

PEN CITY CURRENT

It's **Black & White** and **Read** all over

Thursday, January 12, 2023 | 6 pages | Volume 7 • Issue 16



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Locals battle NuStar



Photo by Chuck Vandenberg/PCC

Lee County resident Coette Gida is sworn in prior to giving testimony Tuesday afternoon at Quality Inn and Suites in Fort Madison. Gida testified in the IUB's eminent domain docket with the Iowa Utilities Board.

IUB: Utilities Board to rule on eminent domain arguments by local owners

BY CHUCK VANDENBERG
PCC EDITOR

FORT MADISON - Representatives of two generational farms parried with pipeline officials for close to two days to stop eminent domain proceedings to take their property.

The Iowa Utilities Board held a formal hearing at the Quality Inn & Suites Monday and Tuesday late into the evening to gather information and listen to the pros and cons of using eminent domain to allow the construction of the pipeline.

Coette Gida, representing herself and her mother Margaret Strunk, along with John Menke Hayes, representing his eight siblings in property owned since Lincoln was president, made their case to the IUB to oppose NuStar Energy L.P. taking of their property to build an anhydrous ammonia pipeline around Lee County to the Iowa Fertilizer Co.

The two properties are located just north of the Hwy. 61 bypass on both sides of Hwy 103. Hayes, a physician from the Chicago suburbs, questioned NuStar officials heavily Monday and then took the stand himself on Tuesday.

Hayes said the state already dissected his family's property with the construction of the bypass, eliminated the family's original homestead on the south side of the property where the south lanes of the bypass intersect 103.

Hayes' most pointed testimony came as follow up to sub-

mitted written testimony he filed in the case docket prior to this week's hearing.

IUB board member Joshua Byrnes, who served as IUB's administrator of the hearings, referred to written statements where Hayes said his family was strong armed by NuStar's contracted land agents, JCG Land Services out of Nevada, Iowa.

"Have you been strong armed by NuStar," Byrnes asked Hayes.

Hayes said statements were made by the land agents to his brother Steve, who manages the property for the nine siblings.

"The comment from JCG, 'We're not going anywhere.' was stated to my brother Steven."

Byrnes clarified that the statement precipitated Hayes' assessment of being strong armed.

Hayes said the statement also references two other exhibits that were entered into evidence in the docket.

He said there are two different ways to interpret the statement with one being the landowners don't have an option, or that the land agents were just letting them know they would be around if they needed anything.

"I can tell you that it was interpreted as the former," Hayes

See PIPELINE, page 6

IOWA NEWS

Reynolds puts hold on administrative rule making

DES MOINES – Jan. 11, 2023 – Gov. Kim Reynolds signed Executive Order Number 10 on Tuesday, Jan. 10, 2023, putting a moratorium on administrative rulemaking and instituting a comprehensive review of all existing administrative rules.

"Iowa's Administrative Code contains over 20,000 pages and 190,000 restrictive terms, putting undue burden on Iowans and the state's economy, increasing costs for employers, slowing job growth, and impacting private sector investments," stated Gov. Reynolds. "In Iowa, we're taking a commonsense approach that gets government out of the way and leads to a more robust economy in every community."

The Executive Order also directs a comprehensive evaluation and rigorous cost benefit analysis of existing rules to evaluate their public benefits, whether the benefits justify the cost, and whether there are less restrictive alternatives to achieve their intended goal.

State releases more funding for summer youth internships

DES MOINES, IOWA – Governor Reynolds today announced a new round of funding that will soon be open to support Summer Youth Internship opportunities across Iowa. A total of \$379,000 will be available for Future Ready Iowa's Summer Youth Internship Program grants, which support the creation of internship programs for Iowa's youth between the ages of 14 and 24 that help prepare them for high-demand careers in the workforce.

Applications for this year's Summer Youth Internship Program Grants will be accepted on IowaGrants.gov beginning January 16, 2023. The deadline for applications is February 28, 2023, at Noon.

Visit this link for information on the application and grant process.

