

BOARD PROCEEDINGS

TWENTY – THIRD DAY

MAY 13, 2003

REGULAR MAY SESSION

The Board of Supervisors met pursuant to adjournment. Present were: Don McGregor, Chairman, Eugene Elsbecker, Bob Cink, Don Besch and Lee Froehlich. Absent: none.

Motion by Cink and 2nd by Elsbecker to approve the following claims:

GENERAL BASIC FUND:

Algona Municipal Utilities	Utilities	2169.16
Iowa Workforce Development Col	Unemployment	4193.00
Mid American Energy	Utilities	1574.01
Waste Management	Services	176.98

MENTAL HEALTH FUND:

Iowa Workforce Development Col	Unemployment	6016.28
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RURAL SERVICES BASIC FUND:

Iowa Workforce Development Col	Unemployment	72.31
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SECONDARY ROAD FUND:

Agri Drain Corp	6" yellow bar guard	1048.77
Airgas North Central	Rental/oxygen	10.38
Algona Machine & Supply	12 GA sheet	233.71
Algona Municipal Utilities	Utilities/1001 S. Phillip	429.85
Algona Publishing Co	Notice to bidders/4 items	33.57
Algona Welding & Machine	Radiator repair/JD 410 ba	32.00
Alliant Energy	Area Utility costs	2014.52
Arnold Motor Supply The Merril	Misc repairs/parts/suppli	1230.74
Blacktop Service Co	4.75 Ton Cold Mix	41507.43
Buscher Bros. Corporation	Bolt/nut	1.14
Catco	Misc repairs/drum/kit	1936.94
City of Bancroft	Utilities Bancroft Shop	178.42
City of Swea City	Utilities Swea City Shop	15.57
City of West Bend	Utilities West Bend Shop	119.08
Community Lumber Supply	Lags	2.56
Cook's Scrap Iron & Metal	Rectube/electrode/tip	148.91
Cummins Great Plains	Gasket/seal	245.46
Dicks Office Equipment	Post it flags	9.56
Ed's Conoco Service	Tire repair/tube/labor	49.45
Electronic Specialties	Kenwood VHF mobile	665.80
Fenton Coop Telephone	Phone service/Fenton Shop	23.74
Force America Inc.	Misc repair parts	6825.54
Fort Dodge Machine & Supply	Steel flanges/hose clamps	33.52
General Traffic Controls, Inc	6-8" alum Yel ploy lens	1110.85
Gold-Eagle Cooperative	Gasohol/pump/Tike/	3282.24
Greenberg Auto Supply	Misc repair/supplies part	1101.91
Grey Products Corp	Misc repair parts/supplie	285.84
Heartland Power Company	Security lighting 24W5	42.00
HicktoryTech	2-Phone service/Bancroft	83.60
Hilton's Super Service	Service truck	38.50
Humboldt County REC	Security lights	210.00
Ia Dept of Transportation	L-RS-302,304--73-55	435.25
Iowa Lakes Electric Coop	2003 security light fee	4621.20
Iowa Office Supply	Paper/lead/business card	319.54
Iowa Workforce Development Col	Unemployment/Antoine	426.00
Jacks OK Tire Service	4-Radial tires/wheels/ste	1046.74
Kossuth County Treasurer Kossu	UPS fee	5.00
Marvin Larson	.80A Temp Cons Easement	400.00
Lawn Manicurists	Calcium chloride/dust con	417.50
Lone Rock CO-OP Tel Co.	Phone service/Lone Rock	40.77
Martin Marietta Aggregates	Sealcoat chips 1/2 w	5315.79
Martins Flag Co	12-U.S. flags	654.11
Elor, Inc d/b/a/ Mason City Ov	Overhead door repair/Nort	626.16
Meteorlogix	Sat sub fee/June/July/Aug	246.00
Mid American Energy	Security lights	259.03

Midwest Diesel Injec	Parts/injection pump	815.59
Miller Lumber Company	Silica sand	78.40
Doug Miller	Reimb-registration	90.00
Napa Auto Parts	Filter	74.98
Northland Computer System	Digital camera	900.00
NuWay Cooperative	Gasohol/pump/tax/Swea Cit	2686.66
Powerplan Dept 77871	Seal/bushing/kingpin/pin	348.68
Robert Price	.80A Temp Const Easement	400.00
Priester True Value	Tiling boots	56.98
Rexco Equipment, Inc.	Decal, kit/rear	169.15
John Riherd	Reimbursement camera bag	26.49
River Valley Truck Centers	Shoe/brake kit/washer	1232.94
Shoppers Supply	Misc repair parts/supplie	247.93
Spencer Building Sup	12-grout/maintenance	182.40
Star Energy	Diesel/bulk/notax/Ledyard	3689.36
StateLine Cooperative Attentio	100'12" Valley tin	278.74
Stitzell Electric Supply Co	Fluorescent bulbs/tube	230.00
Ternes Garage	Tire repair	20.00
Terracon	11 Geotechnical Eng Servi	17610.00
Titonka Telephone Company	Phone service/ Titonka	27.66
Truck Country "OF IOWA"	Credit	1338.08
W & H Coop Oil Co	Gasohol/bulk/tax/Algona	6670.73
Walt Boever Plg & Htg	CoRayVac service work	166.50
Waste Management	May commerical service	132.05
Wayne T. Hansen Corp	876 T crushed asphalt	5256.00
West Bend Elevator	Gasohol/pump/tax/WestBend	3357.96
Ziegler Inc	Misc repairs/parts	3829.25

