

**BOARD PROCEEDINGS  
OCTOBER 5, 2010  
REGULAR OCTOBER SESSION**

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

Motion by Plathe and 2<sup>nd</sup> by Besch to approve the agenda. Motion carried.

Motion by McGregor and 2<sup>nd</sup> by Elsbecker to approve the minutes of the previous meeting as read. Motion carried.

Motion by Besch and 2<sup>nd</sup> by Elsbecker to accept nominees Susan McLaughlin, Algona; Pam Nelson, Swea City; and Laurie Harms, Titonka for the Community Based Services Advisory Board. Motion carried.

There was discussion with Kossuth County Sheriff, Steve Kollasch followed by Public Discussion and Committee Reports. Discussion on drainage was held followed by a Bid Letting for Drainage District No. 99.

Motion by Plathe and 2<sup>nd</sup> by Elsbecker that the Board of Supervisors of Kossuth County, Iowa does hereby authorize and give its permission to Elmer Alt, Algona, Iowa to outlet a tile system into the road ditch and road cross pipe that is located in the road right of way. The tile outlet is located approximately 2100 feet east of the S ¼ corner of Section 14, more specifically described as located in the north road ditch of Kossuth County Route B30, approximately 2100 feet east of the intersection of B30 and US Highway 169. Work will be completed in the SE ¼ of the SE ¼ of Section 14-T-96N, R-29W, of the 5<sup>th</sup> P.M., Union Township. Permit number OT-10-10-01 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Besch and 2<sup>nd</sup> by McGregor to approve Resolution #10-05-10-01 which sets the date and time for a Public Hearing.

**RESOLUTION #10-05-10-01**

WHEREAS, Kossuth County has interest in the following tract of land located in the northeast quarter of section 29, T-95N, R-30W of the 5<sup>th</sup> P.M., Whittemore Township, Kossuth County, Iowa, and more particularly described as follows:

A tract of land previously described in Book 66 L.D. Page 434, more particularly described as follows:

Beginning at a point fourteen hundred thirty two and five tenths (1432.5) feet west and thirty three (33) feet south of the north east corner of section twenty nine (29) in Township ninety five (95) North, Range thirty (30) West of the fifth P.M.; thence south seventy five (75) feet; thence south sixty three degrees and forty five minutes (63° 45') west five hundred nine and two tenths (509.2) feet; thence North three hundred (300) feet; thence east four hundred fifty seven (457) feet to the point of beginning. Containing one and ninety seven (1.97) acres. and,

WHEREAS, This tract of land was previously deeded to Kossuth County for the purpose of mining gravel and other road building materials from the tract, and,

WHEREAS, The deed to the tract contains a reversion clause stating title shall revert back to the original subdivision from whence they came once road materials are removed and,

WHEREAS, all suitable road materials have been exhausted from the aforementioned Gravel Pit and,

WHEREAS, Kossuth County desires to return the interest in the tract back to the original subdivision, and

WHEREAS, Kossuth County is required by Iowa Code 331.361 to conduct a public hearing when disposing of an interest in real property by sale or exchange.

NOW THEREFORE BE IT RESOLVED by the Kossuth County Board of Supervisors that a public hearing be held at 10:30 am, October 12, 2010 in the board room of the Kossuth County courthouse to discuss this conveyance.

Dated this 5<sup>th</sup> day of October, 2010

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Pam Wymore, Chairperson  
Kossuth County Board of Supervisors

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Amber Garman  
Kossuth County Auditor

Motion by McGregor and 2<sup>nd</sup> by Besch to approve Resolution #10-05-10-02 which sets the date and time for a Public Hearing.

### **RESOLUTION #10-05-10-02**

WHEREAS, Kossuth County has interest in the following tracts of land located in the northwest quarter of section 26, T-95N, R-27W of the 5<sup>th</sup> P.M., Prairie Township, Kossuth County, Iowa, and more particularly described as follows:

A tract of land previously described in Book 73 L.D. Page 143, more particularly described as follows:

All of that part of the Northwest one-quarter (NW ¼) of the Northwest one-quarter (NW ¼) of Section twenty six (26) in Township Ninety-five (95) North and Range Twenty-Seven (27) West of the 5th P.M. bounded and described as follows: Beginning at a point eight hundred fourteen and nine tenths (814.9).feet South and thirty-three (33') feet East of, the Northwest corner of said Section Twenty-six (26); thence South two hundred twelve and one tenth (212.1') feet; thence North Seventy degrees East (N70°E) a distance of six hundred fifty (650.0') feet; thence north two hundred twelve and one tenth (212.1') feet; thence South Seventy degrees West (S70°0'W) a distance of six hundred fifty (650.0') feet to the point of beginning. Containing 2.97 acres.

A tract of land previously described in Book 74 L.D. Page 613, more particularly described as follows:

All of that part of the NW ¼ of the NW ¼ of Section 26-95-27 bounded and described as follows: Beginning at a point seven hundred fifty-four and nine tenths feet (754.9') south and thirty-three feet (33') east of the Northwest corner of section twenty six (26), in Township ninety-five (95) north and Range twenty-seven (27) west of the 5 P.M., thence north seventy degrees east (N70°E) a distance of seven hundred fifty feet (750'); thence south two hundred seventy two and one tenth feet (272.1'); thence south seventy degrees west (S70°W) a distance of one hundred feet (100'); thence north two hundred twelve and one tenth feet (212.1'); thence south seventy degrees west (S70°W) a distance of six hundred fifty feet (650'); thence north sixty (60') feet to the point of beginning. Containing 1.43 acres. And,

WHEREAS, These tracts of land were previously deeded to Kossuth County for the purpose of mining gravel and other road building materials from the tracts, and,

WHEREAS, The deeds to the tracts contain a reversion clause stating title shall revert back to the original subdivision from whence they came once road materials are removed and,

WHEREAS, all suitable road materials have been exhausted from the aforementioned Gravel Pit and,

WHEREAS, Kossuth County desires to return the interest in the tract back to the original subdivision, and

WHEREAS, Kossuth County is required by Iowa Code 331.361 to conduct a public hearing when disposing of an interest in real property by sale or exchange.

NOW THEREFORE BE IT RESOLVED by the Kossuth County Board of Supervisors that a public hearing be held at 10:30 am, October 12, 2010 in the board room of the Kossuth County courthouse to discuss this conveyance.

Dated this 5<sup>th</sup> day of October, 2010

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Pam Wymore, Chairperson  
Kossuth County Board of Supervisors

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Amber Garman  
Kossuth County Auditor

On motion adjournment was taken until October 12, 2010.

Attest:

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Amber Garman  
Kossuth County Auditor

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Pam Wymore, Chairman  
Kossuth County Board of Supervisors