil Company
 -Winter Fuel..... 558.60
 K.C. Nielsen, Ltd.
 -Tractor Part..... 49.68
 KCEDC-Virus Protection..... 36.00
 Lentz James-Phone..... 20.00
 Mid-America Publishing Co
 -Publish Legals..... 249.00
 Murra Hardware-Ice Melt..... 66.77
 Robb, Pamela-Phone..... 20.00
 State Hygienic Laboratory
 -Water Testing..... 27.00
 Treasurer-State Of Iowa
 -Nov State Taxes..... 185.00
 US Postal Service
 -Lagoon Samples..... 56.70
 USDA-Nov Sewer
 Loan Pmt..... 4455.00
 WCTA-Internet/Tele..... 206.38
 Claims Total..... 16951.11
 General Fund..... 8772.17
 Ambulance Fund..... 42.15
 Road Use Fund..... 1263.10
 Water Fund..... 1602.55
 Sewer Fund..... 5271.14

CITY OF LAKOTA
RECEIPTS
NOVEMBER 2020

General Fund..... \$1,209.74
 Road Use Tax..... \$2,851.28
 Local Option Sales Tax... \$8,627.62
 Property Tax..... \$3,630.83
 Fire Dept Township
 Income..... \$1,092.50
 Water..... \$5,424.52
 Sewer..... \$9,192.74
 Interest..... \$5.22
 TOTAL..... \$32,034.45

Published in Buffalo Center Tribune on Wednesday, Dec. 16, 2020

PROBATE

IOWA DISTRICT COURT
FOR WINNEBAGO COUNTY
NOTICE OF PROBATE OF
WILL, OF APPOINTMENT OF
EXECUTOR,
AND NOTICE TO CREDITORS
IN THE MATTER OF THE ESTATE
OF

ARLYS E. SWINGEN, Deceased.
CASE NO. ESPR011012

To All Persons Interested in the Estate of Arlys E. Swingen, Deceased, who died on or about November 17, 2020:

You are hereby notified that on December 8, 2020, the last will and testament of Arlys E. Swingen, deceased, bearing date of February 28, 2013, was admitted to probate in the above named court and that Mark Swingen 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 to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter to 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 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.

Dated December 9, 2020.
 Date of second publication:
 December 23, 2020

Mark Swingen
 Executor of the Estate
 1118 Del Lane
 Faribault, MN 55021

Patrick B. Byrne,
 ICIS#: AT0001396
 Attorney for the Executor
 Patrick B. Byrne, PLC
 12 South 4th Street
 Clear Lake, Iowa 50428
 Probate Code Section 304

Published in Buffalo Center Tribune on Wednesday, Dec. 16 and Dec. 23, 2020

Filed in District Court
State of Minnesota
Apr 22 2020 10:29 AM
State of Minnesota
County of: Beltrami
District Court
Judicial District: Ninth
Court File Number: 04-FA-18-
2241
Case Type: Dissolution
Audrianna Nikole Vittoe
vs.
Nicholas James Vittoe
ORDER GRANTING
In Forma Pauperis Application
(Minn Stat. §563.01)
Order Granting In Forma Pauperis Application

Based on the affidavit of the applicant Audrianna Nikole Vittoe and the authority of Minn Stat. §563.01, the Court FINDS:

- The applicant's claims are not frivolous and applicant is financially unable to pay any fees and entitled to proceed in forma pauperis.
- IT IS ORDERED THAT:
 - The applicant is authorized to proceed in forma pauperis.
 - The applicant shall not be required to pay any fees, costs and security.
 - All necessary pleadings in this proceeding shall be served by the Sheriff of the appropriate county as requested without payment of any fees or costs.
 - If, following commencement of the action, the applicant no longer meets the eligibility criteria under Minn. Stat. §563.01, subd. 3(b) or becomes able to pay a higher amount than previously ordered, the Court may order reimbursement of all or a portion of the fees, costs, and security for costs.
 - If funds are recovered by either settlement or judgment in this action, the costs deferred and expenses directed by the Court to be paid in this order shall be included in such settlement or judgment and shall be paid directly to the Court Administrator by the opposing party.
 - This order expires one year from the date of this order, unless otherwise amended or altered by the court. The applicant shall reapply if the applicant seeks to proceed in forma pauperis after the one year period.