A webinar will take place on January 17 at

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WEATHER

THU 11 JanWindy with chance of rain and snow, 36° F/ 22° F
 FRI 12 JanMostly sunny and windy, 32° F/ 19° F
 SAT 13 JanMostly sunny, 41° F/ 31° F

OpenWeatherMap



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LUCKY FOR LIFE 01/10715 29 41 43, Lucky Ball: 5
 MEGA MILLIONS 01/107 13 14 15 18, Mega Ball: 9 Megaplier: 3
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Obituaries/Sports

OBITUARIES

JOANNE WALLJASPER

Joanne Walljasper, 91, of Fort Madison, passed away on Wednesday, January 11, 2023 at 9:18 AM at her home.

She was born on March 21, 1931 in Ft. Madison to Joseph and Caroline Schmidt Walljasper. Joanne was a longtime nurse at Valley Clinic for Dr.



WALLJASPER

R.C. McIllece at Valley Clinic and retired after several years of service. She was a member of Holy Family Parish and enjoyed reading, working on puzzles and knitting. Joanne loved to travel and usually drove her car. She volunteered for several organizations and was a caretaker for her family members. Joanne also was an avid Chicago Bulls fan.

Joanne is survived by several nieces, nephews, great nieces and nephews and great great nieces and nephews. She was preceded in death by her parents; four brothers, Jim (Terry) Walljasper, Paul (Doris) Walljasper, Frank (Ruth) Walljasper and Tom (Carol) Walljasper; three sisters, Jean (George) Saad, Martha (Richard) Murphy and Mary Ann in infancy; two nephews, Jay Walljasper and Steve Saad; one niece, Trudy Maas; one great nephew, Thomas Walljasper and one great niece, Erica Maas.

Per her wishes, cremation has been entrusted to King-Lynk Funeral Home & Crematory. A rosary will be recited at 9 AM on Saturday, January 21, 2023 at Ss. Mary & Joseph Church. The family will meet with friends from 9:30 AM until 10:30 AM. The mass will begin at 10:30 AM at Ss. Mary & Joseph church with Rev. Joseph Phung officiating. Burial will follow in Gethsemane Cemetery.

A memorial has been established for Holy Family Parish and online condolences may be left at www.kinglynk.com.

Presley finds bearings in the lane in HTC win

FORT MADISON - HTC boys' coach John Hellige is tired of losing games.

But he said Tuesday night that it's going to be tough to win games in a pretty tough SEI Superconference when you only score 39 points.

"You're just not going to win many games in this league when you only score 39 points," Hellige said after his Crusaders dropped a 48-39 loss to Danville Tuesday night.

"We were tough and we played well. We boxed out and did things we talked about in practice around being tougher, but at the end of the day, you gotta score some points."

Hellige said again the team looked tentative early on. He said Danville does a good job scouting and breaking down teams off film.

"They knew everything we were gonna run. If we execute, set good screens and cut off 'em, that stuff's still gonna work, but we just weren't sharp enough offensively to get it done tonight."

The Crusaders only managed four points in the first quarter, three on a 3-point play converted by senior Nick Fullenkamp. But while HTC struggled with Danville's perimeter defense and height advantage, the Bears were stretching to a 16-4 first quarter lead.

But the Crusaders turned things around a bit in the second quarter, outscoring Danville 14-10 behind a couple 3-balls from Luke Hellige, who finished tied with Conner Gehling for a team-high with 13 each on the night.

They would cut into that by another point in the third quarter, outpacing the Bears 11-10.

Danville scored six unanswered to open the fourth period to go up by 11 42-31. Gehling scored inside with 3:54 left in the game to cut the lead to nine. HTC would get a stop on the next possession and then Gehling would again score sliding in from the right side of the lane.

After trading buckets for a 44-37 lead, HTC had to go into foul mode with 2:38 left in the game. After two quick fouls to reset the game, Fullenkamp was whistled for a rare intentional foul, much to the chagrin of Coach Hellige and the Crusader fans.

Danville's Titus Svoboda converted both the free throws on the technical for the intentional foul to make it a nine-point game that the Crusaders wouldn't be able to cut into.

