

PUBLIC NOTICE

Notice of Public Hearing
Proposed Ordinance NO. LXII
AN ORDINANCE REGARDING
RAGBRAI IN ALLAMAKEE
COUNTY, IOWA

The Allamakee County Board of Supervisors will hold a public hearing for the first reading of Ordinance LXII during the Board of Supervisors meeting in the Board of Supervisors room at 110 Allamakee St, Waukon, IA 52172 on Monday, May 9, 2022 at 9:40 A.M. A summary of Ordinance LXII follows:

AN ORDINANCE TO ASSIST COUNTY OFFICIALS CONTROL THE PUBLIC HEALTH AND SAFETY ISSUES CREATED BY THE INFUSION OF A LARGE NUMBER OF PEPOLE IN THE COUNTY BY ESTABLISHING REGULATIONS AND A PERMIT STRUCTURE FOR VENDORS IN THE UNINCORPORATED AREAS OF ALLAMAKEE COUNTY DURING THE DES MOINES REGISTER'S ANNUAL GREAT BICYCLE RIDE ACROSS IOWA (RAGBRAI) ON JULY 30, 2022.

BE IT ORDAINED by the Allamakee County Board of Supervisors:

Section 1 – Purpose: The purpose of this Ordinance is to control the safety and well-being of the public during the RAGBRAI event, July 30, 2022, in Allamakee County, Iowa.

Section 2 – Definitions: For purposes of this Ordinance, the following terms or words shall be interpreted or defined as follows:

- “Vendor” shall mean any person, association, corporation, organization, or other entity that sells or supplies food, beverages, services, or merchandise to the public in the unincorporated areas of Allamakee County, Iowa.
- “Food” shall include food products of all kind including food packaged for consumption off premises as well as meals prepared for consumption either on or off premises. Food shall also include beverages of every kind, including both alcoholic and nonalcoholic, except for water provided without cost to the consumer.
- “Sale Facility” shall be defined as any device from which the vendor offers food, beverages, services or merchandise for sale or sells or delivers food, beverages, services

or merchandise.

4. The “RAGBRAI committee” for purposes here-in shall be defined as the Allamakee County Economic Development Board.

Section 3 – Permits: No vendor shall sell or supply food, beverages, services or merchandise to the public or erect a temporary stand, sale facility or distribution area in the unincorporated areas of Allamakee County on July 30, 2022, without first having obtained a vendor’s permit from the RAGBRAI Committee. A vendor fee will be required. A copy of the permit shall be maintained at the vendor’s sale facility at all times and produced immediately upon request by any law enforcement official, environmental health specialist or anyone acting per their direction. Vendors applying for a permit shall be required to show proof of insurance liability coverage naming Allamakee County as an additional insured in an amount of at least one million dollars. Vendors applying for a permit shall also be required to show proof of all necessary licenses and permits. The application deadline for Vendor Permits shall be June 15, 2022.

Section 4 – Exception: Businesses that were in existence on May 1, 2022, in possession of a current applicable permit for the sale or supply of food, beverages, or merchandise may sell or supply food, beverages, services or merchandise upon their licensed premises in the unincorporated areas of Allamakee County without first obtaining a vendor permit. HOWEVER, this provision does not allow such existing businesses to sell or supply food, beverages, services or other merchandise off-site of the licensed premises, or on the public street or in the right-of-way abutting the licensed premises, without first obtaining a vendor permit from the RAGBRAI Committee.

Section 5 – Fees: The fees for vendor permits shall be as follows:

- Food and beverage vendor permits and n on-food vendor permits shall be \$800.
- Non-profit food and beverage vendor permits and non-food vendor permits shall be \$400.
- If required, any temporary Food Establishment fee shall be in addition to the vendor permit fee.

4. A \$100 clean up deposit is required for each permit. This money will be refunded if the vendor complies with this Ordinance and the site is completely cleaned by noon on July 31, 2022.

5. The fees charged for vendor permits will be used to cover expenses of Allamakee County for hosting the event. The Allamakee County RAGBRAI Committee shall ensure that notice a full refund of the application fee is returned to any vendor whose application is denied.

Section 6 – Food and Beverage Locations: A vendor who has been granted an Allamakee County food and beverage vendor permit shall locate its sale facility at such location with in the unincorporated areas of Allamakee County as authorized by the RAGBRAI Committee in their sole discretion and NOT on County Right of Way.

Section 7 – Health Regulations: A person or entity issued a food and beverage vendor permit pursuant to this Ordinance shall comply with the Iowa Department of Health/Iowa Department of Inspection and Appeals regulations pertaining to the sale and dispensing of food and beverages for consumption and any local Board of Health rules and regulations pertaining to same.