Recommended by:
 Referee of District Court
 BY THE COURT
 Paul Benschhof

Judge of District Court
 Dated: April 22, 2020
STATE OF MINNESOTA
COUNTY OF BELTRAMI
IN DISTRICT COURT
NINTH JUDICIAL DISTRICT
FAMILY COURT DIVISION
CASE TYPE: DISSOLUTION
WITH CHILDREN
COURT FILE NO. 04-FA-18-2241
In Re the Marriage of:
Audrianna Nikole Vittoe,
Petitioner,
and SUMMONS
Nicholas James Vittoe,
Respondent.

THE STATE OF MINNESOTA THE ABOVE NAMED RESPONDENT:

YOU ARE HEREBY SUMMONED AND REQUIRED to serve upon Petitioner's attorney an Answer to the Petition for Dissolution of Marriage that is herewith served on you, within thirty (30) days after service of this Summons upon you, exclusive of the date of service, if you wish to contest this Dissolution of Marriage proceeding.

If you fail to do so, Judgment by Default will be taken against you for the relief requested for in the Petition for Dissolution of Marriage.

NOTICE OF TEMPORARY RESTRAINING AND ALTERNATIVE DISPUTE RESOLUTION PROVISIONS:

UNDER MINNESOTA LAW, SERVICE OF THIS SUMMONS MAKES THE FOLLOWING REQUIREMENTS APPLY TO BOTH PARTIES TO THIS ACTION UNLESS THEY ARE MODIFIED BY THE COURT OR THE PROCEEDING IS DISMISSED:

(1) NEITHER PART MAY DISPOSE OF ANY ASSETS EXCEPT (i) FOR THE NECESSITIES OF LIFE OR FOR THE NECESSARY GENERATION OF INCOME OR PRESERVATION OF ASSETS, (ii) BY AN AGREEMENT IN WRITING, OR (iii) FOR RETAINING COUNSEL TO CARRY ON OR TO CONTEST THIS PROCEEDING.

(2) NEITHER PARTY MAY HARRASS THE OTHER PARTY; AND

(3) ALL CURRENTLY AVAILABLE INSURANCE COVERAGE MUST BE MAINTAINED AND CONTINUED WITHOUT CHANGE IN COVERAGE OR BENEFICIARY DESIGNATION.

(4) PARTIES TO A MARRIAGE DISSOLUTION PROCEEDING ARE ENCOURAGED TO ATTEMPT

ALTERNATIVE DISPUTE RESOLUTION PURSUANT TO MINNESOTA LAW. ALTERNATIVE DISPUTE RESOLUTION INCLUDES MEDIATION, ARBITRATION, AND OTHER PROCESSES AS SET FORTH IN THE DISTRICT COURT RULES. YOU MAY CONTACT THE COURT ADMINISTRATOR ABOUT RESOURCES IN YOUR AREA. IF YOU CANNOT PAY FOR MEDIATION OR ALTERNATIVE DISPUTE RESOLUTION, IN SOME COUNTIES, ASSISTANCE MAY BE AVAILABLE TO YOU THROUGH A NONPROFIT PROVIDER OR A COURT PROGRAM. IF YOU ARE A VICTIM OF DOMESTIC ABUSE OR THREATS OF ABUSE AS DEFINED IN MINNESOTA STATUTES, CHAPTER 518B, YOU ARE NOT REQUIRED TO TRY MEDIATION AND YOU WILL NOT BE PENALIZED BY THE COURT IN LATER PROCEEDINGS.

(5) UNDER MINNESOTA STATUTES, SECTION 518.157, IN A CONTESTED PROCEEDING INVOLVING CUSTODY OR PARENTING TIME OF A MINOR CHILD, THE PARTIES MUST BEGIN PARTICIPATION IN A PARENT EDUCATION PROGRAM THAT MEETS MINIMUM STANDARDS PROMULGATED BY THE MINNESOTA SUPREME COURT WITHIN 30 DAYS AFTER THE FIRST FILING WITH THE COURT. IN SOME DISTRICTS, PARENTING EDUCATION MAY BE REQUIRED IN ALL CUSTODY OR PARENTING PROCEEDINGS. YOU MAY CONTACT THE DISTRICT COURT ADMINISTRATOR FOR ADDITIONAL INFORMATION REGARDING THIS REQUIREMENT AND THE AVAILABILITY OF PARENT EDUCATION PROGRAMS.