Caiden Gourley led the Bears with 13 points. Danville improves to 9-3 overall and 5-3 in the conference, while the Crusaders fall to 4-8 overall and 2-6 in the conference.

HTC travels to West Burlington on Friday before hosting Fort Madison for the Crusaders' annual cake auction night.

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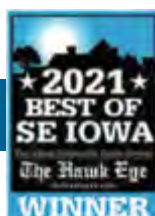
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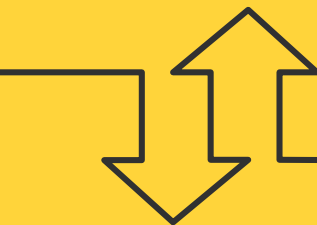
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Sports

HAWKS BASKETBALL

Central Lee girls fall to Mepo

SANDOVAL INJURED:

Freshman suffers scary injury that ends game; no serious injury reported Wednesday morning



MEDIAPOLIS — Central Lee's girls basketball team suffered a 62-45 loss to Mediapolis on Tuesday night, but the immediate concern after the game was the injury to freshman Kenna Sandoval.

The game was stopped with 1:09 left when Sandoval suffered what appeared to be a neck injury after becoming entangled with a Mediapolis player going for an offensive rebound. Sandoval was taken by ambulance to Southeast Iowa Regional Medical Center in Burlington.

Central Lee coach Taylor Hickey said Sandoval was awake and responding to the trainer before the ambulance arrived.

"The trainer did a great job carrying on a conversation with her," Hickey said. "She was asking her what she wanted to be when she grows up, what's her favorite subject in school. Kenna, of course, said math was her favorite subject, and she wanted to go into something with accounting and finance. She was responsive, but she was scared, like all of us were."

The two coaching staffs decided to end the game at that point.

"I really appreciate (Mediapolis coach) Todd (Borrison) and everything he did," Hickey said.

Sandoval, a freshman, had 12 points for the Hawks (4-7 overall, 3-5 SEI Superconference South Divi-

sion).

"She's always a huge asset to our team, just because of her presence inside," Hickey said. "She's young. I coach her as a senior, at the varsity level, but she's new to this. The good thing about Kenna is she takes coaching really well. She's a great kid."

The Hawks kept pace with the No. 13 (Class 2A) Bulldogs (9-2, 7-2) for most of the first quarter before Mediapolis went on a 15-1 run that lasted until early in the second quarter. The Bulldogs had three 3-pointers in the run on a night in which they had 10.

Payton Bush led Mediapolis with 28 points.

"Number one, they shot the ball out of the park," Hickey said. "Their point guard (Bush), she's a great defender. She would take our point guards out of it, knock the ball away, and come down and hit a three."

It was the third loss in four days for the Hawks.

"We've gotten in the mode the last couple of games of being there until the very end, and letting up," Hickey said. "Tonight, we wanted to come together and have some fun. Mediapolis is a good team, I knew they were going to come out and play as hard as they could, as always. They just had that big run that took us out of it."

Makayla Morrison led Central Lee with 17 points.

Hawks boys need some 1st quarter magic to curb losses

Mediapolis rolls: Pohren leads Central Lee with 14 points in loss

MEDIAPOLIS — Kritter Hayes likes how his Central Lee boys basketball team battles.

It's a fight he would rather the Hawks wouldn't always have to face.

Central Lee's 71-51 loss to Mediapolis on Tuesday night was built early, when the Bulldogs opened the game with a 19-2 run.

The fact that the Hawks got to within 28-20 late in the second quarter and only trailed 35-22 at halftime was something Hayes appreciated.

"Again, we fight from behind," Hayes said. "But I don't want us to be fighting from behind. When we do (fall behind), we're responding. We could have easily hung our heads and let it continue and snowball. We're breaking that up a bit. But we have to figure out how can we not fall behind all of the time."

The Hawks (2-10 overall, 0-8 SEI Superconference South Division) were challenged by the speed of the Bulldogs (7-4, 4-4) all night.

"It seemed like every time we made a shot, we gave up a 3-point shot or something else," Hayes said. "It was hard. You can't just match baskets with your opponent. So we have to dig down defensively, identify shooters. We were not identifying shooters in transition at all in the first half, but we did better in the second half."

