

**BOARD PROCEEDINGS**  
**December 7, 2021**  
**REGULAR December SESSION**

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

Motion by Plathe and 2<sup>nd</sup> by Casey to approve the agenda, the claims, and the minutes of the previous meeting dated November 29<sup>th</sup> & November 30, 2021. Motion carried unanimously.

AMU	Srvs	2793.58	15
AMU	Supp	38.06	1
Algona Plumb & Htg	Srvs	130.00	1
Alg Pub Co	Notices	1316.41	2
Alliant Energy	Srvs	1882.13	1
AU Life Ins	Ins.	80.00	1
Arnold Motor Supply	Parts	768.93	1
AT & T Teleconf Srvs	Srvs	135.63	1
Fidelity Sec Lif Ins	Ins	92.53	1
Axon Enterprise Inc.	Supp	249.24	1
Ban Mun Utlities	Utilities	290.09	1
Darin Banwart	Engineer Sup	20300.00	1
A Berte	Exp	139.13	1
A Berte	Exp	57.99	1
Blacktop Srvs Co	Srvs	163973.15	1
BMC Aggregates	Parts	115.01	1
Bomgaars	Supp	1169.13	7
Buscher Bros	Srvs	292.81	1
Calhoun-Burns & Associates, In	Engineer Supp	1377.00	1
Calhoun-Burns & Associates, In	Exp	675.00	1
Campbell's	Engineer Supp	20698.00	1
Card Services	Exp	619.81	3
Carroll Construction Supply	Sup	272.73	1
Central Ia Water	Srvs	1787.00	4
Centurylink	Phone	804.71	2
Cintas	Supplies	1036.06	1
City of Algona	Exp	12475.05	1
City of Fenton	Utilities	95.32	1
City of Lakota	Exp	90.85	1
City of Wesley	Cons	65.25	1
City of West Bend	Utilities	210.55	1
Clarion Distributing, LLC	Engineer Suppl	201.50	1
Counsel Ofs & Doc	Supp	5513.33	8
Counsel Ofs & Doc	Suppl	32.94	1
CoverTrack Group Inc	Srvs	600.00	1
Degen Extinguisher & Repair	Srvs	35.00	1
Deitering Bros	Srvs	51.98	1
DM Stamp Mfg	Supp	120.00	1
K Dettman	Exp	139.13	1
Dump-It Sanit	Srvs	444.50	2
Ecolab	Srvs	202.95	1
FarmChem	Engineer Suppl	8084.44	1
Farmers Coop Elev	Fuel	135.00	1
T Farrow	Exp	50.00	1
Fire Fire Equip	Srvs	455.00	1
Fenton Coop Telephone	Srvs	474.62	2
FleetPride	Parts	315.78	1
Force America	Parts	1448.80	1
Frank Dunn Co.	Engineer Supp	849.00	1
Frontier Technology LLC	Exp	4338.00	1
Christopher Gelhaus	Engineer Supp	52.84	1
J Goche	Exp	250.00	1

