

BOARD PROCEEDINGS
April 9, 2019
REGULAR APRIL SESSION

The Board of Supervisors met pursuant to adjournment. Present were: Jack Plathe, Chairman, Galen Casey, Donnie Loss, Roger Tjarks and Kyle Stecker.

Public discussion was held followed by discussion with Secondary Road Foreman.

Motion by Stecker and 2nd by Loss to approve the agenda and the minutes of the previous meeting dated April 2, 2019. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Public Hearing
Hog Confinement Construction Permit
J & E Farms Site
SW ¼ NW ¼ Section 3 Sherman Township

Motion by Tjarks and 2nd by Loss to open the public hearing regarding the construction permit for J & E Farms Site in the SW ¼ NW ¼ Section 3 of Sherman Township. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

There were no comments received from the public either in writing or in person.

Motion by Loss and 2nd by Tjarks to close the public hearing regarding the construction permit for J & E Farms Site in the SW ¼ NW ¼ Section 3 of Sherman Township. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Tjarks and 2nd by Loss to recommend to the Iowa Department of Natural Resources the approval by Resolution #04-09-19-01 of the construction permit application for J & E Farms Site in the SW ¼ NW ¼ Section 3 of Sherman Township due to them meeting the requirements on the Master Matrix scoring system per Blaine Struthers and to have Amber Garman send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation. Chairman Plathe called for a roll call vote: Casey: no, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried 4 to 1 with Casey being the no vote.

**Recommendation to Iowa DNR to Approve the Application Permit for Construction of an
Confinement Feeding Operation**
Resolution # 04-09-19-01

WHEREAS, the Kossuth County Board of Supervisors has adopted the Master Matrix for the purpose of scoring construction applications to provide an opportunity for local input and

WHEREAS, The Master Matrix Delegate, Blaine Struthers has informed the Kossuth County Board of Supervisors that he scored this matrix identically to the applicant and this site has met the requirements of the Master Matrix. His score is based on the Master Matrix filed in the Kossuth County Auditor's Office on March 14, 2019.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on March 14, 2019. The score of this facility is 460 points.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors hereby recommends to the Iowa Department of Natural Resources **approval** of the construction permit application for J & E Farms Site in the SW ¼ NW ¼ of Section 3 of Sherman Township.

Public Comments: No (If yes, they are attached)

Passed and Approved this 9th day of April, 2019.

Chairman, Jack Plathe
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

**Public Hearing
Hog Confinement Construction Permit
Runksmeier Hog Farm #2 Site
NW ¼ NW ¼ Section 19 Springfield Township**

Motion by Stecker and 2nd by Tjarks to open the public hearing regarding the construction permit for Runksmeier Hog Farm #2 Site in the NW ¼ NW ¼ Section 19 of Springfield Township. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

There were no comments received from the public either in writing or in person.

Motion by Tjarks and 2nd Stecker to close the public hearing regarding the construction permit for Runksmeier Hog Farm #2 Site in the NW ¼ NW ¼ Section 19 of Springfield Township. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Tjarks and 2nd by Stecker to recommend to the Iowa Department of Natural Resources the approval by Resolution #04-09-19-02 of the construction permit application for Runksmeier Hog Farm #2 Site in the NW ¼ NW ¼ Section 19 of Springfield Township due to them meeting the requirements on the Master Matrix scoring system per Blaine Struthers and to have Amber Garman send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

**Recommendation to Iowa DNR to Approve the Application Permit for Construction of an
Confinement Feeding Operation
Resolution # 04-09-19-02**

WHEREAS, the Kossuth County Board of Supervisors has adopted the Master Matrix for the purpose of scoring construction applications to provide an opportunity for local input and

WHEREAS, The Master Matrix Delegate, Blaine Struthers has informed the Kossuth County Board of Supervisors that he scored this matrix identically to the applicant and this site has met the requirements of the Master Matrix. His score is based on the Master Matrix filed in the Kossuth County Auditor's Office on March 19, 2019.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on March 19, 2019. The score of this facility is 460 points.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors hereby recommends to the Iowa Department of Natural Resources **approval** of the construction permit application for Runksmeier Hog Farm #2 Site in the NW ¼ NW ¼ Section 19 of Springfield Township.

Public Comments: No (If yes, they are attached)

Passed and Approved this 9th day of April, 2019.

Chairman, Jack Plathe
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor

Kossuth County

**Public Hearing
Hog Confinement Construction Permit
Runksmeier Hog Farm #3 Site
NE ¼ NW ¼ Section 16 of Springfield Township**

Motion by Stecker and 2nd by Loss to open the public hearing regarding the construction permit for Runksmeier Hog Farm #3 Site in the NE ¼ NW ¼ Section 16 of Springfield Township. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

There were no comments received from the public either in writing or in person.