"They were pushing the ball down the court, and they probably saw that on tape — that's been where we were breaking down the last couple of games. We've got to keep working on that in practice."

Corbin Pohren led Central Lee with 14 points. Kegan Damico had 13 points.

"I thought Kegan was really good for us," Hayes said. "We need guys to step up, and I thought he did that tonight."

Ben Egan led Mediapolis with 18 points. Cole Lipper had 13 points. Max Griffin had 12 points. Jackson Hutcheson and Lance Ludens each had 10 points.



**LUNCH SPECIALS
JANUARY 9-13
11AM - 1PM**

**Monday, January 9
Tenderloin, Tater Tot, Blueberry Fluff**

**Tuesday, January 10
Meatloaf, Mashed Potatoes, Corn**

**Wednesday, January 11
Chicken Bacon Ranch Pasta, Breadstick**

**Thursday, January 13
Fried Chicken Dinners**

**Friday, January 13
Fish Sandwich, Steak Fries, Slaw**

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Classifieds/Public Notices

PUBLIC NOTICES

PUBLIC NOTICE MEETING MINUTES

Donnellson City Council
Regular Meeting
Monday,
December 12th, 2022
7:30PM

City Hall

A budget workshop was held at 6:30pm prior to the regular council meeting. The regular meeting of the Donnellson City

Council was called to order by Mayor Dave Ellingboe, with Council Members Moeller, Marshall & Newton present. Weber and Estrada were absent. Motion by Moeller,

second by Marshall to approve the agenda: all ayes. Citizen comments – None. Motion by Newton, second by Moeller to approve the minutes of the

November '22 meetings: all ayes. Motion by Marshall, second by Newton to approve the November '22 financial reports: all ayes. Motion by Moeller, second by Newton to approve the November '22 disbursements and December '22 bills to be allowed: all ayes. Motion by Moeller, second by Marshall to approve the sidewalk grant for 410 Park St: all ayes. Ben Hull, Lee County Engineer & Garry Seyb, Lee County Supervisor discussed the resurfacing project on 180th St North of Donnellson. The portion of 180th Ave from 210th St and north one half mile is 1/2 city and 1/2 county (due to the land to the east of the roadway being in city limits). The cities estimated share would be \$131,250. Discussion was held on possible funding options. City officials will discuss further with Lee County

Supervisors. Bids were opened for FY23-25 Annual Examination. One bid was received, Ted Wiegand from Mt Pleasant, IA in the amount of \$16,088 (FY23 - \$4,950, FY24 - \$5,353, FY25 - \$5,785). Motion by Moeller, second by Marshall to accept the bid from Ted Wiegand for FY23-25: all ayes. Public Hearing to amend Ordinance Chapter 151 – no written or oral comments. Motion by Marshall, second by Newton to approve the First Reading to amend Ordinance Chapter 151 Trees by adding planting prohibited: RCV all ayes.

ORDINANCE NO. 193

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DONNELLSON, IOWA, BY AMENDING CHAPTER 151 TREES, ADDING PLANTING PROHIBITED.

Be It Enacted by the City Council of the City of Donnellson, Iowa:

SECTION 1. SECTION MODIFIED. Section 151.02 of the Code of Ordinances of the City of Donnellson, Iowa, is repealed and the following adopted in lieu thereof:

151.02 PLANTING RESTRICTIONS.
1. Planting Prohibited. There shall be no planting of trees, plants, or shrubs on the city's parking or right of way.

2. Prohibited Trees. No person shall plant any fruit bearing tree or any tree of the kinds commonly known as cottonwood, poplar, box elder, Chinese elm, evergreen, willow, or black walnut.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid

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Lee County is taking applications for a Road Maintenance Worker II, to work at the West Point Maintenance Shop. Duties will include the operation of light and heavy equipment and trucks to perform road maintenance and construction projects, occasionally plowing snow, and the performance of manual labor as required. Requires a high school graduate or G.E.D. equivalent and must possess a valid Class A commercial driver's license with air brake and tanker endorsements. Wage range is \$22.47 to \$27.35. Lee County provides equal opportunity in employment to all persons regardless of age, race, creed, color, sex, national origin, religion or disability.

