

BOARD PROCEEDINGS
May 16, 2023
REGULAR May SESSION

The Board of Supervisors met pursuant to adjournment. Present were Roger Tjarks (Chairman), Kyle Stecker, Joshua Waechter, Carter Nath, and Jack Plathe.

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 Stecker and 2nd by Nath to approve the agenda and minutes of the previous meeting dated May 9, 2023. Motion carried unanimously.

Motion by Stecker and 2nd by Tjarks to approve the claims and conservation claims. Motion carried unanimously.

AgSource Coop Srvs	Srvs	292.50	1
Ahlers & Cooney, P.C.	Srvs	2034.00	2
Algona Floor Desgn	Srvs	2803.32	1
Algona Machine & Sply	Supp	1405.34	1
AMU	Srvs	9063.87	13
Algona Plumb & Htg	Srvs	16.05	1
Alg Pub Co	Notices	2017.84	7
Alliant Energy	Srvs	3883.90	3
American Glass Co	Supp	2318.80	1
AU Life Ins	Ins.	87.50	1
Arnold Motor Supply	Parts	1172.52	1
Asmus Farm Supp	Supp	1205.00	1
Fidelity Sec Lif Ins	Ins	140.38	1
Ban Mun Utlities	Utilities	361.40	1
Bancroft Reg.	Notices	1023.41	2
BMC Aggregates	Rock	2122.91	1
Bomgaars	Supp	451.48	3
Brown's Shoe Fit Co	Supp	30.60	1
Bugs N Stuff	Srvs	98.00	1
B Buscher	Exp	350.00	1
Cardio Partners Inc	Engineer Sup	688.87	1
Central IA Dist	Supp	1970.50	1
Centurylink	Phone	464.42	3
Chrome Truck Stop	Fuel	56.56	1
Cintas	Supp	175.87	1
City of Algona	Exp	10615.68	1
City of Lone Rock	Exp	106.85	1
City of Swea City	Exp	56.12	1
City of West Bend	Utilities	548.84	1
Cooks Scrap Iron & Metal	Supp	326.78	1
Wallace Water Conditioning	Srvs	7.00	1
Dean Meyer Elec	Srvs	12500.00	1
Degen Extinguisher & Repair	Srvs	150.00	1
Dockendorf Equip	Supp	1312.16	1
Dump-It Sanit	Srvs	93.00	1
Ecolab	Srvs	890.89	1
Ed's Srvs	Fuel	237.50	1
Electronic Specialties	Srvs	363.44	1
EquipmentShare	Exp	501.85	1
Fareway	Supp	897.93	1
Farmers Coop Elev	Fuel	2377.41	3
Fenton Coop Telephone	Srvs	27.50	1
Frank Dunn Co.	Engineer Sup	949.00	1
Fratco	Engineer Sup	1116.08	1
Galls	Supp	10.80	1
Heartland Asphalt, Inc.	Engineer Sup	23320.86	1
Heartland Power Coop	Utilities	52.00	1
L Hefty	Exp	219.02	1
Hog Slat, Inc.	Engineer Sup	30.03	1
Hy-Vee	Supp	166.60	2
Interstate All Battery Ctr	Supp	528.40	1

