

County seat issue pops

COURTHOUSES: Supervisors blocked by 1848 law that requires court services

BY CHUCK VANDENBERG
PCC EDITOR

FORT MADISON – The chatter about two county court-houses once again took up time with Lee County Supervisors on Monday.

During the public comment period of Monday’s meeting, a discussion took place regarding the requirement of Lee County, the only county in the state to have the mandate, to maintain two district court services in both county seats.

After being named a state in 1846, the Iowa legislature passed a Special Law of 1848 in which Lee County was required to hold district court services in both Keokuk and

Fort Madison.

The law also, initially, required Keokuk to pay for the facilities and services. However, another act passed in 1956, removed that specific requirement because Keokuk was officially recognized by the legislature as one of two county seats in the county.

That designation moved the financial responsibility of the court services back to the county treasury.

However, an amendment had been added to a bill in the Iowa legislature during this year’s session to remove the mandate that Lee County maintain two district court

See COUNTY, page 6



Courtesy photo

Law enforcement officials helped Lee County special olympics athletes by participating in the annual Special Olympics Torch Run that ended in Ivanhoe Park Wednesday afternoon.

COUNTY NEWS

Denmark Fire Association, county at odds over agreements

BY CHUCK VANDENBERG
PCC EDITOR

LEE COUNTY – Lee County Supervisors have found themselves in the middle of a tussle between the Denmark Fire Association and several townships over fire protection services.

Supervisor Tom Schulz has been looking

into whether or not a viable 28E agreement exists between the DFA and the townships it has entered into agreements with to provide fire services.

Taxes are collected by the area townships and are apparently funneled to the fire association as part of the agreements.

Howevers it's hazy as to whether or not the fire associations and townships, includ-

ing Green Bay, Washington, Denmark, and Wever, actually have 28Es in place.

“I have reason to believe that some townships have entered into a 28E agreement that was never filed with the Secretary of State. We have requested copies of that and have not yet been provided that,” Schulz

See 28E?, page 7

GUEST COLUMN

EMPTY NEST

By Curt Swarm



School tours still a hit at Old Threshers

Rich Seberg attended the first Old Threshers Reunion in Mt. Pleasant in 1950. He was born in July of that year and his mother took him in a basket and stowed the basket under a table. He fussed some so people knew he was there.

Tours of the Log Village have been going on for 50 years, since 1973. It was only natural that Rich Seberg would get involved as a volunteer. He has been conducting school tours for 10 years. Many people know Rich Seberg as the Courtesy Door guy in Mt. Pleasant (yes he is courteous). His family runs the business now.

For the month of May, school tours are conducted every Monday, Wednesday and Friday. On the day Rich invited me to tag along, Keota and Mediapolis sent bus loads of kids, typically third, fourth and fifth graders. Tour guides meet in the break room over coffee and donuts before tours start.

The tour is unique, historically interesting and covers a lot of different sites, like steam engines, an authentic working mill, old tractors and farm equipment, old cars and trucks, an original replica of a one-room log school, pioneer inn, a turn of the century home (late 1800’s), a horse-drawn school bus, steam locomotive, the Bussey Doll Collection, old fire engines and equipment, and even an old truck that purportedly belonged to Al Capone. For a special treat, the kids get to ride on a DC electric powered trolley to the Log Village and a steam driven carousel. Hy-Vee provides a little snack along the way. For sake of brevity, I will describe only a couple of stops.

I’ve heard of check wire corn planters but didn’t really understand how they

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WEATHER

TUE 23 May.....Sunny & warm, 82° F/ 59° F
WED 24 May.....Sunny & warm, 82° F/ 52° F
THU 25 May.....Sunny & cool, 73° F/ 47° F

OpenWeatherMap

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LUCKY FOR LIFE 05/21.....9 1118 22 27, Lucky Ball: 9
PICK 3 MIDDAY 05/21.....19 0
PICK 3 EVENING 05/21.....85 0
PICK 4 MIDDAY 05/21.....5275
PICK 4 EVENING 05/21.....4260

