

BOARD PROCEEDINGS
July 11, 2023
REGULAR Month SESSION

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

Discussion was held with the Secondary Road Foremen.

Motion by Stecker and 2nd by Nath to approve the agenda and minutes of the previous meetings dated June 27 and June 28, 2023. Motion carried unanimously.

A monthly update was given by Kossuth Regional Health Center.

A decision to approve claims was postponed until 11:00 A.M. tomorrow morning during a Special Session of the Board of Supervisors.

Motion by Waechter and 2nd by Nath to approve the annual Microsoft Office Licenses. Motion carried unanimously.

Motion by Plathe and 2nd by Stecker to approve the annual Document Locator License fees. Motion carried unanimously.

Motion by Stecker and 2nd by Waechter to approve the "Solutions" I-Series Annual Licensed Code Support Agreement in the amount of \$44,352.57. Motion carried unanimously.

Motion by Plathe and 2nd by Nath to approve the Cash on Hand as of June 30, 2023, for the Auditor at \$0.00, Recorder \$200.00, Sheriff \$0.00, and the Treasurer \$1,792.89. Motion carried unanimously.

Motion by Stecker and 2nd by Nath to approve hiring Wesley Gibbs as a new Sheriff's Deputy. Motion carried unanimously.

Motion by Plathe and 2nd by Stecker to approve Resolution #07-11-23-01 which is a resolution that authorizes the Kossuth County Auditor to draw warrants for the amount of payrolls for FY 23-24. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

RESOLUTION
07-11-23-01

As PER Section 309.61 of the Code of Iowa:

BE IT RESOLVED that the County Auditor is authorized to draw warrants for the amount of payrolls for labor furnished in the day labor system, when said payrolls are certified to by the engineer in charge of work. Said bills shall be passed on by the Board of Supervisors at the first meeting following said payment.

NOW THEREFORE BE IT RESOLVED that the Kossuth County Board of Supervisors declare this Resolution adopted on July 11, 2023.

Roger Tjarks, Chairman
Kossuth County Board of Supervisors

ATTEST:

Tammy Eden, Kossuth County Auditor

Motion by Plathe and 2nd by Nath to approve Resolution #07-11-23-02 which is a resolution authorizing the Kossuth County Auditor to do interfund transfers as budgeted for FY 23-24. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

**RESOLUTION
07-11-23-02**

WHEREAS, it is desired to authorize the Auditor to periodically transfer sums from the General Basic and Rural Services Basic Funds to the Secondary Road Fund during the 23-24 Fiscal Budget Year, and

WHEREAS, said transfers must be in accordance with section 331.429, Code of Iowa, as follows:

- Section 1: The total maximum transfer from the General Basic fund to the Secondary Road Fund For Fiscal year beginning July 1, 2023, shall not exceed the sum \$284,511 and the total Maximum transfer from the Rural Services Basic Fund to the Secondary Road Fund for The Fiscal Year beginning July 1, 2023, shall not exceed the sum of \$2,038,384.
- Section 2: Within 3-10 days of being notified of the apportionment of current property taxes, state Replacements against levied property taxed, mobile home taxes, military service tax Credit replacements, or to the General Basic or Rural Services Basic Funds, the Auditor Shall order a transfer from said fund to the Secondary Road.
- Section 3: The amount of the transfer required by Section 2 shall be equal to the apportionment Made under Section 2 to the General Basic or Rural Services Basic fund, respectively, Multiplied by the ratio of said funds total maximum transfer to the Secondary Road Fund, to the sum of said funds total current property tax levy, total mobile home taxes, Total military service tax credit replacements, and total livestock credit replacements.
- Section 4: Notwithstanding the provisions of sections 2 and 3 of this resolution to the Secondary Road Fund shall not exceed the amounts specified in Section 1.
- Section 5: Notwithstanding the provisions of Sections 2 and 3 of this resolution, the amount of any Transfer shall not exceed available fund balances in the transferring fund.
- Section 6: The Auditor is directed to correct her books when said operating transfers are made and To notify the County Treasurer and County Engineer of the amounts of said transfers.

NOW THEREFORE BE IT RESOLVED that the Kossuth County Board of Supervisors declare this resolution adopted July 11, 2023.

Roger Tjarks, Chairman
Kossuth County Board of Supervisors

ATTEST:

Tammy Eden, Kossuth County Auditor

A decision to approve the appointments and salaries of employees in all departments was postponed until 11:00 A.M. tomorrow morning (7-12-23) during a Special Session of the Board of Supervisors.

Motion by Plathe and 2nd by Stecker to approve the state appropriation of funding for FY 23-24 to be at 100% for Homestead Tax Credit, 100% for Elderly and Disabled Veteran Tax Replacement Credit and 100% Military Service. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Motion by Stecker and 2nd by Waechter to acknowledge the FY 23-24 Prorated Funding for Ag Land at 21.71514547% and Prorated Funding for Family Farms at 15.46026369%. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Motion by Stecker and 2nd by Waechter to approve adding the presented Work Period and Overtime – Jailers/Sheriff to Section 2.2 in the Kossuth County Handbook. Motion carried unanimously.

