

**BOARD PROCEEDINGS**  
**September 14, 2021**  
**REGULAR September SESSION**

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

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

There was no public discussion.

The following Years of Service Award was presented to a Kossuth County Employee:

Bruce Heetland	Conservation	20 Years
----------------	--------------	----------

Monthly update was given by the Secondary Road Foreman.

Motion by Plathe and 2<sup>nd</sup> by Stecker to approve the agenda and the minutes of the previous meeting dated September 7, 2021. Motion carried unanimously.

Motion by Tjarks and 2<sup>nd</sup> by Casey to approve the salary for the New Environmental Health/Weed Commissioner Aaron Montag and set starting date for Weed Commissioner Salary as January 2022. Motion carried unanimously.

Kossuth Regional Health Center gave their Monthly Report.

Motion by Plathe and 2<sup>nd</sup> by Loss to open the public hearing regarding the construction permit for Dorweiler Finisher Site in the SE NW Section 4 T94N R30W Garfield 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 2<sup>nd</sup> by Stecker to close the public hearing regarding the construction permit Dorweiler Finisher Site in the SE NW Section 4 T94N R30W Garfield 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 2<sup>nd</sup> by Tjarks to recommend to the Iowa Department of Natural Resources the approval by Resolution #09-14-21-01 of the construction permit application for Dorweiler Finisher Site in the SE NW Section 4 T94N R30W Garfield Township due to them meeting the requirements on the Master Matrix scoring system per Steve Anderson 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 #64651  
Resolution # 09-14-21-01**

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, Steve Anderson 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 August 16, 2021.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on August 16, 2021. 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 Summit Pork III, LLP (Dorweiler Finisher Site) in the SE NW 4 T94N R30W Garfield Township.

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

Passed and Approved this 14<sup>th</sup> day of September 2021.

---

Chairman, Roger Tjarks  
Kossuth County Board of Supervisors

Attest:

---

Tammy Eden, Auditor  
Kossuth County

Motion by Plathe and 2<sup>nd</sup> by Stecker to open the public hearing regarding the construction permit for Weber Finisher Site in the SW SE Section 21 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 Stecker and 2<sup>nd</sup> by Plathe to close the public hearing regarding the construction permit Weber Finisher Site in the SW SE Section 21 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 2<sup>nd</sup> by Loss to recommend to the Iowa Department of Natural Resources the approval by Resolution #09-14-21-02 of the construction permit application for Weber Finisher Site in the SW SE Section 21 T95N R30W Whittemore Township due to them meeting the requirements on the Master Matrix scoring system per Steve Anderson 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 #64647  
Resolution # 09-14-21-02**

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, Steve Anderson 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 August 18, 2021.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on August 18, 2021. The score of this facility is 450 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 James Fehr and Kent Fehr (Weber Finisher Site) in the SW SE 21 T95N R30W Whittemore Township.

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

Passed and Approved this 14<sup>th</sup> day of September 2021.

---

Chairman, Roger Tjarks  
Kossuth County Board of Supervisors

Attest:

---

Tammy Eden, Auditor  
Kossuth County

Motion by Plathe and 2<sup>nd</sup> by Stecker to approve the Sheriff's Office to purchase and equip two 2021 Chevrolet Tahoe (CK10706) 4WD from Karl Chevrolet for \$36,675.50/each with verbal trade-in offer on two sheriff's pickups in the amount of \$20,000 each. The trade-in offer's will be in writing after this approval from the board. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by Loss and 2<sup>nd</sup> by Stecker to reaffirm the following as Medical Examiners: Lead Medical Examiner: Alan Hjelle, MD; Assistant Medical Examiners: Michael Lampe, DO; Brent Owen, MD; Josiah Brinkley, MD; Rachel Venteicher, DO; Christian Grindberg, DO; John Schantzen, DO; and Amy Schantzen, DO. Motion carried unanimously.

