

BOARD PROCEEDINGS
March 23, 2021
REGULAR March SESSION

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

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

Motion by Loss and 2nd by Stecker to approve the agenda and the minutes of the previous meeting dated March 16, 2021. Motion carried 4-0.

Discussion/Decision with Dave Penton regarding Medical Examiner was postponed until next week.

Acknowledged Safety Committee Meeting Minutes and the Wellness Committee Meeting minutes.

Discussion and acknowledgement of Public Official Bonds for Supervisor's Kyle Stecker, Galen Casey and Donnie Loss. Tammy will look into the cost to increase the bonds from \$20,000 to \$50,000.

Motion by Loss and 2nd by Stecker to open Public Hearing for Kossuth County Budget for FY 2021-2022. Motion carried 4-0.

Kossuth County Auditor, Tammy Eden, presented the Budget for FY 2021-2022. There were no comments or questions received from the public by mail or in person.

Motion by Stecker and 2nd by Casey to close the Public Hearing for the Kossuth County Budget for FY 2021-2022. Motion carried 4-0.

Motion by Loss and 2nd by Tjarks to approve Resolution #03-23-21-01 which sets the Elected Official Compensation Schedule. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes. Tjarks: yes. Plathe: absent. Motion carried 4-0.

Resolution #03-23-21-01

Elected Official Compensation Schedule
FY 2021-2022

WHEREAS, the Kossuth County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907 and

WHEREAS, the Kossuth County Compensation Board met on Monday, December 14, 2020, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2021.

<u>Elected Official</u>	<u>Current Salary</u>	<u>Proposed Increase</u>	<u>Recommended Salary</u>
Auditor	\$71,718.36	2.00%	\$73,152.73
Attorney	\$99,472.20	2.00%	\$101,461.64
Recorder	\$68,139.36	3.00%	\$70,183.54
Sheriff	\$88,699.08	3.00%	\$91,360.05
Supervisors	\$38,005.68	2.00%	\$38,765.79
Treasurer	\$68,652.84	3.00%	\$70,712.43

THEREFORE, BE IT RESOLVED that the Kossuth County Board of Supervisors adopts the salary recommendations for elected officials for the fiscal year beginning July 1, 2021 as recommended by the Kossuth County Compensation Board.

Dated this 23rd day of March, 2021

Attest:

 Roger Tjarks, Chairman
 Kossuth County Board of Supervisors

 Tammy Eden, Kossuth County Auditor

By Roll Call Vote:

Ayes:

Nays:

 Galen Casey, Supervisor

 Galen Casey, Supervisor

 Kyle Stecker, Supervisor

 Kyle Stecker, Supervisor

 Donnie Loss, Supervisor

 Donnie Loss, Supervisor

 Roger Tjarks, Supervisor

 Roger Tjarks, Supervisor

 Jack Plathe, Supervisor

 Jack Plathe, Supervisor

Motion by Stecker and 2nd by Loss to adopt by Resolution #03-23-21-02 the FY 2021-2022 Budget and Certification of Taxes as presented and published and to have the County Auditor properly certify the budget as adopted and file as required by law. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Tjarks: yes. Plathe: absent. Motion carried 4-0.

Resolution #03-23-21-02

Approval of FY 2021/2022 Budget and Certification of Taxes

WHEREAS, the Kossuth County Board of Supervisors has considered the proposed FY2021-2022 county budget and certification of taxes, and

WHEREAS, a public hearing concerning the proposed county budget was held on March 23, 2021; and the budget was published as provided by Iowa Code. No written comments were received and no one representing the public was present for the hearing.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Kossuth County that the county budget and certificate of taxes for FY 2021/2022, as set forth in the budget summary, is hereby adopted and that the Kossuth County Auditor is directed to file said budget and to establish accounting records in accordance with the attached schedules.

BE IT FURTHER RESOLVED that the Chairperson and the County Auditor be and are hereby authorized to sign the approved FY 2021/2022 county budget.

Signed and dated this 23rd day of March, 2021.