Discussion was held with the Kossuth County Engineer and evaluations of the engineer were started. After Supervisor Waechter started his evaluation County Engineer, Doug Miller gave written notice that he would like to go into closed session pursuant to Iowa Code Chapter 21.5(i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

Motion by Plathe and 2nd by Tjarks to enter into Closed Session as requested by Doug Miller, Kossuth County Engineer, pursuant to Iowa Code Chapter 21.5(i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: no, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

No decision was made in closed session.

Motion by Stecker and 2nd by Nath to serve written notice to the Kossuth County Engineer that the contract up in 2026 will not be automatically renewed. Supervisor Plathe asked for a roll call vote. Chairman Tjarks called for a roll call vote: Plathe: no, Nath, yes, Waechter: yes, Stecker: yes, Tjarks: no. Motion carried. Further conversation will be held for possible changes in the County Engineer's contract.

Motion by Stecker and 2nd by Waechter to direct the Engineer's Officer to do an engineer's study at A-21 West of the intersection with P-40 to look at possible sign placement. Supervisor Stecker (Vice Chairman) called for a roll call vote: Plathe: pass, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Stecker and 2nd by Waechter to approve Resolution #07-11-23-03 which is a Resolution to approve the transfer of funds from the Transfer Station operating account to the transfer station equipment account. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

RESOLUTION TO APPROVE THE TRANSFER OF FUNDS FROM TRANSFER STATION OPERATING ACCOUNT TO TRANSFER STATION EQUIPMENT ACCOUNT

Kossuth County Resolution No. _____

WHEREAS, the Kossuth County Board of Supervisors are owners of the Kossuth County Landfill and Transfer Station and are responsible for the operation of them, and

WHEREAS, an Equipment Fund has been established to be used when purchasing equipment, and

WHEREAS, the current balance of the Equipment Fund is \$87,539.42, and

WHEREAS, an Equipment Schedule shows a need of \$201,600.54 in the Equipment Fund.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY that \$30,000 that are in the 81000 Transfer Station Fund be transferred to the 81003 Transfer Station Equipment Fund.

Resolution adopted this 11th day of July 2023.

Kossuth County Board of Supervisors

Board of Supervisors Chairperson

ATTEST:

Kossuth County Auditor

Motion by Nath and 2nd by Tjarks to approve Resolution #07-11-23-04 which is a resolution to modify the Kossuth County Secondary Road FY 2024 Construction Program. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

**RESOLUTION TO MODIFY
Kossuth County Secondary Road FY2024 Construction Program
Kossuth County Resolution # _____**

WHEREAS, Kossuth County approved Fiscal Year 2024 Secondary Roads Five Year Program (CFYP) on April 11, 2023, and

WHEREAS, Iowa Department of Transportation approved the CFYP on May 8, 2023, and

WHEREAS, the CFYP contains projects that are funded with but not limited to Local, Farm to Market, Special, Federal Aid and Swap funds, and

WHEREAS, Projects that are funded with Federal Aid and Swap funds are included in Iowa's Statewide Transportation Improvement Program (STIP), and

WHEREAS, Projects that are funded with Federal Aid and Swap funds are required to have programed costs that are at minimum 85% of the Engineer's Estimate, and

WHEREAS, The current Engineer's Estimate for BROS-C055(199)--5F-55, TPMS #24976, and BRS-C055(200)--60-50, TPMS #45178, is significantly higher than the funded amount contained in Kossuth County's 2024 Fiscal Year Construction Program, and

WHEREAS, Kossuth County desires to increase the programed fund amounts of the previously mentioned projects to reflect the Engineer's Estimate.

NOW, THEREFORE, BE IT RESOLVED, by the Kossuth County Board of Supervisors to approve CFYP Revision 1 which increases the funded amount of project BROS-C055(199)--5F-55, TPMS 324976 from \$440,000 Federal Aid and \$110,000 SWAP funds to \$540,000 Federal Aid and \$135,000 SWAP and of Project BRS-C055(200)--60-50, TPMS #45178 from \$550,000 Federal Aid to \$725,000 Federal Aid.

July 11, 2023
Dated at Algona, Iowa

Roger Tjarks, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Tammy Eden
Kossuth County Auditor

Motion by Plathe and 2nd by Waechter to authorize and give its permission to Kevin and Renee Bormann at 2301 100th Avenue to outlet a private 6" tile approximately 230 feet west of 100th Avenue in the north right of way of 230th Street in the southeast quarter of the southeast quarter of Section 28, T-96N, R-29W of the 5th P.M., Union Township. Permit number OT-23-07-01 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 2nd by Waechter to approve the DD 4 OD FEMA Repairs Final Pay App in the amount of \$118,818.28 payable to McCarty Custom Inc. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

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

Motion by Stecker and 2nd by Nath to adjourn at 12:01 P.M. Motion carried unanimously.

Attest:

Tammy Eden
Kossuth County Auditor

Roger Tjarks, Chairman
Kossuth County Board of Supervisors