

BOARD PROCEEDINGS
September 20, 2022
REGULAR September SESSION

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

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

There was no public discussion.

Motion by Casey and 2nd by Plathe to approve the agenda, claims, conservation claims and minutes from September 6, 2022. Motion carried unanimously.

A Rifkin	Supp	120.25	1
AgSource Coop Srvs	Srvs	180.00	1
Algona Machine & Sply	Supp	3704.51	1
AMU	Srvs	9426.05	24
Alg Pub Co	Notices	1919.81	5
Alg Welding & Mach	Srvs	16000.00	1
Alliant Energy	Srvs	9289.49	3
R. Arndorfer	Exp	148.95	1
Arnold Motor Supply	Parts	22.25	1
Astech Corp	Engineer Sup	185694.99	1
Banc Implm	Srvs	110.00	1
Ban Mun Utlities	Utilities	333.97	1
Bancroft Reg.	Notices	1684.54	5
Bancroft Summit Center	Rent	375.00	1
J Bernardo	Exp	23.63	2
Carole Bernhard	Exp	104.46	2
A Berte	Exp	139.13	1
Deb Berte	Exp	50.00	1
K Bichel	Exp	173.25	1
Bomgaars	Supp	225.18	2
J. Brandt	Exp	173.25	1
D Briggs	Exp	173.25	1
J Briggs	Exp	173.25	1
Brown's Shoe Fit Co	Supp	105.99	2
Bugs N Stuff	Srvs	94.00	1
B Buscher	Exp	387.00	1
Campbell's	Engineer Sup	291.41	1
Capesius Farms	Exp	500.00	1
Card Services	Exp	12770.66	8
B Carley	Exp	198.08	1
B. Casey	Exp	238.71	1
Central IA Dist	Supp	244.00	2
Centurylink	Phone	327.56	2
Chrome Truck Stop	Exp	55.00	1
City of Algona	Exp	11167.85	1
City of Burt	Exp	230.00	1
City of Lakota	Exp	95.85	1
City of Lone Rock	Exp	86.10	1
City of Swea City	Exp	54.61	1
City of Titonka	Utilities	220.00	1
City of Wesley	Cons	350.00	1
K Claude	Exp	175.88	1
Colors	Supp	68.52	1
Columbia Events Ctr	Exp	500.00	1
Comm Lumber Supply	Supp	1805.99	1
Cooks Scrap Iron & Metal	Supp	2986.60	1
Counsel Ofs & Doc	Supp	891.92	8
Counsel Ofs & Doc	Suppl	94.65	1
Croell Inc	Roads	80952.81	1
Wallace Water Conditioning	Srvs	21.75	1
Dan Corbin	Srvs	23308.00	1
Dave D Lane	Exp	58.99	1
Diamond Mowers	Srvs	244.41	1
T. Dils	Exp	216.64	1

B Dittmer	Exp	185.55	1
DroneDeploy Inc	Exp	3588.00	1
Dump-It Sanit	Srvs	459.00	2
Ed's Srvs	Fuel	836.19	1
D Eden	Exp	51.42	1
M. Eden	Exp	48.51	1
T Eden	Exp	365.12	1
D Eichelberger	Exp	23.63	2
J. Eischen	Exp	175.01	1
T. Eischen	Exp	174.42	1
Elec Systems & Software	Supp	609.40	1
Environ Systems Research	Maint	9700.00	1
J Erpelding	Exp	173.25	1
P. Erpelding	Exp	158.10	1
Eurofins Environment Testing	Ia Ground Wate	75.60	1
Fareway	Supp	674.41	1
FarmChem	Engineer Suppl	852.98	1
Farmers Coop Elev	Fuel	605.00	1
Fenton Coop Telephone	Srvs	223.56	1
M. Foth	Exp	157.50	1
M. Fuerstenau	Exp	173.25	1
Galls	Supp	369.70	1
Glen's Green Thumb	Supp	15.98	1
Grass Masters LLC	Srvs	588.00	1
D Green	Exp	12.70	1
K Groesbeck	Exp	95.10	2
E. Hagist	Exp	196.05	1
T. Hall	Exp	229.17	1
J Hamilton	Exp	225.53	1
L Harms	Exp	176.18	1
Heartland Power Coop	Utilities	52.00	1
V. Hefty	Exp	216.48	1
D Heidner	Exp	27.99	1
K. Hrdlicka	Exp	152.25	1
Humboldt Indep	Notices	206.39	1
Hy-Vee	Supp	251.13	1
Ia Dept of Ag & Land	Dues	106.50	1
IA Lakes EC	Elec	1758.28	2
Iowa Lakes Regional Water	Utilities	48.50	1
Ia Law Enforcement Academy	Srvs	875.00	2
IA Prison Ind	Supp	13.60	1
ITsavvy LLC	Supp	1338.00	5
Jacks OK Tire Srv	Srvs	4507.21	3
JB Holland Construction Inc	Engineer Supp	107901.58	1
John Deere Financial	Parts	367.14	1
M. Johnson	Exp	171.01	1
N. Johnson	Exp	160.13	1
Exp	Exp	206.55	1
Kemco Tires	Srvs	6181.54	1
J Kent	Exp	162.75	1
R Kent	Exp	183.75	1
KLGA	Adv.	51.00	1
Knight Protection	Serv	300.00	1
KCEDC	Allocation	30.00	1
KC Sec Road	Fuel	6721.12	5
KC Treas	Srvs	288.67	3
Lake Mills Motor Sports II	Srvs	96.95	1
A. Larson	Exp	170.63	1
LiftOff,LLC	Supp	495.00	1
Lutheran Comm Ctr	Exp	200.00	1
Martin Marietta	Exp	213.19	1
Martin Marietta Agg	Rock	21859.28	1
Martins Flag	Srvs	108.09	1
Mastell Bros Trailer Service	Exp	3000.00	1
R McEnroe	Exp	175.88	1
Mer Engineerg	Srvs	17910.54	1
C Merrill	Exp	23.63	2
Midland Power Coop	Utilities	1192.81	3
Midwest Alarm Srvs	Srvs	372.36	1

