

**BOARD PROCEEDINGS**  
**August 30, 2022**  
**REGULAR August SESSION**

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

Motion by Casey and 2<sup>nd</sup> by Stecker to approve the agenda and minutes from August 23, 2022. Motion carried unanimously.

Motion by Stecker and 2<sup>nd</sup> by Tjarks to approve and sign the Segregation of Duties Policy. Motion carried unanimously.

Second Reading of ATV/UTV Ordinance 114-B which amends ATV/UTV Ordinance 114-A was conducted. Motion by Casey and 2<sup>nd</sup> by Stecker to waive the third reading and approve the passage of Ordinance 114-B. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Tjarks: yes. Motion carried.

Motion by Tjarks and 2<sup>nd</sup> by Casey to approve the agreement with the City of Algona to use the Southwest portion of the Kossuth County Emergency Management Building located at 219 South Phillips Street, Algona, Iowa for a period of one year beginning September 1, 2022 for the storage of Christmas decorations only. Motion carried unanimously.

Held discussion with County Attorney Todd Holmes regarding approving a malpractice litigation attorney to review the DD 7 Reading. Further discussion will be continued at next weeks board meeting.

Motion by Casey and 2<sup>nd</sup> by Tjarks to have County Attorney Todd Holmes make modifications to the Shelby County Summit Carbon Agriculture Mitigation Ordinance with the following setbacks: ½ Mile from any residence, ¼ mile from any confinement building, ½ mile from any park or recreation area, and 2 ½ miles from any city limits and present to the board for review. Chairman Tjarks called for a roll call vote: Stecker: no, Casey: yes, Tjarks: yes. Motion carried. Supervisor Stecker wanted it noted that his vote was process based, not based on the setbacks.

Motion by Stecker and 2<sup>nd</sup> by Tjarks to open the public hearing regarding the construction permit for Nowicki Finishing Site in the NE ¼ NW ¼ Section 19 T100 R30 Eagle Township. Motion carried unanimously.

Sanitarian Aaron Montag presented information on the Nowicki Finishing Site. There were no public comments.

Motion by Stecker and 2<sup>nd</sup> by Casey to close the public hearing regarding the construction permit Nowicki Finishing Site in the NE ¼ NW ¼ Section 19 T100 R30 Eagle Township. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Tjarks: yes. Motion carried.

Motion by Stecker and 2<sup>nd</sup> by Tjarks to recommend to the Iowa Department of Natural Resources the approval by Resolution #08-30-22-01 of the construction permit application for Nowicki Finishing Site in the NE1/4 NW1/4 Section 19 T100 R30 Eagle Township due to them meeting the requirements on the Master Matrix scoring system per Aaron Montag 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, Tjarks: yes. Motion carried.

**Recommendation to Iowa DNR to Disapprove the Application Permit for Construction of a  
Confinement Feeding Operation Site #63941  
Resolution # 08-30-22-01**

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, Aaron Montag 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 27, 2022.

WHEREAS, the Kossuth County Board of Supervisors has approved the Master Matrix submitted on July 27<sup>th</sup>, 2022. The score of this facility is 470.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors hereby recommends to the Iowa Department of Natural Resources the **approval** of the construction permit application for Lucas and Brian Nowicki (Nowicki Finishing Site) in the NE ¼ NW ¼ of Section 19 of Eagle Township.

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

Passed and Approved this 30<sup>th</sup> day of August, 2022.

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Chairman, Roger Tjarks  
Kossuth County Board of Supervisors

Attest:

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Tammy Eden, Auditor  
Kossuth County

Motion by Tjarks and 2<sup>nd</sup> by Casey to abate the taxes on Parcel 2201353006 (219 S. Phillips St.), Parcel 2201354002 (200 S. Lantry St.), and Parcel 2201353005 (205 S. Phillips St.), which are now all owned by Kossuth County. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Tjarks: yes. Motion carried.

There was no construction in ROW.

Discussion was held with Kossuth County Engineer/Zoning Administrator.

Teleconference was held with Palo Alto and Emmet County for Completion Hearing of JDD TRI 84 OD FEMA Repairs. Present from Kossuth County were Supervisor Tjarks, Supervisor Casey and Supervisor Stecker as well as Drainage Deputy Marg Mergen and Auditor Tammy Eden. Present from Emmet County via telephone were Supervisor John Pluth, Supervisor Jeff Quastad, Supervisor Tim Schumacher, Supervisor Lisa K. Hansen, and Supervisor Todd Glasnapp. Also present were Auditor Amy Sathoff and Drainage Clerk Lisa Rosburg. Present from Palo Alto County via telephone were Supervisor Keith Wirtz, Supervisor Linus Solberg, Supervisor Ronald Graettinger and Supervisor Craig Merrill. Also present were Auditor Carmen Moser and Drainage Clerk Jordan Morey.

Motion by Stecker and 2<sup>nd</sup> by Schumacher to open the hearing for JDD TRI 84 OD FEMA Repairs. Motion carried unanimously from all three boards.

The Completion Report for JDD TRI 84 OD Repairs was presented by Tyler Conley from Bolton and Menk and discussion was held.

Motion by Stecker and 2<sup>nd</sup> by Schumacher to close the hearing for JDD TRI 84 OD FEMA Repairs. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Tjarks: yes. Motion carried. All eyes from Palo Alto and Emmet Counties.

Motion by Stecker and 2<sup>nd</sup> by Pluth to amend the CRP Buffer payment for JDD TRI 84 OD FEMA Repairs to \$200 instead of \$150, accept the Completion Report for JDD TRI 84 OD FEMA Repairs and pay retainage in 30 days. Motion carried unanimously from all three boards.

Palo Alto and Emmet Counties left the meeting.

Motion by Stecker and 2<sup>nd</sup> by Tjarks to approve Pay App 2 for DD 4 Lateral 28 Repairs in the amount of \$147,646.80 to Holland Contracting Corp. Motion carried unanimously.

A signed copy of Pay App 4 for DD 4 OD FEMA Repairs has not yet been received. Approval is postponed until the paperwork arrives.

Discussion was held with the Kossuth County Board of Supervisors.

Discussion was held with the Kossuth County Auditor.

Adjournment was taken at 10:54A.M.

Attest:

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Tammy Eden  
Kossuth County Auditor

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Roger Tjarks, Chairman  
Kossuth County Board of Supervisors