

BOARD PROCEEDINGS
APRIL 28, 2020
REGULAR APRIL SESSION

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

Chairman Plathe called the meeting to order at 8:00 a.m. followed by the Pledge of Allegiance.

Motion by Tjarks and 2nd by Loss to approve the agenda, the minutes from the previous meeting dated April 21, 2020 and the handwritten claim payable to US Postmaster in the amount of \$336.00. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Stecker and 2nd by Plathe to approve the agreement for the Transfer of Real Estate of the North Eighteen Feet (N 18') of Lots Six (6), Block Thirty-one (31), Original Plat of Algona, Kossuth County Iowa and authorize the Chairman to sign the agreement. 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 Tjarks to approve the quarterly reports for the Auditor, Recorder, sheriff and Veteran Affairs. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Stecker and 2nd by Tjarks to approve the Wellmark Renewal Group Binder Agreement for July 1, 2020 to June 30, 2021 and to authorize the Chairman to Sign the Agreement. 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 Casey to approve Resolution #04-28-20-01 which provides for the temporary closing of sections of roadway when necessary because of construction. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

RESOLUTION #04-28-20-01

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, resurfacing project STBG-SWAP-C055(178)--FG-55 will require that P66 (220th Avenue) from A42 (360th Street) north 7.0 miles to HWY 9 (430th Street) be closed to all traffic, and

WHEREAS, resurfacing project L-179--73-55 will require that 190th Street from US HWY 169 east 0.5 miles be closed to all traffic, and

WHEREAS, resurfacing project L-180--73-55 will require that Irvington Road from Algona City Limits southeast 1.2 miles be closed to all traffic, and

WHEREAS, resurfacing project L-181--73-55 will require that Hungry Hollow Road from Call Park Road east 1.0 mile to US HWY 169 be closed to all traffic, and

WHEREAS, resurfacing project L-182--73-55 will require that River Road and 240th Street from River Road and US HWY 169 thence north 1.7 mile to 240th Street thence west 0.5 mile to US HWY 169 be closed to all traffic, and

WHEREAS, resurfacing project FM-C055(183)--55-55 will require that P56 (160th Avenue) from US HWY 18 north 3.0 miles to B30 (250th Street) be closed to all traffic, and

WHEREAS, resurfacing project FM-C055(184)--55-55 will require that B30 (250th Street) from P54 (140th Avenue) east 1.5 miles to P56 (160th Avenue) be closed to all traffic, and

WHEREAS, resurfacing project LFM-185--7X-55 will require that B44 (200th Street) from P16 (20th Avenue) east 2.0 miles to P20 (40th Avenue) be closed to all traffic, and

WHEREAS, resurfacing project FM-C055(186)--55-55 will require that B55 (120th Street) from P30 (90th Avenue) east 3.0 miles to US HWY 169 be closed to all traffic, and

WHEREAS, resurfacing project LFM-187--7X-55 will require that C10 (105th Street) from P30 (90th Avenue) east 3.0 miles east to US HWY 169 be closed to all traffic, and

WHEREAS, resurfacing project L-188--73-55 will require that B40 (210th Street) from US HWY 15 east 0.5 miles to the City of Whittimore 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 roads shall be opened to the traveling public without further action of this board.

April 28, 2020

Dated at Algona, Iowa

ATTEST:

Jack Plathe, Chairman
Kossuth County Board of Supervisors

Amber Garman
Kossuth County Auditor

Discussion with Kossuth County Engineer/Zoning Administrator was held.

Motion by Casey and 2nd by Loss to have the Supervisors handle their requests for drainage as follows: Casey: 1 request (#38); Stecker: 2 requests (#40, #42); Tjarks: 2 requests (#39, #41). 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 Resolution #04-28-20-02 which is a resolution for legal opinion and proceeding with action necessary from Attorney, Tom Lipps regarding tile from DD4 into DD 80. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

**RESOLUTION 04-28-20-02
DRAINAGE DISTRICTS NO. 4 AND NO. 80
JOINT RESOLUTION**

APRIL 28, 2020

Serving as Trustees of Drainage Districts No. 4 and No. 80, the Kossuth County Board of Supervisors, met in regular session in the board room at the Kossuth County Courthouse on Tuesday, April 28, 2020. Members present were Galen Casey, Kyle Stecker, Donnie Loss, Roger Tjarks, and Chairman Jack Plathe. Also present were Kossuth County Auditor Amber Garman and Kossuth County Drainage Secretary Marjorie Mergen.

An April 16, 2020 letter from Engineer Kent Rode regarding an unauthorized private tile watershed crossing between Drainage District No. 4 and Drainage District No. 80 was presented to the Board for a review, along with a drainage map, a plat map showing the purported owners of the property involved as well as a parcel and drain list.

As a preliminary matter, it appears that the owner of the property identified by Engineer Rode, namely: William and Mary Goche, LLC, has installed a private tile in violation of state and local drainage laws. The Board determines that this matter should be referred to Drainage Attorney Thomas Lipps for further review with directions to contact the landowners seeking an explanation and appropriate follow-up.

Therefore, be it resolved that Drainage Attorney Thomas Lipps investigate this matter further contact the landowner responsible for installing the private tile in apparent violation of drainage rules, and to report back to the Board at a suitable later date.

This Resolution 04-28-20-02 is duly adopted.

Date: _____

Chairman: Kossuth County Board of Supervisors

ATTEST: Kossuth County Auditor

Motion by Stecker and 2nd by Tjarks to approve of the hiring of Jim Hudson for an opinion for MN-IA landowners to proceed with Drainage Repairs and Improvement in DD 129. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: yes, Tjarks: yes, Plathe: yes. Motion carried.

Discussion with Kossuth County Auditor.

Board Discussion and Committee Reports.

On motion adjournment was taken at 10:10 a.m. until May 5th, 2020.

Attest:

Amber Garman, Kossuth County Auditor

Chairman, Kossuth County Board of Supervisors