

BOARD PROCEEDINGS
December 11, 2012
REGULAR DECEMBER SESSION

The Board of Supervisors met pursuant to adjournment. Present were: Don McGregor, Chairman, Don Besch, Eugene Elsbecker, Jack Plathe and Pam Wymore.

Public Discussion was held.

Motion by Plathe and 2nd by Wymore to approve the agenda and the minutes of the previous meeting dated December 4, 2012. Motion carried.

Public Hearing Road Vacation #117

Motion by Besch and 2nd by Elsbecker to open the public hearing for discussion of the vacation of approximately 0.52 mile of originally established road #117 located on the north line of section 3 of Sherman Township. Chairman McGregor called for a Roll call vote: Besch: yes, Elsbecker: yes, Plathe: yes, Wymore: yes, McGregor: yes

Darren Tietz was present to present a letter from Donald R. Tietz in support of this. No other written or oral comments were received either for or against.

Motion by Plathe and 2nd by Wymore to close the public hearing for discussion of the vacation of approximately 0.52 mile of originally established road #117 located on the north line of section 3 of Sherman Township. Chairman McGregor called for a Roll call vote: Besch: yes, Elsbecker: yes, Plathe: yes, Wymore: yes, McGregor: yes

Motion by Elsbecker and 2nd by Wymore to approve Resolution #12-11-12-01 which is the public hearing to vacate road #117. Motion carried.

RESOLUTION # 12-11-12-01

WHEREAS; This being the date and time for the public hearing on the proposed vacation and closure of a portion of Kossuth County local secondary road described as follows:

That part of the originally established road #117, being 66 feet in width, 33 feet on each side of the following described centerline;

Beginning at the Northwest corner of section 3, T-94N, R-28W of the 5th P.M., Kossuth County, Iowa, thence 0.5 mile east along the north line of said section 3 to the N1/4 corner of said section 3; thence continuing east 100 feet on section line and thence terminating.

WHEREAS; Proper and legal, notice and publications were served and published according to the Code of Iowa and,

WHEREAS; There were no claims for damages filed and,

WHEREAS; A letter from Donald Tietz was received, has been filed and,

WHEREAS; No comments or questions were received from the public during the public hearing.

NOW THEREFORE BE IT RESOLVED by the Kossuth County Board of Supervisors that the subject section of the road is ordered vacated and closed.

Roll call vote:

Besch: yes, Elsbecker: yes, Plathe: yes, Wymore: yes, McGregor: yes.

DATE: December 11, 2012

Don McGregor, Chairman
Kossuth County Board of Supervisors

STATE OF IOWA)
) SS
COUNTY OF KOSSUTH)

I, Amber Garman, hereby certify that I am the Secretary of the Kossuth County Board of Supervisors, that the above and foregoing resolution is a true and correct copy of the resolution which was passed, adopted and approved by the Kossuth County Board of Supervisors on the 11th day of December, 2012.

Amber Garman
Kossuth County Auditor

Motion by Besch and 2nd by Elsbecker that the Board of Supervisors of Kossuth County, Iowa does hereby authorize and give its permission to Kevin Benson to connect a private tile to an existing private tile system in the road right of way. The proposed tile connection is located in the south road right of way of 210th Street (B40), approximately 200 feet west of the intersection of 60th Avenue and 210th Street. Work will be completed in the NE ¼ of the NE ¼ of Section 11, T-95N, R-30W of the 5th P.M., Whittemore Township. Permit number OT-12-12-03 is on file in the Kossuth County Engineer's Office. Motion carried.

**Public Hearing Construction Permit Application
Charles Laubenthal NE SE Section 1 Seneca Township**

Motion by Plathe and 2nd by Besch to open the public hearing regarding the new construction permit for Charles Laubenthal in the NESE Section 1 of Seneca Township. Chairman McGregor called for a Roll Call Vote: Besch: yes, Elsbecker: yes, Plathe: yes, Wymore: yes, McGregor: yes

There were no comments received from the public in the mail or verbally.

Motion by Besch and 2nd by Wymore to close the public hearing regarding the new construction permit for Charles Laubenthal in the NESE Section 1 of Seneca Township. Chairman McGregor called for a Roll Call Vote: Besch: yes, Elsbecker: yes, Plathe: yes, Wymore: yes, McGregor: yes

Motion by Elsbecker and 2nd by Wymore to recommend to the Iowa Department of Natural Resources the approval by Resolution #12-11-12-02 of the construction permit application for Charles Laubenthal in the NESE Section 1 of Seneca Township due to them meeting the requirements on the Master Matrix scoring system changing points given on item #1 from 45 down to 25 which gives a new total score of 445 per Steve Anderson. Amber Garman will send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation. Chairman McGregor called for a Roll Call Vote: Besch: yes, Elsbecker: yes, Plathe: yes, Wymore: yes, McGregor: yes

**Recommendation to Iowa DNR to Approve the Application Permit for Construction
of an Animal Confinement Feeding Operation
Resolution # 12-11-12-02**

WHEREAS, the Kossuth County Board of Supervisors has adopted the Master Matrix for the purpose of scoring construction applications to provide an opportunity for local input and

WHEREAS, The Master Matrix Delegate, Steve Anderson has informed the Kossuth County Board of Supervisors that this site has met the requirements of the Master Matrix as presented in the construction permit application.

WHEREAS, the Kossuth County Board of Supervisors has approved the Master Matrix scoring of this facility:

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors Hereby recommends to the Iowa Department of Natural Resources approval of the construction permit application for Charles Laubenthal in the NESE of Section 1 of Seneca Township. No written or oral public comments were received.

Passed and Approved this 11th day of December, 2012.

Chairman, Don McGregor
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

Kirk Hayes was present to give the Annual Report for Kossuth County Community Foundation and to present their budget request for the FY 13-14.

Drainage was held followed by PAK #1 Lateram M Formal Hearing.

Maureen Elbert was present to give the Annual Report for Kossuth County Economic Development and to present their budget request for the FY 13-14.

Bryan Whaley was present to give the Annual Report for Kossuth County Extension and to present their budget request for the FY 13-14.

Discussion with Kossuth County Auditor followed by Board Discussion and Committee Reports.

On motion adjournment was taken until December 18 , 2012.

Attest:

Amber Garman
Kossuth County Auditor

Don McGregor, Chairman
Kossuth County Board of Supervisors