

BOARD PROCEEDINGS

FORTY NINTH DAY

OCTOBER 18, 2005

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

Secondary Road Foreman and County Engineer updated the Supervisors on tile crossings, driveways and general road repair.

Motion by McGregor and 2<sup>nd</sup> by Besch to approve the following claims:

**General Basic Fund**

Algona Municipal Utilities	Utilities	3987.59
American Concrete Products, In	Sidewalk	1142.00
Harrah's Council Bluffs	Lodging	449.40
IA Dept of Natural Resources W	Supplies	600.00
IOS Office Solutions	Supplies	8.67
North Iowa Lumber & Design	Ceiling	6000.52
The Water Connection	Supplies	16.50
United States Cellular	Phone	171.18
Waste Management	Services	226.47
Wellmark Inc Flexible Benefits	Claims	180.00
Youth Shelter Care of North Ce	Services	80.32

**General Supplemental**

Jayne Krieeps	Mileage	34.78
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**Mental Health Fund**

Buschers Service Center	Services	286.00
CBE Group	Services	1500.00
Cherokee County Work Services	Services	297.28
Country View Estates	Services	1470.00
Exceptional Opportunities	Services	8146.62
Hy Vee Pharmacy	Services	104.99
IOS Office Solutions	Supplies	7.72
North Central Iowa Mental Heal	Services	3153.08
Williams & Associates	Services	310.00

**Secondary Road Fund**

Airgas North Central	Misc welding supplies	1102.76
Algona Machine & Supply	Misc supplies/repairs	2269.83
Algona Municipal Utilities	Utilitiy service/North sh	425.08
ATCO International ATTN: Acco	Material-see thru	115.00
Blacktop Service Co	Hot asphalt mix-fenton in	604.35
Buscher Bros. Corporation	Cast point	12.50
C.J. Cooper & Associates, Inc.	Random drug testings	125.00
Patricia R. Casey	Mileage reimbursement	128.02
Catco	Misc repair supplies	4070.64
Cintas First Aid & Safety	First aid supplies	110.71
City of Bancroft	Utilities Bancroft Shop	139.66
City of Ledyard	Water fees-Oct-Nov-Dec	55.50
City of LuVerne	Utilities-water fee	31.65
City of Swea City	Utilities Swea City Shop	14.75
Corwith Red Power, Inc.	Hyd end/wire/seal	20.34
DLT Solutions, Inc.	Civil 3D 2006 Stnd Lic	4160.82
Ed's Conoco Service	Diesel fuel/Bancroft/pump	2588.87
Electronic Specialties	Used VHF portable radio	312.21
Fenton Coop Telephone	Telephone service-Fenton	17.66
Five Star Tool & Supply 116 5t	Vise grips/punch/air chuc	96.75
Flannegan Western	Cylinder/boom/knuckle/pin	4013.35
Force America Inc.	Liquid panel	58.43
General Traffic Controls, Inc	Head/visor/cap/bulb/coupl	561.63
Greenberg Auto Supply	Misc repair parts/supplie	801.78
Heartland Power Company	Intersection lights (4)	48.00
Phil Helderfer	Crop damage 1.48 A Greenw	222.00
HicktoryTech	Telephone service-Lakota	84.49