For a job description and to apply, download an application from our county website, www.leecounty.org or you can pick an application up at the Engineer's office and return your completed application along with a resume to Lee County Engineer, P.O. Box 158, Fort Madison, Iowa 52627, or email it to bhull@leecounty.org and copy it to shartson@leecounty.org. Applications will be accepted until 4 p.m. on Tuesday, January 17, 2023.

If you have any questions please contact Lee County Engineer, Ben Hull at (319) 372-2541 or email him at bhull@leecounty.org.



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Classifieds/Public Notices

PUBLIC NOTICES

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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the council on the 12th day of December 2022, and approved this 12th day of December 2022.

Motion by Moeller, second by Marshall to waive the second & third readings of Ordinance No 193: RCV all ayes.

Motion by Newton, second by Moeller to appoint Steve Leidinger with Lynch Dallas, P.C. as City of Donnellson attorney, effective January 1st, 2023: all ayes.

Motion by Moeller, second by Marshall to approve Resolution No 2202-18 Resolution establishing compensation for city attorney: RCV all ayes.

Police Report – There were 38 calls for service, 13 traffic stops & 4 cita-

tion. 31 building checks were done during the day & night time hours.

Water/Sewer Superintendent Report – Motion by Moeller, second by Marshall to approve the purchase of software, GIS marking and data plan through Silversmith Data: all ayes. Motion by Marshall, second by Newton to approve the purchase of 2022 Dodge Ram 3500: all ayes.

Clerk Report –Next budget workshop will be held January 9th 2023 @ 6:30pm.

There being no other business to come before the Council, motion by Moeller, second by Newton, Mayor Ellingboe declared the meeting adjourned: all ayes.

Dave Ellingboe, Mayor
Attest: Rebecca Schau, City Clerk

Summary of All Receipts: General \$133,465.14 Capital Equipment Reserve \$0 Road Use Tax \$9,625.69 Employee Benefit \$2,456.25 Local Option Sales Tax \$0 Debit Service \$23,378.76 Rathbun \$0 ARPA \$0 Water \$21,001.68 Water Sinking

USDA \$1,816.00 Sewer \$27,638.39 Sewer Sinking \$0. Summary of All Disbursements: General \$53,976.11 Capital Equipment Reserve \$0 Road Use Tax \$9,901.65 Employee Benefit \$1,382.87 Local Option Sales Tax \$0 Debit Service \$23,378.76 Capital Project Fund \$0 Rathbun \$0 ARPA \$0 Water \$14,841.93 Water Sinking \$1,816.00 Sewer \$9,943.48 Sewer Sinking \$0.

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MICROBAC LABORATORIES, Water testing 13.75
IOWA DEPARTMENT OF REVENE, Sales & Use Tax..... 291.71
IOWA DEPARTMENT OF REVENE, Water Excise Tax..... 1,140.73

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Sports/From the Front

Holy Trinity boys fall behind early in loss

BY CHUCK VANDENBERG
PCC EDITOR

FORT MADISON - HTC boys' coach John Hellige is tired of losing games.

But he said Tuesday night that it's going to be tough to win games in a pretty tough SEI Superconference when you only score 39 points.

"You're just not going to win many games in this league when you only score 39 points," Hellige said after his Crusaders dropped a 48-39 loss to Danville Tuesday night.

"We were tough and we played well. We boxed out and did things we talked about in practice around being tougher, but at the end of the day, you gotta score some points."

Hellige said again the team looked tentative early on. He said Danville does a good job scouting and breaking down teams off film.

"They knew everything we were gonna run. If we execute, set good screens and cut off 'em, that stuff's still gonna work, but we just weren't sharp enough offensively to get it done tonight."

The Crusaders only managed four points in the first quarter, three on a 3-point play converted by senior Nick Fullenkamp. But while HTC struggled with Danville's perimeter defense and height advantage, the Bears were stretching to a 16-4 first quarter lead.