Great Americal Financial Svcs	Exp	98.74	2
D Green	Exp	126.00	3
L Hefty	Exp	144.13	1
Hiway Truck Equipment	Supp	1085.56	1
Hy-Vee	Supp	5137.00	1
Iowa County Sheriff 960 Frankl	Exp	64.56	1
IA Lakes EC	Elec	38.19	1
IA One Call	Srvs	54.90	1
IA Prison Ind	Supp	2838.55	2
IA Transit	Supp	255.16	1
ISAC	Reg	210.00	1
ISSDA	Reg	575.00	1
ITsavvy LLC	Supp	2053.50	2
Jacks OK Tire Srv	Srvs	495.36	1
John Deere Financial	Parts	1506.95	1
Johnston Autostores	Parts	54.17	1
Keltek	Srvs	523.56	1
Kemco Tires	Srvs	30.86	1
Kemna GM	Serv	293.10	1
KC Sheriff	Srvs	6.79	1
KC Treas	Srvs	189.48	1
Zachary Laubenthal Excavating	Engineer Supp	777.50	1
R Leigh	Exp	139.13	1
Lone Rock Coop Tel	Phone	133.95	1
Mail Serv	Supp	1539.97	2
Martin Marietta Agg	Rock	704.52	1
M McGregor	Exp	101.18	2
Mer Engineerg	Srvs	1353.44	1
MCHS EMS Program	Exp	10.00	1
Mid Am Energy	Srvs	4362.74	3
Midland Power Coop	Utilities	386.80	1
Midwest Wheel	Exp	284.41	1
Mike Looft TW	Fuel	3156.02	1
A Miller	Exp	15.00	1
D Miller	Reim	40.74	1
Monson Repair LLC	Engineer Suppli	311.42	1
NASSCO	Supp	565.97	3
Newman Signs Inc	Engineer Suppli	397.20	1
Norris Asphalt	Exp	6815.88	1
NIA Lumber&Design	Exp	117.86	2
North Iowa Reporting	Srvs	105.00	1
NW Comm	Service	450.66	2
NUGENCO	Exp	240.00	1
IOS	Supp	834.05	10
Peterson Contrctrs	Srvs	14149.29	1
Petroblend	Exp	2601.50	1
B Pfeffer	Exp	84.32	1
J Plathe	Exp	17.92	1
Quality Motors	Exp	91.46	1
Quill Corp	Supp	101.94	1
RAKA	Engineer Su	231.89	1
Rapids Reproductions Inc	Engineer Su	126.24	1
S Reefer	Exp	139.13	1
Rental Zone, LLC	Srvs	134.00	1
RingTel Communications	Phone	93.39	1
Roethler Elec.	Srvs	948.10	2
N Roethler	Exp	15.00	1
Ruhnke Bros	Srvs	1087.83	1
Sec St Bank	Srvs	25.00	1
L Schreffler	Exp	4500.00	1
Sign Works	Supp	15.75	1
Staples Business Credit	Exp	299.00	1
Water Conn	Srvs	56.04	1
Thompson Sewer & Drain	Supp	284.60	1
Z Thompson	Exp	15.00	1
Threads	Supp	190.00	1
Titonka Munc Utilities	Srvs	109.72	1
Titonka Burt Comm	Phone	1670.24	1
R Tjarks	Exp	280.00	1

Tom Eischen Sales	Parts	200.00	1
Treasurer, State of Iowa Attn:	Engineer Su	910.00	1
Harrison Truck Centers	Supp	2005.00	1
TSP Court Reporting	Srvs	255.00	2
Union Pacific Railroad Company	Repairs	56.74	1
US Cellular	Srvs	61.49	1
Verizon Connect Fleet USA	Engineer Su	1485.85	1
Verizon Wireless	Phone	49.26	1
Verus	Supp	4976.25	1
J Wagner	Exp	127.50	1
White Tools LLC	Engineer Su	533.50	1
Windstream	Srvs	487.39	1
Winnebago Co Auditor	Engineer Su	32.36	1
Ziegler	Parts	37957.55	1
<b>Grand Total</b>		<b>372856.21</b>	

### Drainage Claims

Algona Publishing	Drain 90 Lat 1	\$127.95
Armstrong Journal	Drain TRI 84	\$87.05
Bolton & Menk	Drain 4	\$10555.00
Bolton & Menk	Drain 4 Lat 28	\$5203.00
Bolton & Menk	Drain 60 Sub 4	\$2842.00
Bolton & Menk	Drain 72	\$6464.50
Bolton & Menk	Drain PAK 1	\$8023.00
Bolton & Menk	Drain TRI 84	\$7214.00
Emmetsburg Publishing	Drain TRI 84	\$127.25
Estherville Daily News	Drain TRI 84	\$220.96
Erpelding Excavating Ent	Drain 177	\$335.00
Tony Farrow	Drain 166	\$200.00
Hancock Co Auditor	Drain HK 3-46 Lat 60	\$712.03
I & S Group	Drain 75	\$12726.40
I & S Group	Drain 75 Lat 5	\$7519.91
I & S Group	Drain 90 Lat 1	\$8923.37
Iowa Mediation Service	Drain 80	\$181.36
Jacobson Westergard	Drain 82	\$4029.05
Zachary Laubenthal Excav	Drain EK 4	\$2614.50
Zachary Laubenthal Excav	Drain 63	\$661.00
McClure Engineering	Drain 4 Lat 11 OD	\$6615.00
Reutzel Excavating	Drain 82	\$2510.00
Reutzel Excavating	Drain 7	\$340.00
Reutzel Excavating	Drain 2 Main 3	\$13122.80
Cory Juergens Construction	Drain PAK 1	\$90405.34
Larson Contracting Officer	Drain 82	\$10016.11
Zachary Laubenthal Excav	Drain 75 Lat 5	\$81724.50
Reutzel Excavating	Drain 75	\$173104.52
<b>TOTAL</b>		<b>\$456605.60</b>

Discussion was held regarding waiving landfill fees for burnt house removal. No action was be taken.

The board acknowledged a transfer made by Tammy Eden in the amount of \$7,394.02 from General Basic to Secondary Road on December 2, 2021.