IF YOU VIOLATE ANY OF THESE PROVISIONS, YOU WILL BE SUBJECT TO SANCTION BY THE COURT.

Dated this 3rd day of July, 2018.
 Robert Enger
 Attorney for Petitioner
 Legal Services of Northwest Minnesota

215 Fourth Street N.W.
 P.O. Box 1883
 Bemidji, MN 56619-1883
 (218) 751-9201
 Attorney License No.: 238053

Published in Buffalo Center Tribune on Wednesday, Dec. 16, Dec. 23, and Dec. 30, 2020

OFFICIAL PROCEEDINGS: Winnebago County Supervisors

WINNEBAGO COUNTY
BOARD OF SUPERVISORS
December 1, 2020

The Winnebago County Board of Supervisors met in session at 9:00 A.M. December 1, 2020 adjourned from November 24, 2020.

Present: Supervisors Jensvold, and Durby

Absent: Supervisor Stensrud

The meeting is held today via You Tube and a conference call. This is due to COVID-19 and heightened public health risks.

On a motion by Jensvold and seconded by Durby the Supervisors moved to approve the minutes for the November 24, 2020 Board Meeting and approve the Agenda for December 1, 2020. All voted aye. Motion carried.

There was discussion regarding the COVID-19 policy.

On a motion by Durby and seconded by Jensvold the Supervisor moved to approve the following Resolution. All voted aye. Motion carried.

RESOLUTION
#12-01-2020-03-001
RESOLUTION FOR POSTPONE-
MENT OF TAX SALE UNDER
IOWA CODE CHAPTER 446
WITHIN WINNEBAGO COUNTY

WHEREAS the Board of Supervisors of Winnebago County, Iowa and Governor of the State of Iowa, have declared a state of emergency caused by the COVID-19 viral pandemic; and

WHEREAS, the Winnebago County Treasurer has made attempts to hold the tax sale required under Iowa Code 446, and specifically under Iowa Code 446.28, that the June tax sale be held on the succeeding month unless good cause is shown; and

WHEREAS, due to the ongoing COVID-19 pandemic and the inability to hold either an in-person tax sale due to the number of individuals that would be present or online tax sale due to technological limitations, good cause is found that the tax sale should be postponed for the month of December.

THEREFORE, IT IS HEREBY RESOLVED by the Winnebago County Board of Supervisors and Winnebago County Treasurer that good cause exists that a tax sale cannot be held under Iowa Code 446.28 due to the ongoing COVID-19 pandemic and is post-

poned for the month of December.

Resolution declared adopted this 1 day of December, 2020.

Signed: Bill Jensvold, Chairperson,
Board of Supervisors
Winnebago County, Iowa
Attest: Karla Weiss, Auditor
 Jaci Miller, Veterans Affairs discussed re-appointing Barney Ruitler to the Veterans Affairs Commission. The Supervisors stated they will make the appointment in January.

Scott Meinders, Engineer discussed secondary road matters including getting ready for snow season.

Karla Weiss, Auditor discussed drainage matters.

On a motion by Durby and seconded by Jensvold the Supervisors moved to appoint Rick Hopper, Jacobson Westergard as Engineer for Annexation of private ditch to DD 5. All voted aye. Motion carried.

On a motion by Durby and sec-

onded by Jensvold the Supervisors moved to open the Public Hearing for the Budget Amendment for FY 2021. Roll call vote – Jensvold - Aye and Durby – Aye. Motion carried.

Present at the meeting was Supervisors Jensvold and Durby, Karla Weiss, Auditor, Mackenzy Jensvold, and Scott Meinders, Engineer.

There was some discussion regarding the amendment and no public comment. On a motion by Jensvold and seconded by Durby the Supervisors moved to close the Public Hearing. Roll call vote – Jensvold – Aye and Durby – Aye. Motion carried.

On a motion by Durby and seconded by Jensvold the Supervisors moved to approve the following Resolution. All voted aye. Motion carried.

