

**BOARD PROCEEDINGS**  
**June 21, 2022**  
**REGULAR June SESSION**

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

Chairman, Roger Tjarks called the meeting to order at 8:06 A.M. followed by the Pledge of Allegiance.

Public discussion was held

Motion by Plathe and 2<sup>nd</sup> by Stecker to approve the agenda, claims, conservation claims and minutes from June 14, 2022. Motion carried unanimously.

AgSource Coop Srvs	Srvs	330.00	1
Algona Feed Store	Supp	5590.00	1
Algona Machine & Sply	Supp	10192.27	1
AMU	Alloc	60.99	1
AMU	Srvs	11498.23	21
Algona Plumb & Htg	Srvs	1347.33	3
Alg Pub Co	Notices	1933.00	7
Alg Welding & Mach	Srvs	15352.08	1
Alliant Energy	Srvs	5565.10	3
American Glass Co	Notices	50.00	1
ARC	Srvs	96.61	1
Arnold Motor Supply	Parts	2004.47	1
AT & T Teleconf Srvs	Srvs	51.61	1
ATLAS STAMP & SEAL	Exp	16.90	1
Axon Enterprise Inc.	Supp	4456.80	1
B & H Photo Video	Exp	2248.02	1
B & W Control Spec	Supp	296.50	1
Ban Mun Utlities	Utilities	400.81	2
Bancroft Reg.	Notices	1475.86	5
M. Beenken	Exp	60.00	1
Bergland Cram	Srvc	650.00	1
J Bernardo	Exp	15.75	1
Carole Bernhard	Exp	22.23	1
BG Capital, LLC	Notices	175.00	1
Blacktop Srvs Co	Srvs	231559.15	2
BMC Aggregates	Rock	4265.31	1
Bomgaars	Supp	2197.03	6
Bound Tree Medical	Supp	2021.00	1
Brick Gentry PC	Supp	350.00	1
Brown's Shoe Fit Co	Supp	74.71	1
Bugs N Stuff	Supp	94.00	1
B Buscher	Exp	350.00	1
Buscher Bros	Srvs	71.11	1
Buschers Srvs Ctr	Srvs	49.91	1
Calhoun-Burns & Associates, In	Exp	450.00	2
Card Services	Exp	5608.91	8
Cellular Dim.	Supplies	49.99	1
Central IA Dist	Supp	2519.00	3
Central IA Juv	Srvs	3138.00	1
Centurylink	Phone	322.13	2
Cintas	Supp	154.54	1
Cintas	Supplies	220.49	1
City of Algona	Supp	6484.00	1
City of Lakota	Exp	95.85	1
City of Lone Rock	Exp	86.10	1
City of Swea City	Exp	54.96	1
City of Wesley	Cons	67.03	1
Clarion Distributing, LLC	Engineer S	51.00	1
Climate Control	Srvc	975.58	1
Com-Tec Land Mobile Radio	Exp	4196.80	3
Cooks Scrap Iron & Metal	Supp	417.34	1
Counsel Ofs & Doc	Supp	734.22	8