Motion by Stecker and 2nd by Tjarks to close the public hearing regarding the construction permit for Runksmeier Hog Farm #3 Site in the NE ¼ NW ¼ Section 16 of Springfield Township. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Tjarks and 2nd by Plathe to recommend to the Iowa Department of Natural Resources the approval by Resolution #04-09-19-03 of the construction permit application for Runksmeier Hog Farm #3 Site in the NE ¼ NW ¼ Section 16 of Springfield Township due to them meeting the requirements on the Master Matrix scoring system per Blaine Struthers and to have Amber Garman send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

**Recommendation to Iowa DNR to Approve the Application Permit for Construction of an
Confinement Feeding Operation
Resolution # 04-09-19-03**

WHEREAS, the Kossuth County Board of Supervisors has adopted the Master Matrix for the purpose of scoring construction applications to provide an opportunity for local input and

WHEREAS, The Master Matrix Delegate, Blaine Struthers has informed the Kossuth County Board of Supervisors that he scored this matrix identically to the applicant and this site has met the requirements of the Master Matrix. His score is based on the Master Matrix filed in the Kossuth County Auditor's Office on March 19, 2019.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on March 19, 2019. The score of this facility is 445 points.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors hereby recommends to the Iowa Department of Natural Resources **approval** of the construction permit application for Runksmeier Hog Farm #3 Site in the NE ¼ NW ¼ Section 16 of Springfield Township.

Public Comments: No (If yes, they are attached)

Passed and Approved this 9th day of April, 2019.

Chairman, Jack Plathe
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

No decision was made in regards to the Letter to DHS to appeal reassignment to CSS Region.

Scott Curtis and Dar Elbert were present to discuss the monthly report for Kossuth Regional Health Center.

Motion by Casey and 2nd by Loss to have the Supervisors handle their requests for drainage as follows: Supervisor Stecker had one request and it was request #18 and Supervisor Tjarks had three requests and they were request numbers 14, 15 and 16. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Plathe and 2nd by Loss to approve the liquor license for River Road Golf Club, Algona. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

**Public Hearing
Report of Appraisers of Right of Way
Drainage District #84 Open Ditch**

Motion by Casey and 2nd by Loss to open the public hearing on report of appraisers of right of way to drainage district #84 Open Ditch. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

There were no comments received from the public either in writing or in person.

Motion by Tjarks and 2nd by Stecker to close the public hearing on report of appraisers of right of way to drainage district #84 Open Ditch. Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Casey and 2nd by Stecker to accept the report for Right of Way to Drainage District #84 Open Ditch. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

**Public Hearing
Annexation
Drainage District #84**

Motion by Casey and 2nd by Stecker to open the public hearing on Annexation of Drainage District #84 Open Ditch. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Public comments were received from Doug Nelson and Ida Mae Arndorfer

Motion by Stecker and 2nd by Casey to close the public hearing on Annexation of Drainage District #84 Open Ditch. Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Stecker and 2nd by Casey to accept the report for Annexation to Drainage District #84 with the following change: remove the property for Nancy Nelson from the Annexation and once the property is removed Bolton & Menk needs to provide us with an Amended Annexation report. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: no, Plathe: yes. Motion carried 4 to 1 with Tjarks being the no vote.

Motion by Stecker and 2nd by Tjarks that the Board of Supervisors of Kossuth County, Iowa does hereby authorize and give its permission to Gary Zwiefel, Titonka, IA, to install 72 feet of 18" diameter Class 3 reinforced concrete pipe by cutting through 230th Avenue, 235 feet south of 350th Street. Work will be between Sections 34 and 35, German Township, Kossuth County. Permit number 04-10-2018 is on file in the Kossuth County Engineer's Office. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Loss and 2nd by Stecker that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, IA, to: Install a single electric cable from the west to the east right of way of 40th Avenue approximately 2840 feet south of 210th Street. Work will be in Sections 9-10, Whittemore Township. Permit number 04-12-2019 is on file in the Kossuth County Engineer's Office. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Tjarks and 2nd by Plathe to approve and adopt the Kossuth County Secondary Road Department Fiscal year 2020 Budget and Five Year Construction Program and to recommend approval to the Iowa Department of Transportation. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. 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.

On motion adjournment was taken until April 16, 2019.

Attest:

Amber Garman
Kossuth County Auditor

Jack Plathe, Chairman
Kossuth County Board of Supervisors