RESOLUTION 12-1-2020
RESOLUTION TO APPROPRIATE
MONEY FOR THE FY2021 BUD-
GET AMENDMENT

EXPENSES		Original or Previously Appropriated by	Change Of..	Appropriated to
By Department	Resolution			
Non Departmental	\$4,909,006.00			\$4,909,006.00
Supervisors	\$204,748.00			\$204,748.00
Auditor	\$215,103.00			\$215,103.00
Treasurer	\$391,413.00			\$391,413.00
Attorney	\$233,815.00	\$8,000.00		\$241,815.00
Sheriff	\$1,737,087.00			\$1,737,087.00
Clerk Of Court	\$6,331.00			\$6,331.00
Recorder	\$281,260.00	\$9,000.00		\$290,260.00
Election	\$213,284.00			\$231,281.00
Secondary Roads	\$4,937,417.00	\$217,851.24		\$5,155,268.24
Veterans Affairs	\$73,073.00			\$73,073.00
Conservation	\$1,579,486.00	\$42,216.00		\$1,621,702.00
Public Health	\$1,407,752.00			\$1,409,752.00
Social Services	\$110,568.00	\$8,000.00		\$118,568.00
County Care Facility	\$500.00			\$500.00
Sanitarian	\$47,140.00			\$47,140.00
Roadside Management	\$100,187.00			\$100,187.00
Water Reduction-Recycling Pro.	\$50,800.00			\$50,800.00
Libraries	\$110,000.00			\$110,000.00
County Fair	\$35,000.00			\$35,000.00
Communications	\$479,552.00	\$(15,600.00)		\$463,952.00
Courthouse & Grounds	\$875,785.00			\$875,785.00
Data Processing	\$373,280.00			\$373,280.00
Zoning	\$10,620.00			\$10,620.00
General Miscellaneous	\$305,206.00			\$305,206.00
Unemployment	\$11,000.00			\$11,000.00
Tort Liability	\$22,000.00			\$22,000.00
Mental Health	\$437,580.00			\$437,580.00
Chemical Dependency	\$20,000.00			\$20,000.00
Juvenile Placement	\$40,000.00			\$40,000.00
Emergency Management	\$55,774.00			\$55,774.00
Winn Worth Betco	\$229,690.00			\$229,690.00
County Rural Assistance	\$18,000.00			\$18,000.00
	\$19,524,457.00	\$269,467.24		\$19,793,924.24

WHEREAS, on December 1, 2020 the Winnebago County Board of Supervisors did adopt the County Budget Amendment for the Fiscal Year 2021; and

WHEREAS, the Board of Supervisors shall appropriate the amounts deemed necessary for each of the county officers and departments during the ensuing fiscal year, as provided by Section 331.434(6) of the Code of Iowa.

NOW THEREFORE BE IT RESOLVED by the Winnebago County Board of Supervisors that the following amounts are hereby amended and appropriated to the various departments for the Fiscal Year 2021.

See Attachment.
 Passed and approved this 1st day of December, 2020.

Bill Jensvold, Chairperson
Board of Supervisors
Attest: Karla Weiss,
County Auditor

AMENDMENTS TOTALS
PER SERVICE AREA
FY 2020 Amendment

Service Area 0	
Non Program Expense	
Service Area 1	
Public Safety and Legal Services	\$7,600.00
Expense Revenue	\$391,413.00
Service Area 3	
Physical Health & Social Services	\$8,000.00
Expense	\$42,216.00
Service Area 6	
County Environment and Education	\$217,851.24
Expense	\$73,073.00
Service Area 7	
Roads and Transportation	\$217,851.24
Expense	\$500.00
Service Area 8	
Government Services to Residents	\$9,000.00
Expense	\$269,467.24
Total Expenditures	\$269,467.24
Total Revenue	

The following Manure Management plan was received by the Auditor's office: #61202 AJ Lackore Farms, Inc, Winnebago County, Iowa.

The Supervisors discussed the TIF and decided to request all TIF funds available.

The session was adjourned until 9:00 A.M. December 8, 2020.

Bill Jensvold, Chairperson
Attest: Karla Weiss, Auditor
 Published in Buffalo Center Tribune on Wednesday, Dec. 16, 2020