

BOARD PROCEEDINGS
August 10, 2021
REGULAR August SESSION

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

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

Public discussion was held.

Monthly update was given by Secondary Road Foreman.

Motion by Plathe and 2nd by Stecker to approve the agenda and minutes of the previous meeting dated August 3, 2021. Motion carried unanimously.

Kossuth Regional Health Center gave monthly report.

Motion by Plathe and 2nd by Tjarks to change the Meeting/Mileage Policy to state “The mileage reimbursement allowance for use of private automobile on county business shall be the same mileage rate as that approved by the Kossuth County Board of Supervisors in January of every year” instead of “as allowed by the state”. The board will use the rate approved by the federal government. Motion carried unanimously.

Motion by Plathe and 2nd by Casey to approve the Liquor License for St. Joseph Roman Catholic Church. Motion carried unanimously.

Motion by Casey and 2nd by Stecker to open the public hearing regarding the construction permit for Whittemore 23 Site in the SE SW Section 23 T95N R30W Whittemore Township. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

There were no public comments.

Motion by Casey and 2nd by Loss to close the public hearing regarding the construction permit Whittemore 23 Site in the SE SW Section 23 T95N R30W Whittemore Township. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by Casey and 2nd by Loss to recommend to the Iowa Department of Natural Resources the approval by Resolution #08-10-21-01 of the construction permit application for Whittemore 23 Site in the SE SW Section 23 T95N R30W Whittemore 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, Plathe: yes, Tjarks: yes. Motion carried.

**Recommendation to Iowa DNR to Approve the Application Permit for Construction
of a Confinement Feeding Operation Site #71736
Resolution # 08-10-21-01**

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 July 15th, 2021.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on August 10th, 2021. The score of this facility is 455 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 Jordan Grimm (Whittemore 23 Site) in the SE SW 23 T95N R30W Whittemore Township.

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

Passed and Approved this 10th day of August 2021.

Chairman, Roger Tjarks
Kossuth County Board of Supervisors

Attest:

Tammy Eden, Auditor
Kossuth County

Motion by Plathe and 2nd by Tjarks to open the public hearing regarding the construction permit for Eagles Nest Anita 2 Site in the NW SE Section 14 T96N R28W Plum Creek Township. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

There were no public comments.

Motion by Plathe and 2nd by Loss to close the public hearing regarding the construction permit Eagles Nest Anita 2 Site in the NW SE Section 14 T96N R28W Plum Creek Township. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by Plathe and 2nd by Tjarks to recommend to the Iowa Department of Natural Resources the approval by Resolution #08-10-21-02 of the construction permit application for Eagles Nest Anita 2 Site in the NW SE Section 14 T96N R28W Plum Creek 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, Plathe: yes, Tjarks: yes. Motion carried.

**Recommendation to Iowa DNR to Approve the Application Permit for Construction
of a Confinement Feeding Operation Site #65780
Resolution # 08-10-21-02**

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 June 29th, 2021.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on July 14th, 2021. The score of this facility is 440 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 Eagles Nest Farms - Anita, LLC, Corey Spora (Eagles Nest Anita 2 Site) in the NW SE 14 T96N R28W Plum Creek Township.

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

Passed and Approved this 10th day of August 2021.

Chairman, Roger Tjarks
Kossuth County Board of Supervisors

Attest:

Tammy Eden, Auditor
Kossuth County

Motion by Plathe and 2nd by Loss to extend the Emergency Paid Sick Leave and Public Emergency Leave for Kossuth County Employees until September 30, 2021. The extension will be retroactive and will cover employees for up to 80 hours of emergency paid sick leave. Each employee will start with a full 80 hours regardless of whether or not they have used Covid Leave prior to this extension. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by Stecker and 2nd by Casey to sign Letter of Intent for county representation and inspection services for the Heartland Greenway System Project and the Midwest Carbon Express Project. Motion carried unanimously.

Motion by Plathe and 2nd by Tjarks to approve Resolution #08-10-21-03 which approves addition of county property to the West Bend Urban Renewal Area. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

RESOLUTION #08-10-21-03

Resolution to Approve Addition of County Property to the West Bend Urban Renewal Area

WHEREAS, the City of West Bend, Iowa (the "City") has begun the process of adding territory to its West Bend Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa: and

WHEREAS, a portion of the property which is proposed to be added to the Urban Renewal Area is located outside the city limits, such property being described on Exhibit A hereto (the "Property"); and

WHEREAS, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two miles of the boundary of that city, but only if the city obtains the consent of the county within which such property is located; and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Kossuth County, Iowa ("Kossuth County") adopt this resolution giving its consent that the City may exercise urban renewal powers with respect to the portions of the Property lying within two miles of the incorporated city limits: and

NOW, THEREFORE, it is hereby resolved by the Board of Supervisors of Kossuth County, Iowa, as follows:

Section 1. The Kossuth County Board of Supervisors hereby gives its consent that the City of West Bend may exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to the Property situated in Kossuth County and outside the incorporated boundaries of the City.

Section 3. This Resolution shall be deemed to meet the statutory requirements of paragraph 4 of Section 403.17 of the Code of Iowa and shall be effective immediately following its approval and execution.

Passed and approved this _____ day of _____, 2021.

Chairperson, Board of Supervisors

Attest:

County Auditor

Ayes: _____

Nays: _____.

Motion by Plathe and 2nd by Tjarks to approve and authorize the chair to sign the Iowa Department of Transportation Agreement for County Bridge Federal-Aid SWAP Funding Agreement for Bridge Replacement on Federal Aid Highway, project BRS-SWAP-CO55(194)—FF-55, located on the north line of section 31 Irvington Township. Motion carried unanimously.

Motion by Casey and 2nd by Loss that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Midland Power Cooperative, Jefferson, IA, to directional bore electric service under 70th Avenue approximately 2340 feet south of 180th Street at 1705 70th Avenue. Work will be in Sections 25 Whittemore and 30 Cresco Township. Permit 08-23A-2021 and 200th Avenue approximately 1610 feet south of 280th Street at 2708 200th Avenue. Work will be in Sections 6 and 5 Wesley Township. Permit 08-23B-2021. Permit on filed in the Kossuth County Engineer's Office. Motion carried unanimously.

Discussion was held with the Kossuth County Engineer/Zoning Administrator.

Motion by Tjarks and 2nd by Loss to hire Jim Hudson as attorney for DD 18 and DD 96 Annexation Hearings and have him present at the hearings. Motion carried unanimously. Motion by Stecker and 2nd by Plathe to approve Contract for DD 4 FEMA Repair Project. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Discussion on application for Exemption from Buffer Strip Ban in Drainage District Facilities is postponed until next week.

Discussion was held with Kossuth County Auditor and Kossuth County Board of Supervisors.

Adjournment was taken at 10:34 a.m. until August 17, 2021.

Attest:

Tammy Eden
Kossuth County Auditor

Roger Tjarks, Chairman
Kossuth County Board of Supervisors