Counsel Ofs & Doc	Suppl	36.09	1
Country Gardens	Supp	234.05	1
County Binders	Srvs	1851.10	1
CoverTrack Group Inc	Srvs	600.00	1
CrawDaddy Outdoors	Supp	1136.67	1
B Cressler	Exp	128.70	1
Crittention Ctr	Srvs	326.55	1
Croell Inc	Roads	8055.68	1
Wallace Water Conditioning	Srvs	55.30	1
Dan Corbin	Srvs	1076.00	1
Dean Meyer Elec	Srvs	101.24	1
Diamond Mowers	Srvs	1442.66	1
Dmacc	Exp	998.00	1
M. Dornbeir	Exp	500.00	1
Dump-It Sanit	Srvs	526.00	4
Ecolab	Srvs	202.95	1
Ed's Srvs	Fuel	226.00	1
D Eichelberger	Exp	15.75	1
Electrical Engineering & Equip	Exp	970.00	1
Electronic Specialties	Srvs	3558.30	3
Fareway	Supp	734.69	1
Farmers Coop Elev	Fuel	1251.50	1
S. Farrow	Exp	500.00	1
Fenton Coop Telephone	Srvs	251.06	2
Force America	Parts	31.05	1
Cretex Concrete Products	Supp	8309.25	1
J Fosado	Exp	129.19	1
Frank Dunn Co.	Engineer Suppl	899.00	1
Freedom Buildings Inc	Engineer Suppl	4600.37	1
Frontier Precision, Inc.	Exp	3689.08	2
William D Funk	Exp	1400.00	1
Galls	Supp	497.45	1
Glen's Green Thumb	Exp	227.92	1
Great America Financial Serv	Exp	280.59	1
Great Americal Financial Svcs	Exp	684.21	4
D Green	Exp	50.00	1
GreenField Spreading & Sales	Engineer Supp	76.72	1
S. Grimm	Exp	249.99	2
K Groesbeck	Exp	35.10	1
Hardin Co Shf	Srvs	31.50	1
Heartland Power Coop	Utilities	52.00	1
L Hefty	Exp	135.14	1
D Heidner	Exp	60.84	1
J. Henry	Exp	500.00	1
Hometown Dist LLC	Supp	120.00	1
J Hopson	Exp	2000.00	1
Hy-Vee	Supp	188.38	2
IA Cty Conservation Sys	Dues	1500.00	1
Ia Dept of Public Safety	Srvs	1200.00	1
IA Lakes EC	Elec	1345.58	2
Iowa Lakes Regional Water	Utilities	48.50	1
Ia Law Enforcement Academy	Srvs	655.00	2
Ia Natural Heritage	Dues	100.00	1
Iowa State University	Reg	125.00	1
ISAC	Reg	260.00	1
ISAC	Srvs	1040.00	2
ISCTA	Exp	250.00	1
ITsavvy LLC	Supp	3443.00	5
Jacks OK Tire Srv	Service	60.84	1
Jacks OK Tire Srv	Srvs	72549.48	3
Jack's Uniforms & Equip	Supp	7368.36	2
JB Holland Construction Inc	Engineer Supp	417873.40	1
Johnson Plumbing, Heating & Ai	Engineer Supp	858.85	1
Johnston Autostores	Parts	785.93	1
KARL STORZ Endoscopy-America	Exp	206.39	1
Keltek	Srvs	4461.12	1
Kemco Tires	Srvs	17251.88	2
KLGA	Adv.	571.20	3
Koss Co Auditor	Exp	153.65	1

KCEDC	Allocation	35.00	1
KC Sec Road	Fuel	8027.17	6
KC Treas	Srvs	112.93	2
KRHC	Srvs	367.00	2
KRHC	Srvs	213.00	1
KRHC-Phar	Srvs	21.46	1
P. Lampe	Exp	440.20	1
C. Larsen	Exp	500.00	1
Lentz Funeral Home	Serv	2200.00	1
Lone Rock Coop Tel	Phone	1176.05	2
Low Rent Housing Authority	Exp	175.00	1
Main Street Specialties, LLC	Servs	32358.15	3
Martin Marietta Agg	Rock	71178.18	1
A. Martinez	Exp	75.00	1
M McGregor	Exp	20.00	1
C Merrill	Exp	15.75	1
Mid Am Energy	Srvs	3732.97	3
Midland Power Coop	Utilities	1050.74	3
Midwest Card and ID	Supp	110.24	1
Midwest Fence & Gate	Exp	20729.23	1
Midwest Wheel	Exp	256.10	1
Mike Looft TW	Fuel	5953.49	1
Aaron Montag	Exp	214.20	1
Motorola Solutions Inc	Supp	44289.00	1
W, Moving	Exp	700.00	1
MSC Industrial Supply Co	Supplies	11105.06	1
NASSCO	Supp	1455.60	3
Nates Auto and Truck Repair	Engineer Sup	284.08	1
New Cooperative Inc MaxYield C	Fuel	7449.56	1
Newman Signs Inc	Engineer Sup	2126.67	1
NIA Lumber&Design	Exp	11410.05	9
North Iowa TelCom	Parts	7018.82	2
NW Comm	Service	124.85	1
Nortix Group Inc.	Exp	9163.61	1
Nutrien Ag Solutions	Exp	2694.38	2
K & H	Fuel	49994.13	4
O'Reilly	Exp	13.99	1
IOS	Supp	4962.36	6
MC Overhead Door	Service	2052.53	1
Patten Enterprises LLC	Servs	25823.52	1
Pet Kingdom	Exp	21.60	1
Pitney Bowes	Srvs	1820.58	1
Prairie Energy Coop	Lights	13.35	1
Quality Forklift Sales & Servi	Exp	9425.00	1
Quality Motors	Exp	121.77	1
J Radmaker	Exp	11.97	1
R Reefer	Exp	224.70	1
Rehab System LLC	Exp	2140.00	1
Rental Zone, LLC	Srvs	412.00	2
Reutzel Excav	Srvs	1196.00	1
RingTel Communications	Phone	92.98	1
Roethler Elec.	Srvs	159.00	1
B Runneberg	Exp	14.29	1
M Sankey	Exp	28.87	1
R Schmidt	Exp	120.00	1
Schmitt Hardware Inc.	Exp	195.75	1
SOS	Service	1407.91	1
Sec St Bank	Srvs	25.00	1
Setco	Supplies	2479.34	1
Shillington Hardware	Supp	11.98	1
Sign Works	Supp	1688.87	3
D Simpson	Exp	10.67	1
Lee Simpson	Exp	1350.00	1
Smidt Automotive & Repair	Srvs	57.64	1
M Smidt	Exp	120.00	1
L Snyder	Exp	60.26	1
Solutions	Srvs	1000.00	2
St Hygienic Lab	Notices	180.00	1
St Hygienic Lab	Supp	13.50	1