Midwest Computer Brokers Inc	Recycling	1812.20	1
Midwest Concrete Cut	Srvs	1020.00	1
Midwest Warehouse Solutions	Exp	1680.00	1
Mike Looft TW	Fuel	5936.62	1
Aaron Montag	Exp	235.19	1
MSC Industrial Supply Co	Supplies	318.99	1
D. Naab	Exp	17.55	1
NASSCO	Supp	1263.75	3
D Nettleton	Exp	30.00	1
New Cooperative Inc MaxYield C	Fuel	3393.50	1
Newman Signs Inc	Engineer Supp	684.47	1
NIA Lumber&Design	Exp	5099.35	4
NIA Mechan	Exp	395.00	1
NW Comm	Service	562.64	2
K & H	Fuel	48897.03	4
IOS	Supp	665.83	4
B Opheim	Exp	32.72	1
C Opheim	Exp	172.40	1
K Pals	Exp	169.17	1
Patten Enterprises LLC	Servs	26757.00	1
Penguin Mgmt Inc	Srvs	5268.00	1
Pet Kingdom	Exp	74.08	1
C Petersen	Exp	54.35	1
B Pfeffer	Exp	80.28	1
B Pfeffer	Exp	196.05	1
P Bowes	Postage	1820.58	1
R Post	Exp	168.00	1
Prairie Energy Coop	Lights	28.00	1
Quill Corp	Supp	916.58	2
J Radmaker	Exp	16.34	1
S Reefer	Exp	139.13	1
k. Ricke Foley	Exp	203.93	1
Roethler Elec.	Srvs	126.00	1
Roethler Elec.	Supp	108.00	1
S Savage	Exp	162.75	1
Schindler Lawn Care	Srvs	1845.00	1
SOS	Service	1953.70	1
Security of State	Exp	30.00	1
Sec St Bank	Srvs	25.00	1
R Sewick	Exp.	20.00	1
Sidwell Co	Srvs	7863.70	1
Sign Works	Supp	114.47	1
Simpson Auto Repair	Supp	63.75	1
C. Skilling	Exp	14.04	1
M Smidt	Exp	40.00	1
L Snyder	Exp	50.90	1
Solutions	Srvs	500.00	1
Sportsmans Corner	Exp	112.95	1
St Hygienic Lab	Supp	153.50	2
K Stecker	Exp	1016.66	2
D Struecker	Exp	25.00	1
D. Studer	Exp	221.48	1
K Stumme	Exp	9.62	1
L. Swalve	Exp	20.00	1
SC Herald Press	Notices	1507.54	3
Water Conn	Exp	98.00	1
Water Conn	Srvs	58.84	2
S Thomas	Exp	168.00	1
Thompson Sewer & Drain	Supp	565.00	1
Thomson Reuters West	Supp	448.68	1
Titonka Burt Comm	Phone	2274.72	2
Truck Country "OF IOWA"	Engineer Su	3092.92	1
G Trunkhill	Exp	152.25	1
S Uken	Exp	229.98	1
St. Lukes Res.	Srvs	168.00	1
Verizon Wireless	Exp	1189.56	3
Verizon Connect Fleet USA	Engineer Su	1485.85	1
Verus	Supp	2365.00	1
W & H Coop Oil Co	Fuel	32208.65	1