But the Crusaders turned things around a bit in the second quarter, outscoring Danville 14-10 behind a couple 3-balls from Luke Hellige, who finished tied with Conner Gehling for a team-high with 13 each on the night.

They would cut into that by another point in the third quarter, outpacing the Bears 11-10.

Danville scored six unanswered to open the fourth period to go up by 11 42-31. Gehling scored inside with 3:54 left in the game to cut the lead to nine. HTC would get a stop on the next possession and then Gehling would again score sliding in from the right side of the lane.

After trading buckets for a 44-37 lead, HTC had to go into foul mode with 2:38 left in the game. After two quick fouls to reset the game, Fullenkamp was whistled for a rare intentional foul, much to the chagrin of Coach Hellige and the Crusader fans.

Danville's Titus Svoboda converted both the free throws on the technical for the intentional foul to make it a nine-point game that the Crusaders wouldn't be able to cut into.

Caiden Gourley led the Bears with 13 points. Danville improves to 9-3 overall and 5-3 in the conference, while the Crusaders fall to 4-8 overall and 2-6 in the conference.

HTC travels to West Burlington on Friday before hosting Fort Madison for the Crusaders' annual cake auction night.

Owners say 'public good' claim is unfounded

PIPELINE - Continued from Page 1

said.

Byrnes also pointed to Hayes' argument that the pipeline would disrupt the regional delivery cycle.

NuStar responded saying the pipeline will allow IFC to increase production, which would allow IFC to grow regional delivery.

Hayes said it's a fascinating discussion to consider potentially pumping anhydrous to IFC from another facility, slap a tariff on the produced fertilizer knowing it could be produced at a substantially reduced rate at IFC.

Hayes said the state should reject NuStar's petition for the pipeline until the state or federal government limits the diversion of fertilizer use, but Byrnes asked what authority the IUB had in taking that action.

"It doesn't serve a public purpose as defined in Iowa code, to ship anhydrous ammonia out of Iowa....which does not serve the public purpose," Hayes said.

Gida said she was also told that the state has the right to take her property if an easement agreement isn't reached and no compensation would take place at that point.

She also said pipeline construction crews will be utilizing a private drive to get equipment into the construction zone as well as storing equipment on her grazing pastures.

"Not only are they going to come down my driveway and down my hill. At my mom's they are using her driveway as an entrance for the permanent easement entrance and we don't know which way they're going to go from there," Gida said.

She said she has been trying to get one answer from the pipeline officials and the IUB and she hasn't gotten that answer, which is how will the pipeline impact her plan on becoming an organic livestock producer.

A spokesperson with the IUB said no ruling has been issued in the docket at this time.

"The IUB will review all the information, testimony, evidence, and exhibits from the hearing and will issue a final decision in the docket," said Don Tormey, IUB spokesman.

Tormey said the decision will come in the form of an order that will be filed in the docket.

Exhibits and testimony from the hearing will be added to the docket in the next month to month-and-a-half.

Grant funds open youth to high demand jobs

PROGRAM - Continued from Page 1

1:00 PM to highlight the grant and answer questions about the application process. Interested organizations are encouraged to register (RSVP link).

"One of the most important steps we can take as a state is to support our youth with meaningful opportunities that prepare them for

future employment in Iowa," said Governor Reynolds.

"These grants not only help our youth by exposing them to high-demand careers, they focus that support on those who may already face barriers to employment. I encourage employers, non-profits, and eligible organizations to apply for

this great opportunity."

Eligible applicants for Iowa's Summer Youth Internship Program include non-profits, educational institutions, employers, and community organizations. The target audience for participants includes high school youth who are at risk of not graduating, youth who are from low-income households, youth who are from communities under-represented in the Iowa workforce, or youth who otherwise face barriers to

success and upward mobility in the labor market.

"Summer internships continue to be a valuable asset for our youth as well as the employers and organizations that sponsor their workforce experience," said Beth Townsend, Director of Iowa Workforce Development. "We continue to support unique ways to build Iowa's pipeline. Offering this grant early in the year will help maximize opportunities for overall recruitment."

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WHERE: Fort Madison Family YMCA

DEADLINE: January 4th, 2023

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