

BOARD PROCEEDINGS
September 25, 2018
REGULAR SEPTEMBER SESSION

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

Public discussion was held.

Motion by Wymore and 2nd by Plathe to approve the agenda and the minutes of the previous meeting dated September 18, 2018. Motion carried.

Motion by Wymore and 2nd by Tjarks to approve the draft permit for Construction Permit Application Swea 32 North Site NW NE Section 32 Swea Township. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes

Motion by Plathe and 2nd by Wymore to approve Resolution #09-25-18-01 which provides approval of a waiver of Kossuth County's Right to Appeal Issuance of final construction permit for the construction of confined animal feeding operation by the Iowa Department of Natural Resources for Construction Permit Application for Swea 32 North Site NW NE Section 32 of Swea Township. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes

RESOLUTION #09-25-18-01

Kossuth County Board of Supervisors
September 25, 2018

APPROVAL OF WAIVER OF KOSSUTH COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.

BE IT RESOLVED by the Kossuth County Board of Supervisors as follows:

Section 1 The Kossuth County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that Summit Pork II, LLP has been issued a draft permit for the construction of a confined animal feeding operation buildings at NW NE Section 32 Swea Township in unincorporated Kossuth County.

Section 2 The Kossuth County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on September 25, 2018.

Section 3 The Kossuth County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4 The Kossuth County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5 The Kossuth County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

Section 6 This resolution shall take effect immediately.

Chairman, Don McGregor
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

Motion by Tjarks and 2nd by Wymore to approve the draft permit for Construction Permit Application Seneca Township 19 Site SW NW Section 19 Seneca Township. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes

Motion by Plathe and 2nd by Wymore to approve Resolution #09-25-18-02 which provides approval of waiver of Kossuth County's Right to Appeal Issuance of final construction permit for the construction of confined animal feeding operation by the Iowa Department of Natural Resources for Construction Permit Application for Seneca 19 Site SW NW Section 19 of Seneca Township. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes

RESOLUTION #09-25-18-02

**Kossuth County Board of Supervisors
September 25, 2018**

APPROVAL OF WAIVER OF KOSSUTH COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.

BE IT RESOLVED by the Kossuth County Board of Supervisors as follows:

Section 1 The Kossuth County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that Summit Pork II, LLP has been issued a draft permit for the construction of a confined animal feeding operation buildings at SW NW Section 19 Seneca Township in unincorporated Kossuth County.

Section 2 The Kossuth County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on September 25, 2018.

Section 3 The Kossuth County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4 The Kossuth County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5 The Kossuth County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

Section 6 This resolution shall take effect immediately.

Chairman, Don McGregor
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

Motion by Tjarks and 2nd by Wymore to approve the Assignment of Tax Sale Certificate 2017-17221 on parcel number #970-21-07-229-011 in Whittemore, Iowa for the Assignment Fee of \$10.00 to the City of Whittemore and Tax Sale Certificate 1991-00527 on Parcel #970-21-07-229-004 in Whittemore, Iowa for the Assignment Fee of \$10.00 to the City of Whittemore and once the deeds have been issued to the Assignee authorization to abate all delinquent taxes. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes

Motion by Besch to repeal Kossuth County Ordinance Number 207 formerly Kossuth County Ordinance #6-97.

Motion failed for lack of a 2nd.

The Board of Supervisors acknowledged the Safety Committee Meeting Minutes for the month of September 2018.

The Board of Supervisors acknowledged the Wellness Committee Meeting Minutes for the month of September 2018.

Motion by Tjarks and 2nd by Wymore that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Interstate Power & Light, Britt, IA, to bore a single electric cable under 460th Street approximately 85 feet west of 150th Avenue, then trench 95 feet west in north right of way to bin site at 4601 150th Avenue. Work will be in Section 5, Springfield Township and Section 32, Ledyard Township. Permit number 09-26-2018 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Besch and 2nd by Wymore that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, IA, to: Bore a single electric cable at 4601 80th Avenue from west to east right of way approximately 560 feet north of 460th Street. Work will be in Section 31, Grant Township. Permit number 09-27-2018 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Tjarks and 2nd by Besch that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Algona Municipal Utilities, Algona, IA, to replace existing underground communications cable with new fiber optic service by directional bore in the north right of way of 190th Street approximately 1090 feet east of US Highway 169. Work will be in Section 13 Cresco Township. Permit number 09-28-2018 is on file in the Kossuth County Engineer's Office. Motion carried.

Discussion was held with Kossuth County Engineer/Kossuth County Zoning Administrator followed by Drainage.

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

Department Head Discussion was held.

On motion adjournment was taken until October 2, 2018.

Attest:

Amber Garman
Kossuth County Auditor

Don McGregor, Chairman
Kossuth County Board of Supervisors