Motion by Stecker and 2<sup>nd</sup> by Casey to approve the handwritten claim to the Sheriff in the amount of \$1,000. Motion carried unanimously.

Motion by Plathe and 2<sup>nd</sup> b y Casey to have the Chairman sign the Objection Form to IUB in Opposition of Usage of Eminent Domain for Pipeline Projects and to have it submitted. Motion carried unanimously, but Stecker wanted it noted that he would have liked to have sent an objection for each project separately instead of having them put together in one objection.

Motion by Plathe and 2<sup>nd</sup> by Casey to open the public hearing for the FY 2021-2022 Budget Amendment. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Plathe: yes, Tjarks: yes. Motion carried.

No comments were made by the public in person or in writing.

Motion by Plathe and 2<sup>nd</sup> by Stecker to close the public hearing for the FY 2021-2022 Budget Amendment. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by Stecker and 2<sup>nd</sup> by Plathe to approve Resolution #12-7-21-01 for FY 2021-2022 Budget Amendment. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Plathe: yes, Tjarks: yes. Motion carried.

**RESOLUTION #12-7-21-01  
NOTICE OF PUBLIC HEARING  
AMENDMENT OF CURRENT BUDGET  
2021-2022**

The Board of Supervisors met this date for the purpose of amending the current FY 21-22 Budget. No objectors were present therefore.

BE IT RESOLVED: That the board of Supervisors of Kossuth County, Iowa approves the Budget Amendments and Appropriation of Funds for FY 21-22 this 7th day of December 2021.

<b>EXPENDITURES</b>		
<b>Service Area 1 (Public Safety and Legal Services)</b>		
Ambulance	01000-01200-246-36-700	\$148,658.22
Other Help - Medical Death Invest.	01000-01110-103-27	\$25,000.00
Equipment - Medical Death Invest.	01000-01110-246-27	\$3,000.00
Supplies - Medical Death Invest.	01000-01110-260-27	\$1,500.00
Miscellaneous - Medical Death Invest.	01000-01110-391-27	\$400.00
Postage - Medical Death Invest.	01000-01110-412-27	\$100.00
Meeting/Mileage - Medical Death Invest.	01000-01110-413-27	\$1,000.00
Educational & Training - MDI	01000-01110-422-27	\$1,500.00
Dues & Memberships - MDI	01000-01110-480-27	\$1,500.00
Data Processing Equipment - MDI	01000-01110-632-27	\$2,500.00
<b>Service Area 1 Total</b>		<b>\$185,158.22</b>
<b>Service Area 9 (Administration)</b>		
Supervisors - Building Purchase	01000-09000-610-01-700	\$650,000.00
IT	01000-09110-444-52-700	\$233,833.75
Message Signs	01000-09000-214-01-700	\$28,660.00
<b>Service Area 9 Total</b>		<b>\$912,493.75</b>
<b>REVENUE</b>		
<b>Amend Beginning Fund Balance</b>		<b>\$1,438,626.00</b>
<b>Total Revenue</b>		<b>\$1,438,626.00</b>

Resolution declared adopted this 7th day of December 2021.

\_\_\_\_\_  
Chairman  
Kossuth County Board of Supervisors

ATTEST:

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

Motion by Tjarks and 2<sup>nd</sup> by Plathe to approve Resolution #12-7-21-02 which approves projects for ARPA Funds. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Plathe: yes, Tjarks: yes. Motion carried.

**Resolution No. 12-7-21-02**

**A RESOLUTION TO APPROVE DISBURSEMENT OF FUNDS FOR THE AMERICAN RESCUE PLAN ACT**

**WHEREAS**, on March 11, 2021 President Biden signed the 1.9 trillion dollar American Rescue Plan Act and,

**WHEREAS**, Kossuth County applied for and has received the first tranche of funds for the American Rescue Plan Act totaling \$1,438,626.00 and,

**WHEREAS**, Kossuth County has reviewed and determined which requests for the American Rescue Plan Act will qualify and,

**WHEREAS**, based on the distribution guidelines from the U. S. Department of Treasury the following recommendations be considered for the American Rescue Plan Funds:

- Purchase of Building to be used for Emergency Response/Drive Through Vaccination Clinic

Approx. Cost:	<u>\$650,000.00</u>
Total:	<u>\$650,000.00</u>

**WHEREAS**, all items listed will be submitted to the Department of Treasury,

**THEREFORE, BE IT RESOLVED** the Kossuth County Board of Supervisors endorses the disbursement of American Rescue Plan Act Funds for the item listed and authorizes the Auditor to make these payments as they are presented once an amendment for the funds has been completed.