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Sports

Hounds again one match from state soccer tourney

BY JOHN BOHNENKAMP
PCC SPORTS

FORT MADISON - The choice was simple — run down the clock, or deliver some punctuation. Jacob Pothitakis and Xander Wellman chose the latter, and it was a masterful end to a masterful win. Fort Madison’s 4-2 win over Burlington in Monday’s Class 3A Substate 4 semifinal at the Baxter Sports Complex was punctuated by a goal with 26 seconds left that

was artful in its execution. Pothitakis was in the corner to the right of the Grayhounds’ goal as the seconds ticked away. But he saw an opening, getting around a BHS defender and delivering a perfect pass to Wellman, whose third and final goal of the night clinched the win. “I knew he’d find me — we’ve worked on those kinds of passes for weeks in practice,” Wellman said. “I just knew where it would be, and I trusted him. What a ball, I had to do

nothing there. I stuck my foot out and the ball was right there.” “I think they thought I was going to try to hold it out for the rest of the half,” Pothitakis said. “It opened up, so I tried to dribble through. I got a lucky bounce and I knew Xander would be there.” “He put a laser across, and Xander was in the right place at the right time,” Fort Madison coach Kevin Wellman said. “A nice exclamation point on the night.” And now the Bloodhounds are back in a

familiar spot — one win away from the state tournament. Fort Madison (15-3) plays at Iowa City Liberty (8-8) in Wednesday’s substate final. The Bloodhounds have reached this step the two previous seasons, only to be denied by Pella. A new foe awaits. “I’m excited to get up there,” Xander Wellman said. “We’ve fallen short two years in a row, and I don’t want to do that again.” To get there, though, the Bloodhounds would have to defeat the Gray-

hounds (11-6). The two teams split this season, with both matches decided by 1-0 scores. “After we lost to Burlington, this is what we’ve been working for,” Pothitakis said. “Burlington is a great team. They play hard, they play physical. And we love playing against them. To be able to beat them, and get to (the substate final), it means a lot.” The match delivered on what Kevin Wellman anticipated. “It was one of those where I bit my nails off,” he said. “But it was

expected. The last two times we played them it was 1-0. It was expected to be an absolute dog-fight. And boy, oh boy, was it. “It was a fast game. It was a technically sound game.” But the Bloodhounds started quickly. Xander Wellman scored two goals within 3 1/2 minutes of each other midway through the first half, then Leif Boeding blasted a deep shot with 14:56 to play for a 3-0 lead. “We’ve struggled with that all season, not getting off the line on that first whistle,” Kevin Wellman said. “That did set the tone. It just gives you breathing room, when instead of worrying about making mistakes, we were a little more relaxed.” “They were huge,” Xander Wellman said of the early goals. “Last time we played them, we lost in the first five minutes. They scored early, and then they parked the bus on us. We knew we had to come out stronger in the first 10 minutes, and that’s what we did.” “It was really big,” Pothitakis said. “It helped us play defense, helped us continue to fight. It gave us a little cushion, but we had to keep fighting.” Burlington scored with 1:48 left when Braden Schooner scored from the right side. “We had control of the game for most of the first half, then Burlington took momentum at the end of it and scored that one, and really changed things going into halftime,” Kevin Wellman said. “I think we got a tiny bit lazy there at the end of the first half,” Pothitakis said. Aiden Pfeifer’s goal with 12:42 left in the game got the Grayhounds within 3-2, and from then on it was a frantic struggle, with the Grayhounds scrambling for a goal and Fort Madison trying to deny it. Then came Pothitakis-to-Wellman, and it was the perfect end.

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Obituaries/From the Front

OBITUARIES

CHRISTINA WILSON

Christina Wilson, 57, of Fort Madison, IA, passed away at 8:35 a.m. on Saturday, May 20, 2023 at the University of Iowa Hospitals in Iowa City, IA. She was born on September 19, 1965 in Fort Madison, IA to Eusebio & Julia Villegas Mendez. She married Michael Ray Wilson and they later divorced. She married Patrick Wayne McCombs on September 18, 2021 in Fort Madison, IA. She was a homemaker and worked at Sub Arena and the Fort Madison Community School District as an associate. She loved to watch wrestling, do crafts, sew dog toys, listen to the Beatle's and Elvis and most importantly, she loved to spend time with her grandchildren and family.