IA Assoc of MU	Service	500.00	1
IA DOT	Service	5906.48	1
Ia Workforce Dev	Srvs	175.00	1
Iowa Emergency Medical Serv	Exp	250.00	1
IA Lakes EC	Elec	303.24	3
Iowa Lakes Regional Water	Utilities	48.50	1
IA Ofs of St Medical Examiner	Srvs	2309.48	1
ITsavvy LLC	Supp	433.00	2
Jacks OK Tire Srv	Srvs	3157.73	2
Johnston Autostores	Parts	322.89	1
K.C. Nielsen, LTD	Srvs	382.80	1
Kemco Tires	Srvs	2035.90	2
Kemna GM	Serv	1628.67	1
KCEDC	Allocation	120.00	1
Koss Co Law Lib	Exp	6000.00	1
KC Sec Road	Fuel	6325.98	5
KC Sheriff	Srvs	76.41	2
KRHC	Srvs	219.00	1
KRHC	Srvs	596.00	2
Lone Rock Coop Tel	Phone	133.95	1
C Ludwig	Exp	30.00	1
Main Street Specialties, LLC	Servs	600.00	1
Martins Flag	Srvs	83.49	1
Merryman Bridge Cons	Cons	98699.17	1
Mid Am Energy	Srvs	2215.50	2
Midland Power Coop	Utilities	35.96	1
Midwest Wheel	Exp	895.62	1
D Miller	Reim	220.00	1
S Nielsen	Exp	435.65	1
Aaron Montag	Exp	130.25	1
NAPA	Parts	358.85	1
NASSCO	Supp	197.31	1
C. Nath	Exp	81.22	1
New Cooperative Inc MaxYield C	Fuel	2412.80	1
Noregon Systems, Inc.	Engineer Supp	540.00	1
Norris Asphalt	Exp	17212.86	1
NIA Lumber&Design	Exp	348.60	1
NW Comm	Service	124.85	1
K & H	Fuel	42730.85	4
IOS	Supp	534.37	5
Patten Enterprises LLC	Servs	17178.48	1
Pet Kingdom	Exp	75.20	1
Petroblend	Exp	1783.35	1
Prairie Energy Coop	Lights	28.00	1
J Radmaker	Exp	791.30	1
Relentless DBA Desert Snow	Exp	649.00	1
Reutzel Excav	Srvs	10433.50	2
RingTel Communications	Phone	93.38	1
Rinker Materials	Engineer Supp	7542.40	1
Roethler Elec.	Srvs	88.00	1
Rolling Tree Service	Srvs	1300.00	1
Safety X-treme	Engineer Sup	103.00	1
Schum Elev Co	Srvs	566.07	1
Schumacher's Nursery	Supp	10960.24	1
SOS	Service	526.53	1
Sec St Bank	Srvs	25.00	1
Sign Works	Service	135.56	1
Simpson Auto Repair	Exp	65.75	1
Sioux River Bees	Supp	155.00	1
Smidt Automotive & Repair	Srvs	181.34	1
L Snyder	Exp	303.45	1
Solutions	Srvs	500.00	1
St Hygienic Lab	Supp	283.50	2
Storey Kenworthy/Matt Parrott	Supp	2075.50	1
SC Herald Press	Notices	1023.41	2
Terracon	Srvs	7600.00	1
Water Conn	Srvs	56.40	1
Thompson Sewer & Drain	Supp	12760.43	3
Thomson Reuters West	Supp	433.68	1

Threads	Supp	398.00	2
Titonka Burt Comm	Phone	164.46	2
R Tjarks	Exp	78.60	1
Harrison Truck Centers	Supp	52.52	1
Truck Country "OF IOWA"	Engineer Sup	15155.48	1
Union Pacific Railroad Company	Repairs	508.07	2
Up 'N Stitchz	Supp	250.70	1
US Cellular	Srvs	528.73	2
Verizon Wireless	Exp	1299.96	4
Verizon Connect Fleet USA	Engineer Sup	1485.85	1
Counsel Ofs & Doc	Supp	458.90	4
W & H Coop Oil Co	Fuel	23586.93	1
Waste Mgmt of WI-MN	Srvs	49736.48	4
Wellmark BCBS	Fees	216010.05	1
White Tools LLC	Engineer Sup	175.00	1
Whitt Truck & Trailer	Parts	606.38	1
Winnebago Coop Telecom Assoc	Phone	127.10	1
Ziegler	Parts	27878.50	2
A Zwiefel	Exp	146.06	1
Grand Total		706818.40	

A monthly update was given by the Veteran's Affairs Director, Dan Green.

Motion by Plathe and 2nd by Waechter to approve the cigarette permits for Abate of Iowa, Inc. and Spring Valley Golf Course. Motion carried unanimously.

Motion by Plathe and 2nd by Stecker to approve the 28E Agreement with the Algona Area Chamber of Commerce. Motion carried unanimously.

**Public Hearing
FY 2022-2023 Budget Amendment**

Motion by Nath and 2nd by Wachter to open the public hearing for the FY 22-23 Budget Amendment. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

There were no public comments by mail or in person.