Attest:

Roger Tjarks, Chairman
Kossuth County Board of Supervisors

Tammy Eden, Kossuth County Auditor

Motion by Loss and 2nd by Tjarks to approve Resolution #03-23-21-03 which is the Public Purpose for Economic Development Expenditures. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Tjarks: yes. Plathe: absent. Motion carried 4-0.

RESOLUTION
Public Purpose for Economic Development Expenditures
03-23-21-03

WHEREBY, the Board of Supervisors of Kossuth County held a public hearing as required by law on March 23, 2021 at 8:30 a.m. for the Budget Year 2021-2022. The budget was adopted as summarized, published, and attached hereto and tax levies voted on all taxable property of the county. Information provided was the Compensation Schedule and Proof of Publication in the Kossuth County Advance, Bancroft Register and Swea City Herald.

WHEREAS, the money in the budget for Economic Development is allocated to make Kossuth County more visible to businesses and industry to locate in Kossuth County and to enhance more jobs, and quality of life.

NOW THEREFORE BE IT RESOLVED that the Kossuth County Board of Supervisors declare Resolution 03-23-21-03 be adopted this 23rd day of March, 2021.

Roger Tjarks, Chairman
Kossuth County Board of Supervisors

Attest: _____
Tammy Eden
Kossuth County Auditor

Motion by Casey and 2nd by Loss to open the public hearing regarding the construction permit for Sherman 9 site in the NW ¼ SW ¼ Section 9 of Sherman Township. Motion carried 4-0.

Public discussion was held regarding the construction permit.

Motion by Stecker and 2nd by Loss to close the public hearing regarding the construction permit for Sherman 9 Site in the NW ¼ SW ¼ Section 9 of Sherman Township. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Tjarks: yes. Plathe: absent. Motion carried 4-0.

Motion by Stecker and 2nd by Tjarks to recommend to the Iowa Department of Natural Resources the approval by Resolution #03-23-21-04 of the construction permit application for Sherman 9 Site in the NW ¼ SW ¼ Section 9 of Sherman Township due to them meeting the requirements on the Master Matrix scoring system per Blaine Struthers and to have Tammy Eden send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Tjarks: yes. Plathe: absent. Motion carried 4-0.

**Recommendation to Iowa DNR to Approve the Application Permit for Construction of an Confinement Feeding Operation Site #71668
Resolution # 03-23-21-04**

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 February 18, 2021.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on February 18, 2021. 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 Summit Pork III, LLP (Sherman 9 Site) in the NW ¼ SW ¼ of Section 9 of Sherman Township.

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

Passed and Approved this 23rd day of March 2021.

Chairman, Roger Tjarks
Kossuth County Board of Supervisors

Attest:

Tammy Eden, Auditor
Kossuth County

Motion by Stecker and 2nd by Loss to approve Resolution #03-23-21-05 awarding the 2021 HMA Resurfacing projects to Norris Asphalt Paving Co., LC in the amount of \$3,987,449.15. Motion carried 4-0.

RESOLUTION TO AWARD CONTRACT:

2021 HMA Resurfacing Motion

Kossuth County Resolution No. #03-23-21-05

WHEREAS, the Board of Supervisors, hereafter referred to as “the Board”, believes the *L-190--73-55, FM-C055(191)--55-55, FM-C055(192)--55-55, FM-C055(193)-55-55*, hereafter referred to as “the project” is in the best interest of Kossuth County, Iowa, and the residents thereof. The project is defined as HMA resurfacing projects located at various locations throughout Kossuth County; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Kossuth County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Norris Asphalt Paving Co., LC in the amount of \$3,987,449.15 and awards the associated contract to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Kossuth County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor’s bond and certificate of insurance, Douglas A. Miller, the County Engineer for Kossuth County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

March 23, 2021
Dated at Algona, Iowa

Roger Tjarks, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Tammy Eden
Kossuth County Auditor

Motion by Tjarks and 2nd by Loss to approve the purchase of 2 Western Star Truck Chassis for \$120,240.00 each and two Western Star Semi Tractors for \$106,627.00 each by the Secondary Road Department from Truck Country of Iowa, Decorah, Iowa. The total purchase price is \$453,734.00. Motion carried 4-0.