WILSON

Chris is survived by: her husband: Patrick McCombs of Fort Madison, IA; 1-daughter: Ashley Wilson of Fort Leonard Wood, MO; 2-sons: Tony & Adam Wilson of Fort Madison, IA; 3-grandchildren: Adrienne Blow, Mikayla Blow & Ellen Wilson; 3-step grandchildren: Carter McCombs, Raven McCombs & Cadence McCombs; her parents: Eusebio & Julia Mendez of Fort Madison, IA; 2-sisters: Stella (Steve) Etka of Fort Madison, IA & Jessie (John) Carson of West Point, IA & 1-brother: Mario (Bobbie) Mendez of Fort Madison, IA. She was preceded in death by: her grandparents, 1-sister & brother-in-law: Sandra (Mike) Bentler, 1-brother: Martin Mendez & 3-nieces: Sheena, Shelby & Shayne.

A visitation will be held from 4:00 to 6:00 p.m. on Wednesday, May 24, 2023 at King-Lynk Funeral Home & Crematory. The funeral service will be held at 10:00 a.m. on Thursday, May 25, 2023 at King-Lynk Funeral Home & Crematory with Rev. Joseph Phung officiating. Burial will be at Sacred Heart Cemetery in Fort Madison. A memorial has been established for P.A.W. Animal Shelter. Online condolences to Chris' family may be left at the King-Lynk Funeral Home & Crematory website: www.kinglynk.com.

Seberg has been holding tours for a decade

SWARM - Continued from Page 1

worked. In the early 1900's a typical field of corn was 20 acres. The farmer might have two 20 acre fields, and the corn was used to feed livestock, not sell. Check wire was strung across the field to trip the two-row, horse-drawn corn planter, and plant a seed every 40 inches. (40 inches is the width of a horse.) When the farmer got to the end of the field, the farmer moved the check wire over 40 inches and planted back the other direction, and so forth until the field was planted. With 40 inch rows, and a seed planted every 40 inches, the farmer could cultivate the field in all four directions with a horse-drawn cultivator. Cultivation was the method used to keep weeds down. 20 bushels of corn to the acre was considered a good yield.

Typical labor required in those days was 9 hours per acre. For two 20 acre fields of corn, that would be 9 x 40 = 360 hours of labor, not including harvesting. Today, with a 16 row no-till corn planter, it takes 3 minutes per acre and yields exceed 200 bushels per acre.

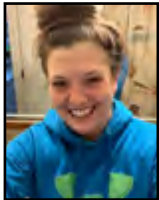
The 1894 steam powered Norman and Evans Carousel is the only one still in existence in the world today (that Old Threshers knows of) and is a favorite with kids and adults. The horses are carved from wood and the tails are actual horse-hair tails. The horses do not go up and down on a pole but rock back and forth. The carousel is portable and traveled on a circuit between Iowa, Missouri and Illinois. It is a track style carousel. The Old Threshers volunteers took it down and set it back up each year until the Hazel Grace Pierson Pavilion was built to house the carousel. There are only 14 track-style carousels still in operation today and only six of them are steam powered. Each horse has an emblem on its chest and that emblem corresponds to the horse's name. No tour of the museums is complete without a ride on the carousel.

Wore out at the end of their three-hour tour, the kids go home a little more educated about how things were done over a hundred years ago, and perhaps more appreciative of modern conveniences like notebook paper, cell phones and indoor plumbing. The volunteers go home with a feeling of having shared their knowledge with an energetic and enthusiastic group of possible future volunteers. If you would like to volunteer, call the Old Threshers Office in Mt. Pleasant at 319-385-8957.

OBITUARIES

KALA JO HAISCH

Kala Jo Haisch, 37, of Keokuk, IA, died Friday, May 19, 2023 at her home. She was born on December 15, 1985 in Keokuk, the daughter of John and Sharon (LeMaster) Haisch. She graduated from Clark County R-1 High School with the Class of 2004. She received her Associates Degree from Southeastern Community College. She then attended Walden University and received her Bachelor of Science Degree. She continued her education and received her Master's Degree from the University of South Alabama.