Passed and approved this 7<sup>th</sup> day of December 2021.

Attest:

\_\_\_\_\_  
Roger Tjarks, Chairman  
Kossuth County Board of Supervisors

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

By Roll Call Vote:  
Ayes:

Nays:

\_\_\_\_\_  
Galen Casey, Supervisor

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Galen Casey, Supervisor

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Kyle Stecker, Supervisor

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Kyle Stecker, Supervisor

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Donnie Loss, Supervisor

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Donnie Loss, Supervisor

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Roger Tjarks, Supervisor

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Roger Tjarks, Supervisor

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Jack Plathe, Supervisor

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Jack Plathe, Supervisor

Motion by Stecker and 2<sup>nd</sup> by Casey to approve Change Order #8 for PAK 1 Joint Drainage District Open Ditch Cleanout which is an increase of \$204,265.00 for addition pipe. Motion carried unanimously.

Discussion was held with the Kossuth County Sheriff on potential hiring incentives for a new deputy.

An update was given by Todd Holmes on the Opioid Litigation.

Discussion was held regarding the purchase of a building. Approval is postponed until after the inspection which should be done as soon as possible. Request for approval will be put on next week's agenda.

Motion by Plathe and 2<sup>nd</sup> by Casey to set Public Hearing date and time for road vacation of 100<sup>th</sup> Avenue due to Algona Airport Runway Extension to January 11, 2022 at 5:00 PM at City Hall Council Chambers and to approve Resolution #12-7-21-03. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Plathe: yes, Tjarks: yes. Motion carried.

**RESOLUTION # 12-7-21-03**

**A RESOLUTION TO SET A PUBLIC HEARING**

**WHEREAS;** The currently approved Airport Layout Plan (ALP) for the Algona Municipal Airport identifies a runway extension of the main runway (Runway 12-30) to the southeast and this subject runway

extension requires that a portion of 100<sup>th</sup> Avenue between B40 and US 18 be closed in conjunction with the runway and runway safety areas; and

WHEREAS; The FAA is now requiring the displacement of existing Runway 12 to the southeast to provide adequate runway approach clearance over existing Highway 18; and

WHEREAS; This displacement will leave less than adequate available runway length to accommodate existing and future aircraft operations; and

WHEREAS; The necessary extension of the runway to the southeast will require that a portion of 100<sup>th</sup> Avenue lying inside the Algona City limits and lying in Kossuth County be closed and vacated; and

WHEREAS; The City of Algona, is scheduling a letting to receive bids for the construction of the runway displacement in March of 2022; and

WHEREAS; The Algona City Council and Kossuth County Board of Supervisors have agreed to seek the road closure and vacation at a time consistent with construction of the runway extension and safety area; and

WHEREAS; The portion of 100<sup>th</sup> Avenue that would be vacated by Kossuth County is described as part of the road located between sections 3 and 4 , T-95N, R-29W of the 5<sup>th</sup> P.M., Cresco Township, Kossuth County, Iowa being 66 feet in width, 33 feet on each side of the following described centerline;

Commencing at the Southwest Corner of said Section 3; thence north approximately 1,749.51 feet along the section line between said Sections 3 and 4 to the southeast corner of Parcel "E" of Plat of Survey recorded in the Kossuth County Recorder's Office in Book 2020 Page 1041 and the point of beginning, thence continuing north approximately 1,194.17 feet to the northwest corner of Parcel 2 of Plat of Survey recorded in the Kossuth County Recorder's Office in Book 2020 Page 860 and thence terminating, and

WHEREAS; The portion of 100<sup>th</sup> Avenue that would be vacated by the City of Algona is described as part of the road located between sections 3 and 4 , T-95N, R-29W of the 5<sup>th</sup> P.M., Cresco Township, Kossuth County, Iowa being 66 feet in width, 33 feet on each side of the following described centerline;

Commencing at the Southwest Corner of said Section 3; thence north approximately 2,076.49 feet along the section line between said Sections 3 and 4 to the northeast corner of Parcel "E" of Plat of Survey recorded in the Kossuth County Recorder's Office in Book 2020 Page 1041 and the point of beginning, thence continuing north approximately 867.19 feet to the northwest corner of Parcel 2 of Plat of Survey recorded in the Kossuth County Recorder's Office in Book 2020 Page 860 and thence terminating, and

WHEREAS, The Kossuth County Board of Supervisors have previously passed Resolution 11-16-21-01 on November 16, 2021 that set a Public Hearing for the Vacation of the previously mentioned portion of 100<sup>th</sup> Avenue and now desires to rescind that resolution, and

WHEREAS, The Kossuth County Board of Supervisors and the City Council of Algona Must act together must act jointly to vacate this portion of roadway,

NOW THEREFORE BE IT RESOLVED; That a Joint Public Hearing of the Kossuth County Board of Supervisors and Algona City Council be held on January 11, 2022 at 5:00 p.m. in the Council Chambers of the Algona City Hall to hear support or objections from the public concerning this proposed road vacation.