Motion by Waechter and 2nd by Stecker to close the public hearing for the FY 22-23 Budget Amendment. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Motion by Tjarks and 2nd by Stecker to approve Resolution #05-16-23-01 which is a resolution approving the budget amendment and appropriations for FY 22-23. Chairman Tjarks called for a roll call vote: Plathe: no, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

**RESOLUTION #05-16-23-01
NOTICE OF PUBLIC HEARING
AMENDMENT OF CURRENT BUDGET
FY 2022-2023**

The Board of Supervisors met this date for the purpose of amending the current FY 22-23 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 22-23 this 16th day of May, 2023.

EXPENDITURES		
Service Area 1 (Public Safety and Legal Services)		
Motor Vehicle - Sheriff	01000-01000-635-05	\$30,000.00
Deputies - Sheriff	01000-01060-101-05	\$11,000.00
FICA - Sheriff	02000-01060-110-05	\$1,000.00
IPERS - Sheriff	02000-01060-111-05	\$1,000.00
Portable Suction Units - EMS	01000-01200-246-36-700	\$3,992.00
Health Insurance - EMS	02000-01200-113-36	\$12,900.00
Interfund Reimbursement - NCRERC (Civil Def.)	01000-01210-960-99	\$148.00

Grant for Vehicle - EMS	01000-01200-636-36	\$70,000.00
Service Area 1 Total		\$130,040.00
Service Area 6 (County Environment & Education)		
Publication - Planning & Zoning	01000-06300-400-78-305	\$1,000.00
Buffalo Township Urban Renewal	12000-06320-458-99-65-2	\$24,400.00
Buffalo Township Urban Renewal	12000-06320-458-99-65-3	\$12,200.00
Buffalo Township Urban Renewal	12000-06320-458-99-65-4	\$12,200.00
Twp Library	11000-06400-251-33	\$1.00
Service Area 6 Total		\$49,801.00
Service Area 7 (Roads & Transportation)		
Engineer Supplies & Service - Engineer	20000-10200-423-20	\$300,000.00
Service Area 7 Total		\$300,000.00
Service Area 8 (Government Service to Residents)		
Clerks - Treasurer	01000-08100-102-03	\$5,720.00
Service Area 8 Total		\$5,720.00
Service Area 9 (Administration)		
Meeting/Mileage - Supervisors	01000-09000-413-01	\$8,300.00
Arbitration Fees	01000-09000-424-01	\$9,850.00
Health Insurance - Human Resources	02000-09000-113-79	\$10,185.00
Audit & Clerical - Miscellaneous	01000-09030-420-48	\$18,000.00
Clerks - Auditor	01000-09010-102-02	\$4,500.00
Service Area 9 Total		\$50,835.00
REVENUE		
National Opioid Settlement	13000-03000-8120-99	\$49,298.00
Total Revenue		\$49,298.00

Resolution declared adopted this 16th day of May, 2023.

Chairman
Kossuth County Board of Supervisors

ATTEST:

Tammy Eden, Kossuth County Auditor

Motion by Stecker and 2nd by Waechter to approve the Kossuth County EMS policies and forms presented by Phil Albers. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Discussion was held regarding the transfer of assets agreement for Kossuth County EMS.

Motion by Nath and 2nd by Stecker to go into closed session per Iowa Code 21.5(1)(c) to discuss with Tim Whipple the amendment to the zoning ordinance that addresses the regulation and restricting the use of land for the transport of hazardous liquid through a pipeline. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

No decision was made in closed session.

Motion by Stecker and 2nd by Tjarks to table the Planning & Zoning recommendation for Hazardous Liquid Pipeline Ordinance until a future date when there is more information. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: no, Stecker: yes, Tjarks: yes. Motion carried.

Motion by Stecker and 2nd by Waechter to approve the following resolutions for joint drainage districts for 2023 Fall Assessments: Resolution #05-16-23-02 EK 5; Resolution #05-16-23-03 HK 2-36; Resolution #05-16-23-04 HK 5-87; Resolution #05-16-23-05 PAK 1 Main Tile; Resolution #05-16-23-06 PAK 1; Resolution #05-16-23-07 TRI 84 OD. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

RESOLUTION NO. 05-16-23-02
JOINT DRAINAGE DISTRICT NO. EK 5

The Joint Board of Supervisors of Kossuth and Emmet Counties hereby prepare to levy a special assessment on the above Joint Drainage District.