HAISCH

Kala had been employed at the Great River Medical Center in West Burlington as a Psychiatric Nurse Practitioner. She loved dogs and enjoyed showing her dogs at dog shows. She is survived by one son, Nathaniel Jaxton Buckner of Quincy, IL her parents, John and Sharon Haisch of Keokuk, many aunts, uncles and cousins and Nathaniel's father, Nathaniel Lee Buckner of Quincy.

She was preceded in death by her maternal grandparents, Hazel and Alfred LeMaster and her paternal grandparents Harold and Ilene Haisch.

A private family graveside service will be held at a later date.

The Vigen Memorial Home in Keokuk is assisting the family with arrangements. Online condolences may be sent to the family at www.vigenmemorialhome.com.

Pen City Current obituary policy

Pen City Current runs obituaries one time at no charge to funeral homes and they run the day they are submitted in most cases. They are also run as submitted by the funeral homes. Reposting of obituaries due to changes can only be requested by the submitting funeral home and will be assessed a \$15 reposting fee.



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Classifieds/Public Notices

PEN CITY CURRENT CLASSIFIEDS

PUBLIC NOTICES

PUBLIC NOTICE
PROCEEDINGS
FORT MADISON
CITY COUNCIL
5/16/2023

At 5:30 P.M., Council met in adjourned session on Tuesday, May 16, 2023, with Mayor Mohrfeld presiding and Council Members Rink, Andrews, Bowker, Amandus, Gray and

Roller present. On motion, Council approved the Consent Agenda: Minutes of 5/2/2023; Liquor License Renewal: Hy-Vee Fast & Fresh, effective 7/11/2023; Resolution No. 2023-33, approving Fiscal Year 2022-23 Budget Transfers; Claims dated 5/11/2023, April Manual Claims & April Financial Report; and Payroll of 5/5/2023.

Mohrfeld opened the public hearing at 5:44 P.M. concerning the Fiscal Year 2022-23 Budget Amendments. With no oral or written comments, Mohrfeld closed the public hearing. On motion, Council adopted Resolution No. 2023-34, approving the Fiscal Year 2022-23 Budget Amendments. On motion, Council adopted Resolution No. 2023-

35, approving the Mayor's signature on an Engineering Agreement with French-Reneker Associates, Inc., of Fairfield, for design services for PORT Phase 4 Trail. On motion, Council adopted Resolution No. 2023-36, approving the Mayor's signature on an Engineering Agreement with Warner Engineering Associates for design and construc-

tion engineering services for the Avenue L 20th to 30th Street Roadway Rehabilitation Project. On motion, Council adopted Resolution No. 2023-37, terminating a 28E Intergovernmental Agreement with the Southeast Iowa Safety Group. On motion, Council adopted Resolution No. 2023-38, approving the Mayor's signature on a contract with Parkview Veterinary Clinic for animal impound services.

On motion, Council approved the Mayor's reappointment of Jamie

Carle to the Fort Madison Housing Authority, term expiring 6/3/2025. On motion, Council approved the Mayor's appointment of Richard Thele to the Fort Madison Housing Authority, term expiring 6/3/2025. On motion, Council approved a purchase of \$35,433.45 from Schwig Outdoors of Adel, Iowa, for jet ski lifts for Southeast Iowa Aquatic Group, Inc., d/b/a Fort Madison Marina.

/s/ Matt J. Mohrfeld, Mayor
ATTEST: /s/ Melinda L. Blind, City Clerk

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Special Revenue	144,167.15
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Debt	141,434.33
Capital	40,137.80
Water	160,938.60
Sewer	29,849.39
Sld Waste, IWC	25,239.03
SW Utility	10,843.71
	\$614,778.00

PAYROLL

General	208,447.72
Old Fort	2,992.91
Road Use	25,199.94
Water	37,244.19
Sewer	30,737.62
Solid Waste	14,006.10
Airport	312.77
Storm Water	3,017.48
	\$321,958.73

REVENUES

General	\$210,487.24
Special Revenue	54,353.19
Road Use	290.00
Debt	18,640.74
Capital	474,201.96
Sewer	14,711.14
	\$772,684.27

