

BOARD PROCEEDINGS

TWENTY-FOURTH DAY

MAY 25, 2004

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

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

Public Discussion and Committee Reports were held.

Motion by Cink and 2nd by Froehlich to approve the request of the Veterans Affairs Board, 05-24-04. Harvey Godden, Chairman of the Kossuth County Commission of Veteran Affairs, and Larry Grandgenett, member (Maurice Kollasch-absent) request the position of Marvel Immerfall, Director of V. A. be eliminated effective June 30, 2004. Harvey Godden and Larry Grandgenett. Roll Call Vote: Besch yes, Cink yes, Elsbecker yes, Froehlich yes, McGregor yes. Motion carried unanimous

Motion by Froehlich and 2nd by Cink to pay Marvel Immerfall, \$12 an hour during this period. Roll Call Vote: Besch yes, Cink yes, Elsbecker yes, Froehlich yes, McGregor yes. Motion carried unanimous.

Motion by Cink and 2nd by Froehlich to table the office space at this time. Ayes all, Nays none. Motion carried unanimous.

Motion by Besch and 2nd by Froehlich to open the Budget Amendment Public Hearing. Roll Call Vote: Besch yes, Cink yes, Elsbecker yes, Froehlich yes, McGregor yes. Motion carried unanimous.

Motion by Cink and 2nd by Elsbecker to close the Public Hearing. Roll Call Vote: Besch yes, Cink yes, Elsbecker yes, Froehlich yes McGregor yes. Motion carried unanimous.

Motion by Froehlich and 2nd by McGregor to approve the Budget Amendments and appropriate the funds in the current county budget. Roll Call Vote: Besch yes, Cink yes, Elsbecker yes, Froehlich yes, McGregor yes. Motion carried unanimous.

Motion by Besch and 2nd by Froehlich to approve a beer permit for St. Benedict Church. Ayes all, Nays none. Motion carried unanimous.

Motion by Elsbecker and 2nd by Froehlich to approve the sale for \$550 of the following real estate in Kossuth County, Iowa. To the West 25 feet of Lot Six (6), Block Six (6), Subdivision Entitled, "Blocks, 1, 4, 5, 6, and 7 and North Half of Block 2 and Out Lots E & F to the town of Ledyard", Kossuth County, Iowa. Parcel number 00860704329004. Quit claim to David H. and Barbara A. Lawton. Ayes all, Nays none. Motion carried unanimous

Motion by Besch and 2nd by Cink for approval of Memorandum of Understanding for Grants to Counties Well Program, FY 2005. Ayes all, Nays none. Motion carried unanimous.

Kossuth Regional Health Center Management Report was given by Scott Curtis. This can be viewed in the Auditor's office.

Motion by Cink and 2nd by Elsbecker to pass Resolution 05-25-04-01, a Resolution establishing a five dollar County Enforcement Surcharge.

RESOLUTION # 05-25-04-01

**A RESOLUTION ESTABLISHING A FIVE DOLLAR
COUNTY ENFORCEMENT SURCHARGE**

WHEREAS, counties enforce the criminal laws passed by the State of Iowa, provide the county attorneys who prosecute criminals, and even provide the courtrooms where the criminal cases are tried, but do not receive any of the criminal fine money, which all goes to the State of Iowa; and

WHEREAS, in an attempt to begin to address this inequity the 2004 Iowa Legislature passed House File 2569, which provides that if a court imposes a fine or forfeiture for any simple misdemeanor punishable as a scheduled violation pursuant to a citation issued by the sheriff, the court shall assess a five dollar county enforcement surcharge for each applicable violation, with the surcharge going to the county general fund of the county where the citation was issued; and

WHEREAS, section 9 of House File 2569 requires that for this county enforcement surcharge to go into effect in a given county, the board of supervisors must adopt an enacting resolution;

THEREFORE, BE IT RESOLVED BY THE BOARD SUPERVISORS OF KOSSUTH COUNTY that the Board adopts a five dollar county enforcement surcharge pursuant to House File 2569, with the surcharge to be assessed as of July 1, 2004.

Ayes: all Nays: none. Motion carried unanimous.

PASSED AND APPROVED this 25th day of May, 2004

Don McGregor
Chair, Board of Supervisors

ATTEST:

Joann Bormann
County Auditor

Motion by Froehlich and 2nd by Cink to approve fireworks permit at Fairground, Chuck Bell, Fire Chief. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2nd by Cink: Be it resolved that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Interstate Power & Lights, d.b.a. as Alliant Energy, Cedar Rapids, Iowa to install pole anchor and overhead primary line in Union Township, Section 16/17 as per agreement and permit number 04-05-08 on file in the Kossuth County Engineer's Office. Ayes all, Nays none Motion carried unanimous.

Motion by Elsbecker and 2nd by Cink: Be it resolved that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Midwest Grain Processor, Lakota, Iowa, to install 15" perforated drain tile for tile/storm sewer in the right of way of 428th Street, Ledyard Township, Section 22 as per agreement and permit number 04-05-09 on file in the Kossuth County Enginner's Office. Ayes all, Nays none. Motion carried unanimous

On motion adjournment was taken until June 1st, 2004.

Attest: _____
Joann Bormann
Kossuth County Auditor

Don McGregor, Chairman
Board of Supervisors