J Waller	Exp	875.00	1
Waste Mgmt of WI-MN	Srvs	59287.41	4
Wellmark BCBS	Fees	163461.04	1
F Weydert	Exp	171.80	1
Whittemore Fire Dept	Exp	150.00	1
Whitt Truck & Trailer	Parts	1446.25	1
Windstream	Srvs	140.28	1
Winnebago Coop Telecom Assoc	Phone	241.23	1
YohnCo	Building/Bld	2927.00	1
YohnCo	Engineer Sup	5901.50	1
Youth Shelter Care	Srvs	867.30	1
Ziegler	Parts	52359.13	1
D Zwiefel	Exp	169.17	1
Grand Total		1024898.78	

Monthly Update was given by Veteran’s Affairs Director, Dan Green.

Motion by Stecker and 2nd by Tjarks to approve the agreement with Minnesota Landowner, Steven Johanson for DD 60 Sub 1 with stipulation that it gets recorded in Minnesota. 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 Tjarks to approve the contract with Zachary Laubenthal Excavating of Swea City, Iowa for DD 60 Sub 1 Improvement Project. 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 Casey to send discovery letters to three landowners regarding Natural Conservation Applicant Exemptions. Motion carried unanimously.

Motion by Plathe and 2nd by Casey to accept the original bid for Automatic Door Openers for the Courthouse Annex from American Glass in the amount of \$6,000. The project will be paid for with ARPA funds. Chairman Tjarks called for a roll call vote: Stecker: no, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Motion by Plathe and 2nd by Tjarks to approve Resolution #09-20-22-01, which is a Resolution to use ARPA funds to pay for automatic door openers for the Courthouse Annex. Chairman Tjarks called for a roll call vote: Stecker: no, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

Resolution No. 09-20-22-01

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 applied for and has received the second 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:

Automatic Door Openers for Courthouse Annex	Approx. Cost:	<u>\$6,000.00</u>
	Total:	\$6,000.00

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 20th day of September, 2022.

Roger Tjarks, Chairman
Kossuth County Board of Supervisors

Attest:

Tammy Eden, Kossuth County Auditor

By Roll Call Vote:
Ayes:

Galen Casey, Supervisor

Kyle Stecker, Supervisor

Donnie Loss, Supervisor

Roger Tjarks, Supervisor

Jack Plathe, Supervisor

Nays:

Galen Casey, Supervisor

Kyle Stecker, Supervisor

Donnie Loss, Supervisor

Roger Tjarks, Supervisor

Jack Plathe, Supervisor

Motion by Tjarks and 2nd by Loss to set October 11, 2022 at 8:30 A.M. for the FY 2022-2023 Budget Amendment Public Hearing. Chairman Tjarks called for a roll call vote: Stecker: yes, Casey: yes, Loss: yes, Plathe: yes, Tjarks: yes. Motion carried.

The Board of Supervisors acknowledged transfers made by Kossuth County Auditor Tammy Eden in the amount of \$26,205.12 from General Basic to Secondary Road and \$224,843.33 from Rural Basic to Secondary Road. The transfers were made on September 2, 2022.

Motion by Plathe and 2nd by Tjarks to approve the Abstract of Votes which includes the Canvass Summary for the Special Election held on September 13, 2022. Motion carried unanimously.

PUBLIC MEASURE KA - Reorganization Algona/LuVerne

Algona School District

YES NO
349 9

PUBLIC MEASURE KB - Revenue Purpose Statement

Algona School District

YES NO
338 18

PUBLIC MEASURE KC - PPEL

Algona School District

YES NO
305 44

PUBLIC MEASURE KD - Reorganization Algona/LuVerne

LuVerne School District

YES NO
121 45

PUBLIC MEASURE KE - Revenue Purpose Statement

LuVerne School District

YES NO
119 49

PUBLIC MEASURE KF - PPEL

LuVerne School District

YES NO
106 57

Motion by Stecker and 2nd by Plathe to approve the election claims in the amount of \$14,061.29 for the Special Election that was held on September 13, 2022. Motion carried unanimously.