L.O.S.T. REVENUE NOTE:

Iowa State Bank	LOST REVENUE NOTE	15000.00
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Ayes: all Nays: none. Motion carried unanimous.

Secondary Road Foreman Discussion – Discussed road signs to replace that are down and they have been pricing a shoulder machine.

Motion by Besch and 2nd by Froehlich to add giant ragweed as a problem weed to spray in contract with Lawn Manicurist. Ayes: all Nays: none. Motion carried unanimous.

Motion by Besch and 2nd by Cink to approve minutes of previous meeting as read. Ayes: all Nays: none. Motion carried unanimous.

Motion by Froehlich and 2nd by Elsbecker to approve the agenda. Ayes: all Nays: none. Motion carried unanimous.

Public Discussion and Committee Reports:

Thank you note was read from the Algona Public Library by Don McGregor.

Discussion was held on the Table-Top Discussion to be held by Home Land Security.

Maureen Elbert requested an invoice from NIACOG for the Housing Needs Assessment and Iowa Workforce Development for the Labor Shed Survey. Maureen has some utilities that are willing to give dollars toward these two projects after July 1, 2003. KCEDC invited Supervisors to Kossuth County CEO Business and Industry Networking Meeting on Wednesday, June 25th with Dr. Robert Koob, President of the University of Northern Iowa to give a message about measures we need to take to have a sustainable future in rural Iowa. She also touched on the report given by Brenda Bormann of dialogues that was sent to the Wallace Foundation from the First, the American Dreamer.

Gene Elsbecker gave a report on the meeting of Central Iowa Detention Center and about their adolescent tracking. They only had 1 resident from Kossuth County for about 6 days during April.

Bob Cink reminded the Supervisors that we need a lay person to assign to the NIACOG meetings in Mason City.

Lee Froehlich attended and helped with Ag Day in Emmetsburg with 4th graders throughout the county.

Gary Priebe and Berl Priebe addressed the Supervisors about the proposed sale of the Care Facility to Rabiner Treatment Center and a group of people opposing the sale attended.

Motion by Besch and 2nd by Cink to approve the following resolution:

RESOLUTION ON KOSSUTH COUNTY DRAINAGE DISTRICTS
05-13-03-01

WHEREAS, The Drainage District Board of Trustees are responsible for the maintenance and management of Drainage Districts located within Kossuth County established under Chapter 468 of the Iowa Code.

WHEREAS, Kossuth County Drainage Districts have been established and constructed with the presumption the drainage of surface water from agricultural lands and all other lands, for the protection of such lands from overflow, is conducive to the public health, convenience and welfare.

WHEREAS, certain programs of the State of Iowa and the United States Government have been established to create waterways within the State of Iowa. The creation of these waterways is also conducive to the public health, convenience and welfare.

WHEREAS, some waterways may be located within a Drainage District and the creation of the waterways may potentially compromise the efficiency of the Drainage District improvements.

WHEREAS, a procedure is required to promote the establishment of the waterways and yet protect the improvements of a Drainage District.

WHEREAS, the Drainage District Board of Trustees shall be the exclusive governing body to make the decisions affecting the maintenance and management of Drainage Districts within Kossuth County.

NOW, THEREFORE BE IT RESOLVED, a landowner who proposes to establish a waterway in an area in which Drainage District improvements are located, shall file with the Kossuth County Auditor a Statement of Intent containing the following information:

1. The name of the landowner and farm tenant, if any.
2. A plat of the waterway identifying any Drainage District improvement within the proposed waterway.
3. A report from the engineer who designed the waterway setting forth any proposed manipulation or destruction of drainage district improvements and the resulting effects on existing drainage of lands within the Drainage District.

The plat of the waterway and engineers report will be reviewed by the District's engineer, who shall determine the effect to the District if the waterway is created. The engineer shall consider and address maintenance access, the potential effect upon the ability of the District to make further improvements, the effect upon the ability of the neighboring landowners to connect to the facility, the effect upon drainage capabilities available to all landowners.

The creation of the waterway shall not reduce the coefficient of drainage for any landowner within the Drainage District or reduce cover over existing improvements. The Drainage District shall incur no costs. The cost of these proceedings, including the cost of engineering and legal shall be paid by the landowner or other entity.

The waterway shall retain the classification established by Iowa Code Sections 468.38 through 468.40.