Section 8 – Glass Containers: To promote safety during RAGBRAI, all beverages sold in the unincorporated area of Allamakee County, Iowa, by food and beverage vendors on July 30, 2022, shall be provided in non-glass containers only. This requirement shall also apply to any existing business, restaurant, service station, grocery or other establishment in the unincorporated areas of Allamakee County selling or providing beverages on in its premises for consumption offsite or in an outdoor setting open to the public.

Section 9 – Nuisance: The sale or supply of food, beverages, services or merchandise or the erection of a temporary facility for the sale of such items without a RAGBRAI committee food and beverage permit or non-food and beverage vendor permit on July 30, 2022, in violation of the provisions of this Ordinance is hereby declared to be a nuisance as defined by Section

657.1 of the Iowa Code. If a peace officer or environmental health officer determines a nuisance to exist in violation of this Ordinance, an emergency abatement procedure may be executed by any peace officer or those acting at the peace officer’s direction by causing the illegal facility to be dismantled and removed. In this event, the peace officer or those acting at the peace officer’s direction shall provide an immediate notice to the offender of the violation. Failure or inability of the offender to immediately remedy the violation shall result in the emergency abatement procedure above.

Section 10 – Violations/Penalties: Selling or providing food, beverages, services or merchandise to any person without the applicable permit on July 30, 2022, or any other violation of this Ordinance shall be a simple misdemeanor punishable by a maximum fine of \$500, or a maximum of 30 days in jail, or both. Each separate sale or distribution shall be deemed a separate violation.

Section 11 – Effective Date: This Ordinance shall be in effect from and after final its final passage, approval and publication as provided by law.

Section 12 – Repealer: All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed. The applicability of any portion(s) of the Allamakee County Zoning Ordinance in conflict with this Ordinance shall be suspended on July 30, 2022.

Section 13 – Severability Clause: If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 14 – Sunset Clause: This Ordinance is repealed on August 1, 2022. Any violations of this Ordinance that have not yet been adjudicated by the date of repeal may still be litigated as if this Ordinance still remained in full force and effect.

Published May 4, 2022 in the Postville Herald.

PUBLIC NOTICE

The property of: Mary Boal, storage unit #22, stored at Tidy Wave Storage Units, Business Park Drive, Postville, IA 52162 will be sold by public auction at 10:00 am, Thursday, May 12, 2022at Tidy Wave Storage Units, Business Park Drive, Postville, IA 52162 if the account is not settled in full. 563-864-7145

Published April 27 and May 4, 2022 in the Postville Herald.

PUBLIC NOTICE

PUBLIC NOTICE
ALLAMAKEE COUNTY
BOARD OF SUPERVISORS

Public Hearing has been filed for:

1) An Amendment to the Zoning Ordinance by changing the zoning district boundaries and changing the zoning district of the Official Zoning Map of Allamakee County for property on HWY 9 Lansing, IA 52151. Parcel is legally described as LOT 1 OF 2 OF 1, LOT 2 OF 1 OF 1, LOTS 1 & 3 OF 5 ALL IN SW NE of Section 32, Township 99 North, Range 4 West of the 5th Prime Meridian, Allamakee County Iowa. This parcel is currently zoned A-1, Agricultural and

C-1, Commercial. This zoning change would make the parcel less C-1, Commercial and more A-1, Agricultural. The portion of the property to switch from C-1 commercial to A-1 Agricultural is legally described as: Commencing at the North 1/4 Corner of Section 32, Township 99 North, Range 4 West of the 5th P.M.; thence S 01°-11'-40" E, 1321.27 feet to the northwest corner of the SW1/4-NE1/4 of said Section 32 which is the Point of Beginning; thence S 01°-07'-10" E, 245.80 feet along the west line of said SW1/4-NE1/4; thence N 56°-49'-44" E, 144.61 feet; thence N 37°-03'-41" W, 208.81 feet to the

Point of Beginning. Said described parcel of land contains 0.35 acres, more or less. Bearings are based on the Iowa State Plane Coordinate System North Zone (1401) Horizontal NAD 83 (2011).

Under the provision of the Zoning Ordinance the Board of Supervisors, under certain conditions and safeguards, have the authority to grant these requests if they feel the applicant meets the standards established in the ordinance. The Board of Supervisors will hold a public hearing on May 9th , 2022 at 10:00 A.M., in the Allamakee County Courthouse, Board of Supervisors Room, Waukon, IA at which time you may submit your views on these matters in person, in writing or by representative.

Agendas and zoom links for these meetings are posted on the website at <https://allamakeecounty.iowa.gov/>

If you have questions regarding these requests please contact Stephanie Runkle,

Allamakee County Zoning Administrator, 110 Allamakee Street, Waukon, IA 52172.