CLAIMS - 5/16/2023

ACTERRA GROUP, INC., REPAIRED FUEL PUMP WIRES..... 1,735.50
AMAZON CAPITAL SERVICES, LABELS, ETC112.80
APPLIED CONCEPTS, INC., RADAR DETECTOR 2,217.50
ARAMARK UNIFORM SERVICES, UNIFORMS 1,330.98
ASKEW SCIENTIFIC CONSULTING, PRE-TREATMENT STUDY 6,352.42
AUDITOR OF STATE, AUDIT FILING FEE 850.00
AUTOZONE, FILTERS/OIL..... 101.59
BARCO MUNICIPAL PRODUCTS INC, SURVEY PAINT 512.85
BATES SANITATION & ASPHALT, PORTA-POT-TIE RENTAL 695.00
BJ 'S PERFORMANCE, TIRE DISCOUNT 1,086.72
BOULDER INN FORT MADISON, TIF REBATE 34,897.20
BUILDING MATERIALS INC, ROOFING SUPPLIES/PARTS.... 3,031.30
CESSFORD CONSTRUCTION CO., WASHED CHIPS.. 738.53
CHAMBER OF COMMERCE, REFUND PAVILION - FLOOD..... 215.00
CITY OF FORT MADISON, LEACHATE TREATMENT 2,186.57
CULLEN PEST CONTROL, MONTHLY PEST

CONTROL..... 159.00
DAILY DEMOCRAT, PUBLICATIONS..... 284.31
DAKOTA SUPPLY GROUP, SEWER PIPE 10,545.00
DODD PRINTING & STATIONERY, PAPER/INK 102.35
DOUDS STONE, LLC, WASHED CHIPS 1,868.54
DOUGLAS BERGQUIST, SAFETY BOOTS.... 53.50
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HACH COMPANY, TESTING SUPPLIES.. 1,415.25
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LISCO, PHONE/INTER-
NET 1,967.76
MACQUEEN EQUIP-
MENT, VALVE MACHINE
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MCCLURE ENGINEER-
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CY SERVICE, UNIFORM
..... 454.64
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RIES LLC, DAILY SAM-
PLES 228.00
MIDWAY FREIGHTLIN-
ER, INC, SHIPPING
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MIDWEST SAFETY
COUNSELORS, FIL-
TERS/SENSOR.... 215.00
MIGUEL LANDEROS,
NUISANCE..... 800.00
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NORTH LEE CLERK OF
COURT, COURT FEES
..... 165.00
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CO. INC., FILTERS/LENS
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PARTS 1,239.15
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665.35
STATE HYGIENIC LAB-
ORATORY, FLUORIDE
SAMPLE.....

20.00
THE SECRET GARDEN,
STUMP GRINDING
..... 600.00
TITAN MACHINERY,
INC., STARTER
..... 1,737.42
TONY AND CINDY BAX-
TER, BOND/INTEREST
PAYMENT..... 20,350.00
TRUCK REPAIR INC.,
VALVE/KIT 294.24
UNITY POINT CLINIC, -
OCCUP SCREENING
..... 210.00
UPS, SHIPPING 35.34
USA BLUE BOOK, EL-
BOW/REDUCING TEE
..... 92.90
WALLJASPER VETERI-
NARY CLINIC, RENTAL
FEE/IMPOUND.. 1,380.00
WATER SOLUTIONS UN-
LIMITED, CHEMICALS
..... 8,839.60
WEST BURLINGTON
HYDRAULICS, PAVER
TILES..... 1,525.00
WINDSTREAM, PHONE/
INTERNET..... 264.25
TOTAL439,491.11
GENERAL 18,000.33

SPECIAL REVENUES
..... 152,362.60
ROAD USE..... 15,763.73
CAPITAL PROJECTS
..... 40,137.80
WATER.....146,118.94
WASTEATER... 24,872.22
SOLID WASTE
..... 24,058.05
AIRPORT..... 7,333.73
STORM WATER
..... 10,843.71
TOTAL439,491.11