Motion by Stecker and 2nd by Plathe to open the public hearing regarding the construction permit for Kossuth Springfield 24 Site in the NW SW Section 24 T100N R28W Springfield 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 in writing nor in person. Motion by Stecker and 2nd by Loss to close the public hearing regarding the construction permit for Kossuth Springfield 24 Site in the NW SW Section 24 T100N R28W Springfield Township. 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 Tjarks to recommend to the Iowa Department of Natural Resources the approval by Resolution #09-20-22-02 of the construction permit application for Kossuth Springfield 24 Site in the NW1/4 SW1/4 Section 24 T100N R28W Springfield 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, 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 #71845
Resolution # 09-20-22-02**

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, 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 August 19, 2022.

WHEREAS, the Kossuth County Board of Supervisors has approved the Master Matrix submitted on August 19th, 2022. 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 the **approval** of the construction permit application for Summit Pork IV, LLP (Kossuth Springfield 24 Site) in the NW SW Section 24 T100N R28W Springfield.

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

Passed and Approved this 20th day of September, 2022.

Chairman, Roger Tjarks
Kossuth County Board of Supervisors

Attest:

Tammy Eden, Auditor
Kossuth County

Motion by Casey and 2nd by Tjarks to have Tammy Eden answer the ISAC Survey regarding interest in petitioning the Iowa Utilities Board to intervene for the applications to permit proposed hazardous liquid pipelines. Motion carried unanimously.

Motion by Stecker to livestream and record the Board of Supervisor meetings. The motion died for a lack of a second. Further discussion on taping and recording the board meetings will be put on next week's agenda with the Kossuth County IT Coordinator regarding the cost of using Microsoft Teams or the Owl.

Discussion was held regarding a policy on the authority of the Board Chair. The board would like to look further into Robert's Rules of Order and discuss the topic again at next weeks board meeting.

Discussion was held on establishing a policy for animals allowed in the Kossuth County Courthouse. Todd Holmes will review the Scott County, Iowa Policy and present it at next week's board meeting.

Discussion was held with gravel pit tenants regarding their leases.

Motion by Tjarks and 2nd by Plathe to approve and authorize the chair to sign the Iowa Department of Transportation Agreement for Federal-Aid Agreement for a County Highway Bridge Program Project on Federal Aid Highway, Project BRS-CO55(198)—60-55, located on the west line of Section 16 Wesley 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 approve the 28E Agreement with Whittemore, Iowa regarding maintenance of Farm to Market Extensions within the Corporate Limits of Whittemore. Motion carried unanimously.

Motion by Stecker and 2nd by Plathe to authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, IA to bore 480th Street just west of 220th Ave, single phase; bore 470th Street just east of 220th Ave., 3 phase and single phase; bore 460th Street just east of 220th Ave, 3 phase; bore 220th Ave just south of 480th Street, 3 phase; bore 220th Ave just south of 470th Street, single phase; plow east backslope of 220th Ave, north of 470th Street for 450 feet, 3 Phase; replace on west side of 220th Ave, 2 poles with one anchor north of 480th Street and one pole anchor south of 480th Street; replace on south side of 470th Street, one pole with anchor east of 220th Ave and two poles with anchor west of 220th Ave; also install (1), retire (1), and replace (2) electric enclosures at the above work. Work will be in Sections 21, 27-28, 33-34 Hebron and 3 Lincoln Townships. Permit 09-30-2022 is on file in the Kossuth County Engineer's Office. Motion carried unanimously.

Motion by Casey and 2nd by Tjarks to authorize and give its permission to Brent Murphy, Burt, IA to install 18" corrugated metal pipe for transporting hog manure under 175th Ave, approximately 1350 feet south of 270th Street. The crossing will be in Section 11 Plum Creek Township per agreement and permit number MP 22-09-01 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 2nd by Plathe to appoint Rich Rosenmeyer and Kent Rode as commissioners for DD 82 for Voluntary Annexation. Motion carried unanimously.

Discussion was held regarding hiring Attorney Jim Hudson to draft a policy on Annexation. Drainage Deputy Marg Mergen will contact Jim Hudson to discuss options.

Motion by Stecker and 2nd by Loss to approve Pay App 4 for DD 4 OD FEMA Repairs to McCarty Custom, Inc. in the amount of \$332,388. Motion carried unanimously.

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

Adjournment was taken at 11:18 A.M.

Attest:

Tammy Eden
Kossuth County Auditor

Roger Tjarks, Chairman
Kossuth County Board of Supervisors