BE IT FURTHER RESOLVED; That Resolution 11-16-21-01 passed by the Kossuth County Board of Supervisors on November 16, 2021 be rescinded.

Resolution adopted this 7<sup>th</sup> day of December, 2021.

ATTEST:

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

\_\_\_\_\_  
Roger Tjarks, Chair  
Kossuth County Board of Supervisors

Stecker  
Loss  
Tjarks

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\_\_\_\_\_

Casey  
Plathe

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Motion by Stecker and 2<sup>nd</sup> by Tjarks to Approve 28 E Agreement with Palo Alto County for Engineering Services for LFM-C074(1019)-7X-74, - Grade and replace PCC Pavement on B20 from 10<sup>th</sup> Avenue East 1 mile to IA Hwy 15. Motion carried unanimously.

Palo Alto County and Kossuth County  
28E Agreement

Moved by: \_\_\_\_\_ and Second by: \_\_\_\_\_

Stecker: \_\_\_\_\_ Casey: \_\_\_\_\_ Loss: \_\_\_\_\_ Plathe: \_\_\_\_\_ Tjarks: \_\_\_\_\_

WHEREAS, The Kossuth County and Palo Alto County Boards of Supervisors desire to work together to the mutual benefit of Kossuth and Palo Alto County citizens by completing road improvements to County Highway B20. It is anticipated that considerable savings to the taxpayers of both counties will be realized by working together.

WHEREAS, Sections of B20 are considered the sole jurisdiction of Palo Alto County and Kossuth County

WHEREAS, Chapter 28E of the Code of Iowa authorizes cooperative agreements of this nature.

WHEREAS, The Palo Alto County Engineer's Office have developed plans for Project LFM-C074(1019)—7X-74 which have divide the Palo Alto and Kossuth County portions of the project into Division 1 and 2 respectively.

IT IS NOW, THEREFORE, AGREED THAT:

Palo Alto County Secondary Roads will continue development of the PCC pavement plans for the Kossuth County sections of B20. This work will be included as part of the Palo Alto County/ Kossuth County B20 pavement project currently scheduled for letting in January of 2022.

Kossuth County shall reimburse Palo Alto County Secondary Roads for all costs incurred with their portion of this project including Design, Contract Administration and Construction Inspection Services

Kossuth County will pay the contractor for the construction of Division 2.

\_\_\_\_\_  
Linus Solberg  
Chairperson, Palo Alto Board of Supervisors

\_\_\_\_\_  
Roger Tjarks  
Chairperson, Kossuth Board of Supervisors

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Attest

\_\_\_\_\_  
Carmen Moser  
Palo Alto County Auditor

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

Motion by Tjarks and 2<sup>nd</sup> by Stecker to authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, IA, to interest and replace power poles on the west side of the intersection 240<sup>th</sup> Avenue and 420<sup>th</sup> Street, for 415 feet west and 265 feet north; thence beginning 1845 feet west for 910 feet; thence remove poles for approximately 2180 feet south. Work will be in Sections 23 & 26, Lincoln Township. Permit 12-44-2021 is on file in the Kossuth County Engineer's Office. Motion carried unanimously.

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

Motion by Stecker and 2<sup>nd</sup> by Plathe to accept report for DD 4 Lateral 28 Tile Improvements by Bolton & Menk and set the date and time for January 25, 2022 at 10:00 A.M. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Plathe: yes, Tjarks: yes. Motion carried.

Kossuth County Economic Development presented their budget request for FY 2022-2023.

Held discussion with Rick Hopper of Jacobson Westergard regarding his interest in Identifying Drainage Facilities for Pipeline projects.

Motion by Casey and 2<sup>nd</sup> by Plathe to approve the drainage requests as follows: Supervisor Tjarks: Request #2021-063 DD WK 3-11. Motion carried unanimously.

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

Adjournment was taken at 11:41 A.M. until Tuesday, December 14, 2021.

Attest:

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

\_\_\_\_\_  
Roger Tjarks, Chairman  
Kossuth County Board of Supervisors