MANUALS - 4/2023
ALLIANT ENERGY,
ELECTRIC..... 13,676.56
ANSWER IOWA, WATER
ANSWERING SERVICE
..... 210.00
ASCENT - AIRPORT
FUEL, FUEL FOR RE-
SALE 3,255.61
AT&T MOBILITY,
PHONES/HOT SPOTS
..... 1,744.24
CENTURY LINK, PHONE
..... 185.59
IOWA DEPT. OF REVE-
NUE, SALES TAX & WET
TAX..... 13,230.21
MASTERCARD, TRAVEL

EXP, MEETINGS, ETC
..... 7,145.18
MERCHANT SERVICES,
CREDIT CARD FEES
..... 4,712.64
MIDWEST GROUP
BENEFITS, FLEXI-
BLE SPENDING & INS
CLAIMS 16,625.34
PERMAR SECURITY
SERVICES, SECURITY
MONITORING 252.06
PRODUCTIVITY PLUS
ACCOUNT, GRADER
PARTS..... 986.26
WELLMARK BC/BS, MAY
HEALTH INS PREMIUMS
..... 101,388.23
WEX BANK, FUEL
USAGE.....11,874.97
..... 175,286.89
GENERAL 2,151.19
SPECIAL REVENUES
.....122,535.11
ROAD USE..... 16,252.74
WATER..... 14,819.66
WASTEWATER
..... 4,977.17
SOLID WASTE.. 1,180.98
AIRPORT..... 3,370.04
TOTAL 175,286.89

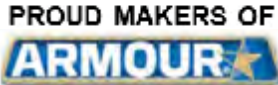
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Education News/From the Front

Reynolds to hold webinars for ESA applications

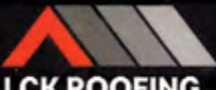
DES MOINES – Governor Reynolds has announced a schedule of informational webinars to assist parents and guardians who plan to apply for the state’s new Students First Education Savings Accounts (ESAs). The live webinars will be hosted by Odyssey, the program administrator selected by the state. Webinars begin Tuesday, May 23, and a total of six sessions will be offered through June 7.

The complete schedule and registration links for each session are posted on the Department of Education’s ESA webpage. A recording of the webinar will also be available for parents and guardians who cannot attend a live session.


The ESA application period for the 2023-2024 school year will open on Wednesday, May 31, at 8 a.m. A link to the online application will be provided on the Department of Education’s ESA webpage. Applications will be accepted through Friday, June 30, 2023.

The Students First Act was signed into law earlier this year and will provide state funding for eligible students who attend accredited nonpublic schools starting in the upcoming school year.

All incoming kindergarteners and all K-12 students currently enrolled in a public school district are eligible for the ESA program.



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Supervisors would like to close a courthouse

COUNTY - Continued from Page 1

services.

The amendment was mysteriously dropped from any bills moving through the session.

An email to State Rep. Martin Graber (R-Fort Madison) regarding the amendment has gone unreturned.

State Sen. Dan Dawson (R-Council Bluffs) offered the amendment to the Iowa Senate’s Property Tax bill in February. He said the move, specific to Lee County, would help ease budget pressures with property tax caps on the horizon.

“It was clear from this conversation the Lee County court system was causing issues. After listening to their concerns and taking some time to do some research, it was clear a clarification and state change would provide Lee County and local government officials the tools necessary to help with their budget and potentially reduce expenditures and ease the burden on property taxpayers in Lee County,” Dawson wrote.

The language never got to the floor of either the Senate or the House for an up or down vote.

But Lee County Chairman Garry Seyb said he’s still advocating for that language to be attached to any bill in the next session. Seyb said it’s a state mandate without accompanying funding.

“Why are citizens in Lee County forced to pay for two courthouses when no other county in the state, the other 98, are not forced do to that?” Seyb asked.

“You can have more than one courthouse if you choose, but we don’t have the choice. We are mandated to have two.

“If they were going to give us the ability to streamline our courts and streamline our costs, and we have a courthouse that’s capable, without building another one, of housing the court, then I don’t see that as anything but a win for the taxpayers,” Seyb said.

He said both Lee County courthouses are substantially in good shape.

“If we had to close one, now would be the time. Likely, the Fort Madison courthouse could be repurposed, and not be another dormant building in the middle of town.”