Hoffman Electric	Repairs RR flashing light	75.00
Humboldt County REC	Security light charge	273.00
Hutzells Inc	Binder/tabs	11.37
Interstate Battery of Upper IA	Batteries	276.70
Iowa Lakes Electric Coop	Repairs security light	66.75
IOS Office Solutions	Copy machine fee	66.02
Iowa Prison Industries	15-Road closed 48x30	874.51
Iowa State University Universi	Reg-ASCE-ICEA Surv Confer	220.00
Iowa Transit	2-hand levels	196.92
ISAC	Reg-ISAC fall school	70.00
Jacks OK Tire Service	Misc tire repairs	4884.82
K & H Coop Oil Co	Diesel/area shops/bulk	14015.32
Kem-Pro Industrial Supply	Diesel fuel anti-gel	616.60
Kmart 9220	Film processing	6.83
KRHC-Hospital	Random drug testing	125.00
Lucille Kramer	Material/1.48A Greenwood	740.00
Lacal Equipment Inc	Blades/botls/nuts	659.90
Lone Rock CO-OP Tel Co.	Telephone service-Lone Ro	37.62
Martin Marietta Aggregates	Riprap/MOD-3 bal	1034.56
Mason City Overhead Door Co	Door repairs/Bancroft	1064.50
MaxYield Cooperative	Diesel/pump/West Bend	2347.02
Mid American Energy	Gas service area shops	125.13
Midwest Contracting	L-C790254--73-55	71450.20
Miller Lumber Company	Sand-monuments	280.00
Napa Auto Supply	Filter/oil	7.49
Northern Cedar Service Co., In	Flashing repairs/North Sh	9639.00
Priester True Value	Fans-2	43.98
River Valley Truck Centers	Piggyback kit	188.12
Shoppers Supply	Misc supplies	363.21
Stanley Propane and Appliance	Dust control	312.00
Superior Lamp & Supply	Light bulbs	359.10
Titonka-Burt Communication	Telephone service-Titonka	26.58
Truck Country "OF IOWA"	Misc repair parts/yoke	2766.83
United Building Centers	Supplies-concrete mix	284.66
W & H Coop Oil Co	Diesel/area shops/bulk	25614.92
Waste Management	October service	171.11
Ziegler Inc	Misc repair parts/supplie	6221.91

**Kossuth County Self Insur**

Rosemary Bormann	Reimbursement	314.96
Komen Foundation	Awareness	100.00
Wellmark Blue Cross and Blue S	September Premium	96257.65

**Sanitary Landfill**

Arnold Motor Supply The Merril	Repairs	5.19
Barnes Group Inc.	Supplies	461.06
Environmental Services of IA	Appliance recycled	1740.00
Horizons Unlimited of Palo Alt	Sept fees	2147.19
Humboldt County REC	Utilities	300.81
Hutzells Inc	Supplies	12.95
IOS Office Solutions	Supplies	9.95
Jacks OK Tire Service	Tires	231.08
K & H Coop Oil Co	Fuel	4664.90
R & V Scale Service	Service call	2701.20
Shoppers Supply	Supplies	7.74
Sign Works Ink	Supplies	180.40
Signature Marketing	Supplies	648.06
StateLine Cooperative Attentio	Supplies	111.70
Titonka-Burt Communications	Telephone service	69.83
Townmart	Fuel	237.38
Wallace Water Conditioning	Service	10.50
Ziegler Inc	Repairs	3838.33

Ayes all, Nays none. Motion carried unanimous.

Motion by Besch and 2<sup>nd</sup> by McGregor to approve the minutes. Ayes all, Nays none. Motion carried unanimous.

Motion by Froehlich and 2<sup>nd</sup> by Plathe to approve the agenda. Ayes all, Nays none. Motion carried unanimous.

Public Discussion and committee reports were held.

Motion by Plathe and 2<sup>nd</sup> by Froehlich to approve certification with the Enterprise Zone Commission for Diamond Estates. Roll Call Vote: Besch pass, Froehlich yes, McGregor yes, Plathe yes, back to Besch yes, Elsbecker yes. Motion carried unanimous.

Motion by Elsbecker and 2<sup>nd</sup> by Plathe to approve certification with the Enterprise Zone Commission for New Cooperative. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2<sup>nd</sup> by Froehlich to approve the Resolution 13 for the Enterprise Zone. Ayes all, Nays none. Roll Call Vote: Plathe yes, McGregor yes, Froehlich yes, Besch yes, Elsbecker yes. Motion carried unanimous.

Kossuth County, Iowa  
Resolution No. 13 10-18-05-01

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN KOSSUTH COUNTY.