Phone: 563-568-3014 or Email srunkle@co.allamakee.ia.us.

Published May 4, 2022 in the Postville Herald.

PUBLIC NOTICE

MINUTES OF THE ALLAMAKEE
COUNTY BOARD OF
SUPERVISORS MONDAY,
APRIL 25, 2022 (UNOFFICIAL)

Board members present: Byrnes, Reiser and Schellhammer. All members voting "AYE" unless noted.

Meeting called to order by Schellhammer, followed by the Pledge of Allegiance.

22.151-Motion Byrnes/Second Reiser to approve today's agenda and the minutes from April 18, 2022. Motion carried.

The following people were present at various times throughout the meeting in person: Joseph Moses – Standard newspaper, Denise Beyer – Auditor and Clerk to Supervisors, Val Reinke, Jenny O'Neill, Stephanie Runkle, Tony Gericke, Brian Ridenour, John Roe, Heather Homewood.

Public Comment: Val Reinke reported on past weekend events and upcoming events and meetings.

Assistant County Attorney Jill Kistler explained a special assessment, which needs a resolution by the Supervisors. The assessment is based on fees/expenses owed to the Sheriff's department to take care of livestock that was seized back in October 2020. The total amount can be spread out over a period of up to 10 years. The Supervisors will consider payment

options and take action next week.

22.152-Motion Byrnes/Second Reiser to accept and place on file quarterly reports for Environmental Health and Sheriff's office. Motion carried.

22.153-Motion Reiser/Second Byrnes to set May 9, 2022 at 9:40am for the Public Hearing for RAGBRAI Ordinance LXII. Motion carried.

22.154-Motion Reiser/Second Byrnes to set May 9, 2022 at 10:00am for the Public Hearing for change to Zoning Ordinance. Motion carried.

22.155-Motion Reiser/Second Byrnes to approve the resolution of acceptance of final subdivision plat for Kevin B. Welch. Roll call-Reiser-aye; Byrnes-aye; Schellhammer-aye. Motion carried. (Full text of resolution available in Auditor's office)

22.156-Motion Byrnes/Second Reiser to approve the resolution of acceptance of final subdivision plat for Lyle H Dee Estate. Roll call-Reiser-aye; Byrnes-aye; Schellhammer-aye. Motion carried. (Full text of resolution available in Auditor's office)

22.157-Motion Reiser/Second Byrnes to approve resolution to obligate ARP funds for courthouse repairs/improvements including but not limited to roof repair and office

ceilings and lighting, not to exceed \$175,000. Roll call: Reiser-aye; Byrnes-aye; Schellhammer-aye. Motion carried. (Full text of resolution available in Auditor's office)

Auditor Beyer explained the increase in allowable maximum carryover for Medical Flex Spending accounts and asked for approval to increase this to \$570.

22.158-Motion Byrnes/Second Reiser to approve resolution to appoint special prosecution for a case due to a conflict of interest in Allamakee County.

22.159-Motion Byrnes/Second Reiser to approve increase in maximum carryover amount for Medical Flex Spending accounts to \$570. Motion carried.

22.160-Motion Reiser/Second Byrnes to approve signing Certification of Cost Allocation Plan from Cost Advisory Services for indirect cost services for FY21, to be received in FY23. Motion carried.

Engineer Ridenour presented contracts and bonds for road rock resurfacing.

22.161-Motion Byrnes/Second Reiser to approve contracts and

bonds for road rock resurfacing. Motion carried.

Ridenour recommended hiring Darrell Henning for temporary part-time roadside mower at \$13.42/ hour.

22.162-Motion Reiser/Second Byrnes to hire Darrell Henning as temporary part-time roadside mower starting on May 23 at \$13.42 per hour. Motion carried.

Department Head updates: Engineer Ridenour updated on 6-county meeting on April 28; gave project and department updates; and explained changes in RAGBRAI bike and support routes. Stephanie Runkle asked about ceiling replacement in the environmental health and zoning office spaces. Heather Homewood asked about hot water in bathrooms, and thanked the Supervisors for spending some of the ARPA funds toward opening a mental health clinic in the county. Auditor Beyer gave department update.

22.163-Motion Byrnes/Second Reiser to adjourn. Motion carried.

Larry Schellhammer, Chairperson
ATTEST:
Denise Beyer, Auditor

Published May 4, 2022 in the Postville Herald.