K Stecker	Exp	1124.63	2
Stellar Industries Inc	Engineer Supp	475.79	1
K Stumme	Exp	147.66	1
SC Herald Press	Notices	1387.43	4
Water Conn	Srvs	132.12	2
Thomson Reuters West	Supp	417.00	1
J. Thomson	Exp	292.00	1
Threads	Supp	455.00	2
Thrifty White Pharmacy	Supp	36.06	1
K Thul	Exp	120.00	1
Titonka Burt Comm	Phone	1837.97	3
R Tjarks	Exp	292.50	1
TLC Properties	Exp	175.00	1
D, Trauger	Exp	408.21	1
Harrison Truck Centers	Supp	454.16	1
Truck Country "OF IOWA"	Engineer Supp	8110.52	1
US Cellular	Srvs	551.40	2
Verizon Wireless	Engineer Suppl	160.04	1
Verizon Wireless	Exp	1334.15	4
Verizon Connect Fleet USA	Engineer Suppl	1485.85	1
Verus	Supp	83.65	1
W & H Coop Oil Co	Fuel	28013.75	1
J Wagner	Exp	20.00	1
Waste Mgmt of WI-MN	Srvs	49582.15	4
Wellmark BCBS	Fees	142620.24	1
West Bend Ford	Exp	191.60	1
Whitt Truck & Trailer	Parts	448.13	1
M. Wilber	Exp	1333.00	2
B Wille	Exp	120.00	1
Windstream	Srvs	140.28	1
Winnebago Coop Telecom Assoc	Phone	361.95	2
Yeager Implement Inc	Engineer Suppl	4900.00	1
Youth Shelter Care	Exp	1536.36	1
Ziegler	Parts	17640.15	2
<b>Grand Total</b>		<b>1532103.82</b>	

Veteran's Affairs Director, Dan Green gave a monthly update.

Motion by Plathe and 2<sup>nd</sup> by Tjarks to leave the mileage rate at \$.585/mile for the remainder of the calendar year and not to raise it to the higher IRS Rate. Chairman Tjarks called for a roll call vote: Stecker: no, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried 3-1.

Motion by Loss and 2<sup>nd</sup> by Stecker to approve the 28E Agreement with the Kossuth County Historical Society. Chairman Tjarks called for a roll call vote: Stecker: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by Plathe and 2<sup>nd</sup> by Loss to approve the one-year lease of Kossuth County's property to the Lu Verne Community School District. The property is used for the ballpark and the location is part of the lease on file in the Engineer's Office. Motion unanimously.