WHEREAS, Kossuth County, Iowa, (hereinafter referred to as “County”) is a political subdivision organized and existing under the laws and the constitution of the State of Iowa (hereinafter referred to as “State”); and

WHEREAS, the purpose of Iowa Code Sections 15E.191 through 15E.196 is to promote new economic development in economically distressed areas by encouraging communities to target resources in ways that attract productive private investment; and

WHEREAS, administrative rules adopted by the Iowa Department of Economic Development (hereinafter referred to as “Department”) require the County to approve, by resolution, the establishment of an enterprise zone and the submission of an application requesting certification to the Iowa Department of Economic Development Board (hereinafter referred to as “Board”); and

WHEREAS, Iowa Code Section 15E.196 enumerates incentives or assistance for an eligible business located in an enterprise zone. For purposes of determining the incentives or assistance provided in Section 15E.196, “*eligible business*” means a business which has been approved to receive incentives and assistance by the Department pursuant to application as provided in Section 15E.196 of the Iowa Code. One of the incentives listed is the County for which an eligible enterprise zone is certified may exempt from all property taxation all or a portion of the value added to the property upon which an eligible business locates or expands in an enterprise zone and which is used in the operation of the eligible business. (Under Article 8; Section 6, the Commission will utilize the decision matrix forms in determining the property tax exemption under the Enterprise Zone Benefits. Refer to Attachment Amended Resolution #1).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY AS FOLLOWS:

SECTION 1. The County certifies that it is an eligible participant and meets the following required distress criteria pursuant to Iowa Code Section 15E.194: (Choose all that apply – must have at least 2)

- The County has an average weekly wage that ranks among the bottom twenty-five counties in the state based on the 2000 annual average weekly wage for employees in private business.
- The County has a family poverty rate that ranks among the top twenty-five counties in the state based on the 2000 census.
- The County has experienced a percentage population loss that ranks among the top twenty-five counties in the state between 1995 and 2000.
- The County has a percentage of persons sixty-five years of age or older that ranks among the top twenty-five counties in the state based on the 2000 census.

SECTION 2. The County hereby requests enterprise zone certification from the Board, pursuant to Iowa Code Section 15E.192, for **98.36 acres** described below, which the County verifies the total amount of land designated as enterprise zones under Iowa Code Section 15E.192, Subsections 1 and 2, and any other enterprise zones certified by the Department, excluding those approved pursuant to Iowa Code Section 15E.194, Subsection 4, does not exceed in the aggregate one (1) percent of the total county area (623,248 or 623,251.20 acres).

(See attached legal descriptions and site maps)

SECTION 3. The County shall provide a copy of this resolution to the Department and shall file this resolution with the Kossuth County Assessor.

SECTION 4. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

SECTION 6. This resolution shall become effective immediately upon its passage and approval.

Passed and approved this 18th day of October, 2005.

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Eugene Elsbecker, Chairperson  
Kossuth County Board of Supervisors

ATTEST:

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Joann Bormann

Motion by McGregor and 2<sup>nd</sup> by Froehlich the appointment of Tom Johnson to the VA Board of Commissioners due to Resignation of Maurice Kollasch. Ayes all, Nays none. Motion carried unanimous. Long time Commissioner of Veterans Affairs of Kossuth county Maurice Kollasch resigned after almost 30 years. We will miss his concern and dedication to Kossuth County Veterans.

Motion by Besch and 2<sup>nd</sup> by Plathe to approve the Resolution for Pre-Disaster Mitigation Grant Program. Ayes all, Nays none. Motion carried unanimous.

RESOLUTION NO. 10-18-05-02

A RESOLUTION COMMITTING LOCAL MATCH AND DESIGNATING AN AUTHORIZED REPRESENTATIVE FOR THE PRE-DISASTER MITIGATION (PDM) GRANT PROGRAM.