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CLAIMS ALLOWED BY THE
ALLA CO BOARD APRIL 25, 2022

General Basic Fund	
Accurate Controls	
services	145.00
Agvantage FS fuel	14136.32
Alla Co. Sportsmans Club	
dues	60.00
Alla Clayton Elec elec.....	491.08
Alla Co Hist Society	
utilities.....	905.46
Alliant Energy elec.....	3521.77
Axon Enterprise	
equipment.....	2100.90
Ken Becker rent.....	300.00
Kerri Berns supplies	12.17
Bodensteiner Implement	
services	401.06
Byrnes Landscaping Services	
services	345.00
Casey's Busin MasterCard	
fuel.....	1341.52
CenturyLink phone	712.71
City of Lansing water.....	71.65
Cole's Auto Repair	
services	40.00
Cost Advisory Services	
services	4125.00
CoZo dues.....	175.00
Cunningham Hardware	
supplies	46.98
DIRECTV phone.....	162.16
District II Treasurers school ..	30.00
Janel Eglseider school	133.69
Environmental Systems Research	
services	1550.00
Espresso fuel.....	319.32
Galls supplies	134.67
John Gibbs mtg	30.00
Robin Harmon mtg	80.00
Heather Homewood	
school	838.29
ILEA school.....	2800.00
Kwik Trip/Kwik Star fuel.....	3457.92

Jon Luchsinger supplies	98.83
Martin Bros Distributing	
supplies	780.84
Mediacom phone.....	986.03
Mid-America Publishing	
services	17.24
News Publishing services.....	44.00
Stephens-Peck supplies.....	100.00
Quill supplies	32.26
Quillins Food Ranch	
supplies	462.56
Mike Reburn mtg	30.00
Kevin Reinhardt school.....	148.08
Reinhart Foodservice	
supplies	475.69
Millie Richards supplies	38.96
State Hygienic Laboratory	
services	155.50
IA Office of the State Medical	
Examiner	
services	2067.44
Storey Kenworthy	
supplies	93.18
SYNCB/Amazon	
supplies	125.66
Tri-State Busin Machines	
services	145.51
Ed Urell rent.....	200.00
US Cellular phone	431.38
Verizon Wireless	
phone.....	40.01
Village Farm & Home	
supplies	19.99
Waste Management of WI	
services	77.38
Waukon Veterinary Service	
services	173.59
West Side Waukon Lumber	
supplies	342.30
Winona Controls	
services	1400.00
Ziegler services	1252.28
Don Zoll mtg	30.00

General Supplemental Fund

Alla Co Sheriff	
services	194.57
RC Tire & Trucking	
services	700.00

American Rescue Plan Fund

Allen Roofing & Construction	
services	28002.00
Ceiling Pro Plus	
services	5640.00
Kerr Electric services.....	1310.40
Light Source Central	
supplies	7063.57

Well Grant Fund

State Hygienic Laboratory	
services	616.00
UPS postage	39.57
US Cellular phone	67.86

Rural Services Basic Fund

Agvantage FS fuel.....	445.18
Alla Clayton Elec internet	49.99
Bruening Rock Products	
materials	266.51
CenturyLink phone	72.03
Town & Country Sanitation	
services	13499.07

Secondary Road Fund

Agvantage FS fuel.....	3210.11
Alla Clayton Elec elec.....	375.43
Alliant Energy elec.....	698.32
Bard Materials rock.....	11271.27
Brennan Construction	
services	108824.11
Bruening Rock Products	
rock.....	61925.65
Fehr Graham services.....	2285.50
Hovden Oil fuel	11633.30
Iowa State University	
school	90.00
La Crosse Truck Center Ford	

parts.....	16.82
Mediacom phone	248.54
Racom services	105.00
Royal Tire tires.....	3561.00
Sadler Power Train parts	5545.80
Safety X-treme supplies	2778.95
Snap On Tools supplies.....	245.00
Torkelson's of Waukon	
parts.....	4838.26
Truck Country of IA parts	79.10
US Cellular phone	19.49
U.S. Postal Service	
postage.....	666.30
VMH services	156.00
Ron Weymiller Construction	
rock.....	3864.96
Ziegler materials	1857.97

Emergency Manag/Disaster

Amazon Capital Services	
supplies	45.73
CenturyLink phone	253.20
Cunningham Hardware	
supplies	27.96
Kwik Trip/Kwik Star fuel.....	298.49
Storey Kenworthy supplies	82.91
US Cellular phone	47.87

Assessor Fund

Environmental Systems Research	
services	1550.00
Mediacom phone	98.64
RICOH services.....	21.24

E-911 Surcharge Fund

CenturyLink phone	304.54
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E-911 Operating Fund

Alla Clayton Elec	
tower exp	112.13
Grand Total.....	333342.72

Published May 4, 2022 in the Postville Herald.