Motion by Loss and 2nd by Stecker to approve the purchase of extended warranty for two Western Star Truck Chassis and two Western Star Semi Tractors for \$230.00 each by the Secondary Road Department from Truck Country of Iowa, Decorah, Iowa. The total purchase price for the extended warranties is \$920.00. Motion carried 4-0.

Motion by Casey and 2nd by Stecker to authorize and give its permission to Lumen (Century Link), Paso Robles, CA, to plow and directional bore fiber service in the west right of way of 20th Avenue between the City of Whittemore and 2105 20th Avenue. Work will be in Section 6, Whittemore Township. Excludes the City of Whittemore responsibility. Permit number 03-07-2021 is on file in the Kossuth County Engineer's Office. Motion carried 4-0.

Motion by Casey and 2nd by Loss to authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, IA, to install a power pole in the north right of way and directional bore electric service under 200th Street approximately 715 feet west of the intersection of 200th Street and 60th Avenue, at 510 200th Street. Work will be in Sections 11 and 14, Whittemore Township. Permit 03-08-2021 is on file in the Kossuth County Engineer's Office. Motion carried 4-0.

Motion by Tjarks and 2nd by Stecker to authorize and give its permission to Titonka-Burt Communications, Titonka, IA to install a fiber optic cable at the back of the south right of way by plowing and boring all intersection roads and drainage structures of: Burt/Portland Township – 330th Street, approximately 1060 feet west to 460 feet east of 130th Avenue AND Buffalo Township – 330th Street, approximately 1330 feet west to 1220 feet east of 220th Avenue. Work will be in Sections 1 and 12 of Burt Township; Sections 6 and 7 Portland Township; and sections 3, 8, and 9 of Buffalo Township. Permit number 03-09-2021 is on file in the Kossuth County Engineer's Office, see map attached to permit for installation details. Motion carried 4-0.

Discussion was held with Kossuth County Engineer.

Motion by Casey and 2nd by Tjarks to approve the drainage repair requests and allow the Supervisors to handle those request as follows: Supervisor Stecker: 1 Request (#2021-006 DD4). Motion carried 4-0.

Motion by Stecker and 2nd by Casey to approve the policy on repair/improvements in drainage districts. Motion carried 4-0.

Motion by Casey and 2nd by Tjarks to open the Completion Hearing for DD 80 Main B and Lateral 30 Open Ditch Cleanout Repairs. Motion carried 4-0.

Public comments and discussion were held regarding the completion for DD 80 Main B and Lateral 30 Open Ditch Cleanout Repairs.

Motion by Loss and 2nd by Stecker to close the Completion Hearing for DD 80 Main B and Lateral 30 Open Ditch Cleanout Repairs. Motion carried 4-0.

Motion by Tjarks and 2nd by Casey to accept the completion of DD 80 Main B and Lateral 30 Open Ditch Cleanout Repairs. Motion carried 4-0.

Motion by Tjarks and 2nd by Loss to approve Change Order #3 for project DD 80 Main B and Lateral 30 Open Ditch Cleanout Repairs for the amount of \$1,718.00. Motion carried 4-0.

Motion by Tjarks and 2nd by Casey to approve Pay Estimate #5 Sub-Final for project DD 80 Main B and Lateral 30 Open Ditch Cleanout Repairs for the amount of \$1,546.20 payable to Reutzel Excavating. Motion carried 4-0.

Motion by Casey and 2nd by Loss to approve Pay Estimate #6 Final for project DD 80 Main B and Lateral 30 Open Ditch Cleanout Repairs for the amount of \$28,891.18 payable to Reutzel Excavating and held for 30 days. Motion carried 4-0.

Held discussion with Kossuth County Auditor and Kossuth County Board of Supervisors.

Attest:

Tammy Eden
Kossuth County Auditor

Roger Tjarks, Chairman
Kossuth County Board of Supervisors