The landowner is responsible to maintain the waterway and all other facilities not assumed by the Drainage District. The Drainage District may enter the property and perform maintenance, repairs or improvements to the Drainage District. If the Trustees deem the maintenance to be an emergency, the District may immediately perform the maintenance.

The landowner's request may be approved upon completion of the above conditions. If the drainage district trustees are convinced the drainage within the Drainage District will not be adversely affected, and the Drainage District will not incur any costs if such approval is given. The drainage district trustees and the

landowners shall enter into an agreement incorporating the conditions contained within this resolution, and any other issues the trustees deem worthy.

Ayes: all Nays: none. Motion carried unanimous.

Motion by Besch and 2nd by Froehlich to hold public hearing for public input on May 28th, 2003 at 7:00 p.m. in the Assembly Room of the Kossuth County Courthouse for proposed sale to Rabiner Treatment Center. Ayes: all Nays: none. Motion carried unanimous.

Motion by Cink and 2nd by McGregor to approve the following Resolution:

RESOLUTION
05-13-03-02

Whereas, there have been filed with the Kossuth County Board of Supervisors motions by the governing bodies of the following school districts. Algona Community School District, Armstrong-Ringsted Community School District, Corwith-Wesley Community School District, LuVerne Community School District, North Iowa Community School District, North Kossuth Community School District, Sentral Community School District, Titonka Consolidated School District and West Bend – Mallard Community School District;

And, whereas, the above school districts are located within the County and contain a combined total of more than one-half of the population of the County.

And, whereas, the motions request the submission of the question of imposition of a one percent local sales and services tax for school infrastructure at a special election to be held on Tuesday, July 29, 2003.

Now, therefore, pursuant to Iowa Code Section 422E.2, the motions are hereby submitted to the County Commissioner of Elections who is hereby directed to hold an election on Tuesday, July 29, 2003, at which election there shall be submitted to the registered voters of the County the question of imposition of a one percent local sales and services tax for school infrastructure.

Resolution adopted this 13th day of May, 2003 with the vote thereon as follows:

Roll call vote: Besch, yes Cink, yes Elsbecker, yes Froehlich, yes McGregor, yes. Motion carried unanimous.

Don McGregor, Chairman
Board of Supervisors

ATTEST:

Joann Bormann
County Auditor

Bids were opened and read for the following Secondary Road Projects:

KOSSUTH COUNTY LOCAL LETTING
MSC-1-03 thru MSC-3-03

CONTRACTOR

PRICE BID:

Blacktop Service
Humboldt, Iowa

\$155,406.75

Sta-Bilt Construction Co.
Harlan, Iowa

\$174,802.50

KOSSUTH COUNTY LOCAL LETTING
LFM-B891070—73-55

<u>CONTRACTOR:</u>	<u>PRICE BID:</u>
Graves Construction Company Melvin, Iowa	\$204,946.20
Merryman Bridge Construction Algona, Iowa	\$144,574.10

KOSSUTH COUNTY LOCAL LETTING
L-C903470—73-55

<u>CONTRACTOR:</u>	<u>PRICE BID:</u>
Graves Construction Company Melvin, Iowa	\$ 79,035.15
Merryman Bridge Construction Algona, Iowa	\$ 86,664.25
Midwest Contracting, LLC Marshall, MN	\$ 62,781.00
Minnowa Construction Inc. Harmony, MN	\$ 65,961.00
Peterson Contractors, Inc. Reinbeck, Iowa	\$61,717.40

KOSSUTH COUNTY LOCAL LETTING
L-C04(1)—73-55

<u>CONTRACTOR:</u>	<u>PRICE BID:</u>
Herbst Construction, Inc. Le Mars, Iowa	\$ 74,000.00
King Construction Odebolt, Iowa	\$ 69,864.00
Manske & Son Algona, Iowa	\$ 67,767.60
Merryman Bridge Construction Algona, Iowa	\$ 74,700.00
Midwest Contracting, LLC Marshall, MN	\$ 68,420.00
Minnowa Construction, Inc. Harmony, MN	\$ 76,000.00
Peterson Contractors, Inc. Reinbeck, Iowa	\$ 71,485.00
Reding's Gravel & Excavating Algona, Iowa	\$ 78,790.00

The contracts will be awarded at a later date.

Motion by Besch and 2nd by Cink to send letter to DNR and plan to have a public hearing on Tuesday, May 27, 2003 at 7:00 p.m. in the Assembly Room of the Kossuth County Courthouse for construction permits. Ayes: all Nays: none. Motion carried unanimous.

Motion by Besch and 2nd by Froehlich to forward letter to DNR. Ayes: all Nays: none. Motion carried unanimous.

Ali Child and Doug Jackson presented a proposal on flexible benefits from Wellmark, Inc. Supervisors outlined an insurance plan to employees during an insurance meeting.

On motion adjournment was taken until May 20, 2003.

ATTEST:

Joann Bormann
Kossuth County Auditor

Don McGregor, Chairman
Board of Supervisors