Motion by Plathe and 2<sup>nd</sup> by Tjarks to approve the Public Highway At-Grade Crossing Agreement, Project 0783865 with the Union Pacific Railroad Company that is on file in the Engineer's Office. Motion carried unanimously.

Motion by Stecker and 2<sup>nd</sup> by Loss to approve Resolution #06-21-22-01, which is a Resolution to Award the Contract for 2022 Secondary Road Projects: MSC-1-22 through MSC-5-22. Chairman Tjarks called for a roll call vote: Stecker: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by \_\_\_\_\_ and Seconded by \_\_\_\_\_ to approve the following resolution:

Casey \_\_\_\_\_, Stecker \_\_\_\_\_, Loss \_\_\_\_\_, Tjarks \_\_\_\_\_, Plathe \_\_\_\_\_

**RESOLUTION TO AWARD CONTRACT:**  
**Local Contract ID: MSC-1-22 thru MSC-5-22**  
**Kossuth County Resolution No. \_\_\_\_\_**

**WHEREAS**, the Kossuth County Board of Supervisors, hereafter referred to as "the Board", believes Maintenance Seal Coat Projects MSC-1-22 thru MSC-5-22, hereafter referred to as "the project" is in the

best interest of Kossuth County, Iowa, and the residents thereof. The project is defined as a maintenance seal coat project in various locations in 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 Asphalt Surface Technologies Corporation A/K/A ASTECH CORP. in the amount of \$869,101.50 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, Roger Tjarks, the Chairperson of the Board of Supervisors 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 for this county.

June 21, 2022  
Dated at Algona, Iowa

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

ATTEST:

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

Motion by Loss and 2<sup>nd</sup> by Plathe to approve Resolution #06-21-22-02, which is a Resolution temporarily closing 170<sup>TH</sup> Street between 128<sup>th</sup> Avenue and Irvington Road. Chairman Tjarks called for a roll call vote: Stecker: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

RESOLUTION# \_\_\_\_\_

Motion by \_\_\_\_\_ and Seconded by \_\_\_\_\_ to approve the following resolution:

Stecker \_\_\_\_\_, Casey \_\_\_\_\_, Loss \_\_\_\_\_, Plathe \_\_\_\_\_, Tjarks \_\_\_\_\_

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, bridge replacement project BRS-SWAP-C055(194)--FF-55 requires 170<sup>th</sup> Street between 128<sup>th</sup> Avenue and Irvington Road 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 road shall be opened to the traveling public without further action of this board.

June 21, 2022  
Dated at Algona, Iowa

ATTEST:

\_\_\_\_\_  
Roger Tjarks, Chairperson

\_\_\_\_\_  
Tammy Eden

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

Motion by Stecker and 2<sup>nd</sup> by Tjarks to appoint Bolton & Menk to look into the petition signed by Brian Thilges for DD 82. Motion carried unanimously.

Motion by Plathe and 2<sup>nd</sup> by Loss to have the Supervisors handle their requests as follows: Supervisor Tjarks: Request #2022-032 DD PAK 1 OD; Request #2022-033 DD PAK 1 OD and Supervisor Stecker: Request #2022-034 DD EK 5. Motion carried unanimously.

Motion by Plathe and 2<sup>nd</sup> by Stecker to go into Closed Session per Iowa Code 21.5(1)(c) on advice of legal counsel David Stein re: Lawsuit Regarding Antoine vs. Kossuth County Board of Supervisors Et Al Case #LACV027372. Chairman Tjarks called for a roll call vote: Stecker: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

No Action was taken in Closed Session re: Lawsuit Regarding Antoine vs. Kossuth County Board of Supervisors Et Al Case #LACV027372.

Motion by Tjarks and 2<sup>nd</sup> by Plathe to accept the Courts Decision and Attorney Dave Stein's recommendation to not appeal in Case #LACV027372 Antoine vs. Kossuth County Board of Supervisors. Chairman Tjarks called for a roll call vote: Stecker: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

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

Adjournment was taken at 10:46 A.M.

Attest:

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Tammy Eden  
Kossuth County Auditor

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Roger Tjarks, Chairman  
Kossuth County Board of Supervisors