County Attorney Ross Braden said Keokuk is the only courthouse that could handle his staff and the case load for the county. He maintains an office in a building across from the North Lee County courthouse as well as an office in the South Lee County Courthouse.

“I would like to consider the possibility of maintaining a remote location here in the county office building so we’re here to serve and assist here on the north side of the county,” he said.

Seyb was adamant about pointing out that nothing can be done without legislation specific to Lee County that’s more than 150 years old.

He also said it’s important that people realize that the county is not looking at consolidating county services such as treasurer and recorder services.

“This would not eliminate any public county services other than district court services. That’s important for people to understand. You can still go the local treasurer’s office or pay your taxes.”

Tom Schulz said his contention would be that Keokuk would be the best place for the courthouse, but only those services would be moved to Keokuk.

“A person in Fort Madison had to go to court, we’re not talking about a driver’s license, we’re not talking about taxes, we’re not talking about any other county services – going to court, would have to drive as far to go to court as you do to go to Wal-Mart or Target.”

“This is one of the areas where we could see some cost savings. Currently this board is not afforded the ability to address that unfunded mandate because the state legislature this year decided that was not going to be part of that bill,” Seyb said.

“I think it’s an unfunded mandate that serves no purpose currently. There is not a need currently for two courthouses. That’s where I’m at and that’s as transparent as I can possibly be.”

Schulz said if the county is forced to tighten their budget, residents could see some of those other services consolidated, as well.

“If our budget has to tighten and we still have to spend money for that courthouse. You may find the things you actually do use going away. You may not be able to get a driver’s license where you want to get your driver’s license or pay your taxes where you want to pay your taxes,” Schulz said.

“We’ll have to cut something, and if we can’t cut that, we may be cutting something you experience more closely.”

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From the Front

Braden says more oversight needed in 28Es with 501c4s


28E? - Continued from Page 1

said. He said that agreement is similar to the agreement with three townships that has landed the parties in a court battle over assets. “I have a serious concern that taxpayer dollars may be being spent in a manner that is not in congruence with state statute,” Schulz said. He said the county needs to officially request a copy of the agreements to head off any potential lawsuits. Lee County attorney Ross Braden told the board the county could actually be shielded from being able to intervene because the DFA is a 501c4. “There is a lot of very suspect and problematic moving parts to this,” Braden said. “It’s getting settled out in district court to a certain extent. “It blows my mind the legislature would have intended townships to be able to shield the county essentially by creating 501c4 entities to funnel taxpayer dollars and purchase fire equipment which is not subject to any reimbursement to townships that withdraw (from the agreements).” Braden said the tax dollars collected through the townships engaged in the agreements were going straight to Denmark Fire Association without any stipulations as to ownership of assets. “Everything funneled into the fire association is the property only of that fire association. In this situation one township that was not happy with their representation on that particular governing board chose to withdraw. They were essentially left with nothing because everything was property of the 501c4,” Braden said. “Likewise, if the county were to come in and assume fire protection duties, there’s a very real possibility those assets purchased with taxpayers’ funds would also be shielded from the county. “It’s a mess.” Braden said supervisors need to bring the issue to the attention of legislators to get it cleaned up. “There needs to be some straight oversight on the 28E agreements with not-for-profit fire protection entities to make sure the assets can be shielded from those townships or the county should they choose to step in,” Braden said. “Another interesting aspect of this is the board of supervisors could take over fire protection services as allowed by statute - given that (the other entities) can’t play nice in the sandbox. This is absolutely ridiculous. It’s kids fighting over toys at the expense of taxpayer dollars. Daddy can’t take the toys away because, at this point, Denmark Fire Association is a shielded entity under a 501c4.” Braden said he believes that the agreements are not viable 28Es between DFA, Denmark Township, and Washington Township because they have not been filed with the Secretary of State’s office. “It would be contrary to their position in ongoing litigation that it never was a 28E, that it’s just been a contract.” Lee County Auditor Denise Fraise said the position of the DFA’s attorney is that it doesn’t need to be a 28E because the DFA isn’t a governmental agency. “But my reading of the code says it does need to be,” Fraise said. Braden said he agreed with that interpretation. He said the pending court case will help sort some of the issues out, but he said the 501c4 still needs to be addressed to the county treasury. However, an amendment had been added to a bill in the Iowa legislature during this year’s session to remove the mandate that Lee County maintain two district court services. The amendment was mysteriously dropped from any bills moving through the session. An email to State Rep. Martin Graber (R-Fort Madison) regarding the amendment has gone unreturned. State Sen. Dan Dawson (R-Council Bluffs) offered the amendment to the Iowa Senate’s Property Tax bill in February. He said the move, specific to Lee County, would help ease budget pressures with property tax caps on the horizon. “It was clear from this conversation the Lee County court system was causing issues. After listening to their concerns and taking some time to do some research, it was clear a clarification and state change would provide Lee County and local government officials the tools necessary to help with their budget and potentially reduce expenditures and ease the burden on property taxpayers in Lee County,” Dawson wrote. The language never got to the floor of either the Senate or the House for an up or down vote. But Lee County Chairman Garry Seyb said he’s still advocating for that language to be attached to any bill in the next session. Seyb said it’s a state mandate without accompanying funding. “Why are citizens in Lee County forced to pay for two courthouses when no other county in the state, the other 98, are not forced do to that?” Seyb asked. “You can have more than one courthouse if you choose, but we don’t have the choice. We are mandated to have two. “If they were going to give us the ability to streamline our courts and streamline our costs, and we have a courthouse that’s capable, without building another