Motion made by Kossuth County Supervisor _____ and seconded by _____, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District No. EK 5 and there being insufficient funds to solvent these accounts of said Drainage District.

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Kossuth and Emmet Counties, Iowa, that there is hereby levied \$2000.00 (Kossuth \$1016.80/ Emmet \$983.20) against all lands, tracts, real estate, highways and railroads in Joint Drainage District No. EK 5, Kossuth and Emmet Counties.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes payable September 30, 2023.

Motion carried and Resolution duly adopted on this 16th day of May, 2023.

Chairman: Kossuth County Board of Supervisors

ATTEST: Kossuth County Auditor

RESOLUTION NO. 05-16-23-03
JOINT DRAINAGE DISTRICT NO. HK 2-36

The Joint Board of Supervisors of Kossuth and Hancock Counties hereby prepare to levy a special assessment on the above Joint Drainage District.

Motion made by Kossuth County Supervisor _____ and seconded by _____, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District No. HK 2-36 and there being insufficient funds to solvent these accounts of said Drainage District.

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Kossuth and Hancock Counties, Iowa, that there is hereby levied \$11,250.00 (Kossuth \$5775.75/ Hancock \$5474.25) against all lands, tracts, real estate, highways and railroads in Joint Drainage District No. HK 2-36, Kossuth and Hancock Counties.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes payable September 30, 2023.

Motion carried and Resolution duly adopted on this 16th day of May, 2023.

Chairman: Kossuth County Board of Supervisors

ATTEST: Kossuth County Auditor

RESOLUTION NO. 05-16-23-04
JOINT DRAINAGE DISTRICT NO. HK 5-87

The Joint Board of Supervisors of Kossuth and Hancock Counties hereby prepare to levy a special assessment on the above Joint Drainage District.

Motion made by Kossuth County Supervisor _____ and seconded by _____, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District No. HK 5-87 and there being insufficient funds to solvent these accounts of said Drainage District.

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Kossuth and Hancock Counties, Iowa, that there is hereby levied \$11,000.00 (Kossuth \$8800.00/ Hancock \$2200.00) against all lands, tracts, real estate, highways and railroads in Joint Drainage District No. HK 5-87, Kossuth and Hancock Counties.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes payable September 30, 2023.

Motion carried and Resolution duly adopted on this 16th day of May, 2023.

Chairman: Kossuth County Board of Supervisors

ATTEST: Kossuth County Auditor

RESOLUTION NO. 05-16-23-05
JOINT DRAINAGE DISTRICT NO. PAK 1 Main Tile

The Joint Board of Supervisors of Kossuth and Palo Alto Counties hereby prepare to levy a special assessment on the above Joint Drainage District.

Motion made by Kossuth County Supervisor _____ and seconded by _____, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District No. PAK 1 and there being insufficient funds to solvent these accounts of said Drainage District.

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Kossuth and Palo Alto Counties, Iowa, that there is hereby levied \$5346.28 (Palo Alto \$5346.28/ Kossuth \$0) against all lands, tracts, real estate, highways and railroads in Joint Drainage District No. PAK 1 Main Tile, Kossuth and Palo Alto Counties.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes payable September 30, 2023.

Motion carried and Resolution duly adopted on this 16th day of May, 2023.

Chairman: Kossuth County Board of Supervisors

ATTEST: Kossuth County Auditor

RESOLUTION NO. 05-16-23-06
JOINT DRAINAGE DISTRICT NO. PAK 1

The Joint Board of Supervisors of Kossuth, Palo Alto and Humboldt Counties hereby prepare to levy a special assessment on the above Joint Drainage District.

Motion made by Kossuth County Supervisor _____ and seconded by _____, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District No. PAK 1 and there being insufficient funds to solvent these accounts of said Drainage District.

