

**BOARD PROCEEDINGS**  
**October 23, 2018**  
**REGULAR OCTOBER 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 2<sup>nd</sup> by Besch to approve the agenda and the minutes of the previous meeting dated October 16, 2018. Motion carried.

Motion by Tjarks and 2<sup>nd</sup> by Plathe to approve the draft permit for Construction Permit Application Ellsworth Finishing 3 Site SW SW Section 28 Springfield Township. Chairman McGregor called for a roll call vote: Wymore: Yes, Tjarks: Yes, Plathe: Yes, Besch: Yes, McGregor: Yes

Motion by Tjarks and 2<sup>nd</sup> by Plathe to approve Resolution #10-23-18-01 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 Ellsworth Finishing 3 Site SW SW Section 28 Springfield Township. Chairman McGregor called for a roll call vote: Wymore: Yes, Tjarks: Yes, Plathe: Yes, Besch: Yes, McGregor: Yes

**RESOLUTION #10-23-18-01**  
**Kossuth County Board of Supervisors**  
**October 23, 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 Scott Ellsworth has been issued a draft permit for the construction of a confined animal feeding operation building(s) at SW SW Section 28 Springfield 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 October 23, 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 Besch and 2<sup>nd</sup> by Tjarks to pay the total requested amount of \$350,444.70 to County Social Services. Motion carried.

Motion by Wymore and 2<sup>nd</sup> by Plathe to approve the Quarterly Reports for Auditor, Recorder, Sheriff and Veteran Affairs. Motion carried.

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

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

Motion by Plathe and 2<sup>nd</sup> by Wymore to approve Resolution #10-23-18-02 which is a resolution that provides for the temporary closing of sections of roadway when necessary because of construction. Motion carried.

**RESOLUTION #10-23-18-02**

WHEREAS, Section 306.41 of the Code of Iowa provides for the temporary closing of sections of roadway when necessary because of construction, and

WHEREAS, the County Engineer has been authorized by a previous resolution of this Board of Supervisors to execute the requirements of Section 306.41 regarding temporary road closures, and

WHEREAS, bridge replacement project LB-C592000- -73-55 requires 190<sup>th</sup> Street between 80<sup>th</sup> Avenue and 90<sup>th</sup> Avenue (P30) be closed to all traffic, and

NOW, THEREFORE, BE IT RESOLVED, by the Kossuth County Board of Supervisors that the above described roads be closed and proper signs be erected for the duration of the construction project as determined by the County Engineer.

BE IT FURTHER RESOLVED, that upon completion of the construction work, as determined by the County Engineer, the road shall be opened to the traveling public without further action of this board.

October 23, 2018  
Dated at Algona, Iowa

\_\_\_\_\_  
Don McGregor, Chairperson  
Kossuth County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Amber Garman  
Kossuth County Auditor

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.

On motion adjournment was taken until October 30, 2018.

Attest:

\_\_\_\_\_  
Amber Garman  
Kossuth County Auditor

\_\_\_\_\_  
Don McGregor, Chairman  
Kossuth County Board of Supervisors