WHEREAS, the Kossuth County Board of Supervisors would like to develop a hazard mitigation plan in compliance with the Disaster Mitigation Act of 2000 and desires to obtain a PDM Planning Grant from the Federal Emergency Management Agency (FEMA); and,

WHEREAS, the County understands the importance of lowering risks and reducing the effects of disasters by identifying likely future hazards and planning for solutions to lessen their economic consequences; and,

WHEREAS, communities that participate in this initiative will be fully eligible for all future hazard mitigation project grants administered by FEMA through the Iowa Emergency Management Division (IEMD); and,

WHEREAS, the County recognizes the fact that a planning grant from FEMA is a 75% federal / 25% nonfederal matching source; and

WHEREAS, the County recognizes the fact that the 25% local share can be from cash and/or in-kind services; and,

WHEREAS, the County desires to designate an authorized representative to work on the County's behalf in completing this important endeavor;

NOW, THEREFORE, It Is Resolved by the Kossuth County Board of Supervisors as follows:

- Section 1. The County agrees to provide or make available \$2,125 of local monies or like in-kind services to be used to meet the 25% local match requirement for this mitigation grant.
- Section 2. The County hereby authorizes Joe Myhre, Executive Director of the North Iowa Area Council of Governments (NIACOG), to execute on behalf of the County, the PDM Hazard Mitigation Planning Grant and to file the application with the IEMD for the purpose of obtaining financial assistance under Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5165, enacted under Section 104 of the Disaster Mitigation Act of 2000, Pub.L. 106-390, the Code of Iowa (Chapter 29C), or the National Flood Insurance Act of 1968 (Sections 1366 and 1367).

Motion by Froehlich and 2<sup>nd</sup> by Besch to approve the liquor permit for Primetime. Ayes all, Nays none. Motion carried unanimous.

Motion by Elsbecker and 2<sup>nd</sup> by McGregor to retain ownership of the County Farm. Discussion was held and Besch, made a substitute motion to have a Public Hearing, motion died for lack of second. Chairman asked for a vote on the original motion to retain. Roll Call Vote: Besch pass, Froehlich yes, McGregor yes, Plathe no, back to Besch no, Elsbecker yes. Motion carried. 3-2

Homeward, Inc, Tracey Achenbach, Housing Development Manager explained how a Housing Trust Fund could be done within the county or several counties participating. At this time there is no Grant funding, but would need to apply to Iowa Housing Finance Authority to start the fund. When there is more information they will send a Resolution from Homeward, Inc.

Motion by Plathe and 2<sup>nd</sup> by McGregor that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Alliant Energy, Mason City, IA, to move overhead 3 phase electric line and poles along the west side of 190<sup>th</sup> Avenue from Sexton south approximately 2.5 miles, in Sections 1, 12 and 13, Irvington Township. This work is in conjunction with Kossuth County project LSH-405—73-55. Permit number 5-10-39 is on file in the Kossuth County Engineer's Office. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2<sup>nd</sup> by Besch

A.  
Be it resolved that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Lone Rock Coop Telephone Company, Lone Rock, IA, to install buried phone cable across 50<sup>th</sup> Avenue then south in shoulder approximately 2300' to the pedestal at the intersection of 50<sup>th</sup> Avenue and 280<sup>th</sup> Street in Sections 34 and 35, Fenton Township. Permit number 5-10-40 is on file in the Kossuth County Engineer's Office.

B.  
Be it resolved that the Board of Supervisors of Kossuth county, Iowa does hereby authorize and give its permission to Lone Rock Coop Telephone company, Lone Rock, IA, to install buried phone cable across 290<sup>th</sup> Street, then south approximately 1,500' to pedestal by bin site. Work will be in Sections 29 and 32, Burt Township, permit number 5-10-41 is on file in the Kossuth County Engineer's Office.

C.  
Be it resolved that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Lone Rock Coop Telephone Company, Lone Rock, Iowa, to install buried phone cable from 3203 80<sup>th</sup> Avenue South in the West shoulder approximately 24" deep across 320<sup>th</sup> Street to pedestal at the intersection of 80<sup>th</sup> Avenue and 320<sup>th</sup> Street. Work will be in Sections 7 and 18, Burt Township, permit number 5-10-42 is on file in the Kossuth County Engineer's Office. Ayes all, Nays none. Motion carried unanimous.

Discussion was held with the County Attorney and the lease for rental of the County Farm was signed.

A tour of the MGP plant entrance was held in the afternoon by the Board of Supervisors.

On motion adjournment was taken until October 25, 2005.

Attest: \_\_\_\_\_  
Joann Bormann  
Kossuth County Auditor

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Eugene Elsbecker, Chairman  
Board of Supervisors