one, of housing the court, then I don’t see that as anything but a win for the taxpayers,” Seyb said. He said both Lee County courthouses are substantially in good shape. “If we had to close one, now would be the time. Likely, the Fort Madison courthouse could be repurposed, and not be another dormant building in the middle of town.” County Attorney Ross Braden said Keokuk is the only courthouse that could handle his staff and the case load for the county. He maintains an office in a building across from the North Lee County courthouse as well as an office in the South Lee County Courthouse. “I would like to consider the possibility of maintaining a remote location here in the county office building,” Braden said. “We’re here to serve and assist here on the north side of the county,” he said. Seyb was adamant about pointing out that nothing can be done without legislation specific to Lee County that’s more than 150 years old. He also said it’s important that people realize that the county is not looking at consolidating county services such as treasurer and recorder services. “This would not eliminate any public county services other than district court services. That’s important for people to understand. You can still go the local treasurer’s office or pay your taxes.” Tom Schulz said his contention would be that Keokuk would be the best place for the courthouse, but only those services would be moved to Keokuk. “A person in Fort Madison had to go to court, we’re not talking about a driver’s license, we’re not talking about taxes, we’re not talking about any other county services – going to court, would have to drive as far to go to court as you do to go to Wal-Mart or Target.” “This is one of the areas where we could see some cost savings. Currently this board is not afforded the ability to address that unfunded mandate because the state legislature this year decided that was not going to be part of that bill,” Seyb said. “I think it’s an unfunded mandate that serves no purpose currently. There is not a need currently for two courthouses. That’s where I’m at and that’s as transparent as I can possibly be.”

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JUNE 2, 3, 4, 2023

FRIDAY

Tractor/Gas Engine Registration	7 a.m.
Town Wide Yard Sales	8 a.m.
Live Music in shelter house	6 p.m. - 9 p.m.

by Jefferson Connection

SATURDAY

Breakfast at Fire Station by Fire auxillary	7:30 a.m.- 9:30 a.m.
Town Wide Yard Sales	8 a.m.
Flag Raising by Boy Scouts	9 a.m.
Sidewalk Chalk Drawing Contest	10 a.m. - 12 p.m.
Custom Cars & Pickups	10 a.m. - 3 p.m.
Tractor Parade	1 p.m.
Silver Steppers	2:30 p.m.
Pedal Tractor Pulls	3 p.m.
Live Auction	4 p.m.
Live Music in shelter house	6 p.m. - 9 p.m.

by Jive Radio

SUNDAY

Breakfast at Church	7:30 a.m.
Church in the Park	10 a.m.
Ham Ball Dinner at Church	11 a.m.
Live Music in shelter house by Brenden Tapp	11 a.m.
Cornhole Tournament by River City Baggers	11 a.m.
Tractor Parade	1 p.m.

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