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Kossuth, Palo Alto, and Humboldt Counties, Iowa, that there is hereby levied \$75000.00 (Palo Alto \$21412.50/ Kossuth \$53542.50/Humboldt \$45.00) against all lands, tracts, real estate, highways and railroads in Joint Drainage District No. PAK 1, Kossuth, Palo Alto and Humboldt Counties.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes payable September 30, 2023.

Motion carried and Resolution duly adopted on this 16th day of May, 2023.

Chairman: Kossuth County Board of Supervisors

ATTEST: Kossuth County Auditor

RESOLUTION NO. 05-16-23-07
JOINT DRAINAGE DISTRICT NO. TRI 84 OD

The Joint Board of Supervisors of Kossuth, Palo Alto and Emmet Counties hereby prepare to levy a special assessment on the above Joint Drainage District.

Motion made by Kossuth County Supervisor _____ and seconded by _____, that the following Resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District No. TRI 84 OD and there being insufficient funds to solvent these accounts of said Drainage District.

BE IT THEREFORE RESOLVED, by the Joint Board of Supervisors of Kossuth, Palo Alto, and Emmet Counties, Iowa, that there is hereby levied \$28500.00 (Kossuth \$16655.40/ Palo Alto \$2262.90/ Emmet \$9581.70) against all lands, tracts, real estate, highways and railroads in Joint Drainage District No. TRI 84, Kossuth, Palo Alto and Emmet Counties.

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended in accordance with original apportionment or current classification, and when so extended shall be collected with the current property taxes payable September 30, 2023.

Motion carried and Resolution duly adopted on this 16th day of May, 2023.

Chairman: Kossuth County Board of Supervisors

ATTEST: Kossuth County Auditor

Motion by Plathe and 2nd by Nath to have the supervisors handle their requests as follows: Supervisor Stecker: Request 2023-031 DD 110 S. Main; Supervisor Tjarks: Request 2023-029 DD 114; Supervisor Nath: Request 2023-030 DD 132. Motion carried unanimously.

Joint Teleconference with Winnebago County was held for Public Hearing on WK 68-136 Main OD and Lateral 2 OD. Winnebago County had a full board consisting of: Terry Durby, Bill Jensvold and Susan Smith. Kossuth County had a full board consisting of: Roger Tjarks, Kyle Stecker, Josh Waechter, Carter Nath and Jack Plathe.

Motion by Tjarks and 2nd by Jensvold to continue the hearing on WK 68-136 Main OD and Lateral 2 OD that Winnebago County had opened earlier. Motion carried unanimously by both boards.

Reclassification Report for WK 68-136 Main OD and Lateral 2 OD was reviewed.

Motion by Stecker and 2nd by Jensvold to close the hearing for WK 68-136 Main OD and Lateral 2 OD. Motion carried unanimously by both boards.

Motion by Jensvold and 2nd by Stecker to approve the Re-Classification Report for WK 68-136 Main OD and Lateral 2 OD. Motion carried unanimously by both boards.

Motion by Nath and 2nd by Stecker to approve the application of Greenwood 4H and permit Greenwood 4H to pick up litter in the road right of way of 300th Street between US 169 and B19/8th Street. Motion carried unanimously.

Motion by Tjarks and 2nd by Waechter to authorize and give its permission to Algona Municipal Utilities, Algona, IA, to remove two overhead lines and bore underground electric between 2208 and 2209 100th Ave. approximately 1,260 feet south of 230th Street. Work will be in Sections 33-34, Union Township. Permit #05-12-2023 is on file in the Kossuth County Engineer's Office. Motion carried unanimously.

Motion by Stecker and 2nd by Nath to authorize and give its permission to RingTel Communications of Ringsted, IA, to plow fiber optic cable from 2311 10th Avenue to the east shoulder of 10th Avenue, thence south to 3704 10th Avenue. Work will be in Section 18 of Seneca Township and Emmet County, IA. Permit #05-13-2023 is on file in the Kossuth County Engineer's Office. See map attached to permit for installation details. Motion carried unanimously.

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

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

Motion by Nath and 2nd by Stecker to adjourn at 10:45 A.M. Motion carried unanimously.

Attest:

Tammy Eden
Kossuth County Auditor

Roger Tjarks, Chairman
Kossuth County Board of Supervisors