Motion by Tjarks and 2<sup>nd</sup> by Casey to approve Resolution #09-14-21-03 which is a resolution declaring Kossuth County to be Second Amendment Sanctuary County. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

RESOLUTION DECLARING KOSSUTH COUNTY TO BE A SECOND AMENDMENT SANCTUARY COUNTY

Resolution #09-14-21-03

WHEREAS, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment of the United States Constitution, "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."; and

WHEREAS, the right of the people to keep and bear arms for defense of life, liberty, and property is regarded as an inalienable right by the people of Kossuth County, Iowa; and

WHEREAS, the people of Kossuth County, Iowa derive economic benefit from all safe forms of firearms manufacturing, sales, recreation, hunting, and shooting conducted within Kossuth County using all types of firearms allowable under the United States Constitution and the laws of the State of Iowa; and

WHEREAS, the Kossuth County Board of Supervisors was elected to represent the citizens of Kossuth County, and have sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and

WHEREAS, Iowa State Senators and State Representatives have also sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and

WHEREAS, legislation is currently being considered and may be considered in the future that infringes on the constitutionally protected right of citizens to keep and bear arms.

NOW, THEREFORE, BE IT RESOLVED that the Kossuth County Board of Supervisors hereby declares Kossuth County to be a Second Amendment Sanctuary County, and hereby states its opposition to the enactment of any legislation that would infringe upon the constitutional right of the people of Kossuth County to keep and bear arms.

Roll Call Vote

AYES:

NAYS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Passed and approved this 14<sup>th</sup> day of September, 2021.

Attest:

\_\_\_\_\_  
Tammy Eden, Auditor  
Kossuth County

Motion by Plathe and 2<sup>nd</sup> by Loss to approve the bid from Algona Welding in the amount of \$6,520.00 to replace the handicap rails on the north side of the courthouse. Motion carried unanimously.

Motion by Plathe and 2<sup>nd</sup> by Loss to approve hiring Bergland & Cram as the Engineer for the Courthouse Roof Project. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by Tjarks and 2<sup>nd</sup> by Loss to authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, IA to build 2000 feet of overhead power beginning at 170<sup>th</sup> Ave in the south right of way of 390<sup>th</sup> Street, then bore electric cable north under 390<sup>th</sup> Street. Work will be in Sections 2 and 11, Ramsey Township, Permit 09-25-2021 and to remove four poles to install five poles on the west side of 150<sup>th</sup> Ave. between HWY 9/169 and 1470 feet south. Work will be in Section 20, Ledyard Township, Permit #09-26-2021. Permits on file in the Kossuth County Engineer's Office. Motion carried unanimously.

Motion by Casey and 2<sup>nd</sup> by Plathe to authorize and give its permission to Midland Power Cooperative, Jefferson, IA to directional bore electric service under 150<sup>th</sup> Avenue approximately 2890 feet south of 150<sup>th</sup> Street. Work will be in Sections 8 and 9 Sherman Township. Permit 09-27-2021 is on file in the Kossuth County Engineer's Office. Motion carried unanimously.

Held discussion with Kossuth County Engineer/Zoning Administrator.

Reviewed petition for Landowner Trustees to take over as trustees for DD 18. The petition had 15 signatures which was a majority of at least 50% plus one. A date will be set for the election once we hear back on our questions to the Secretary of State's Office.

Reviewed petition for Landowner Trustees to take over as trustees for DD 96. The petition had 15 signatures which was a majority of at least 50% plus one. A date will be set for the election once we hear back on our questions to the Secretary of State's Office.

Motion by Plathe and 2<sup>nd</sup> by Casey to approve the drainage repair requests as follows: Supervisor Tjarks: Request #2021-045 DD 31 and Request #2021-046 DD HK 5-87. Motion carried unanimously.

The Annexation Hearings for DD 18 and DD 96 were not held.

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

Adjournment was taken at 10:27 AM until Tuesday, September 21, 2021.

Attest:

---

Tammy Eden  
Kossuth County Auditor

---

Roger Tjarks, Chairman  
Kossuth County Board of Supervisors