

BOARD PROCEEDINGS
October 31, 2023
REGULAR October SESSION

The Board of Supervisors met pursuant to adjournment. Present were Roger Tjarks (Chairman), Joshua Waechter, Kyle Stecker, 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 Plathe and 2nd by Nath to approve the agenda and minutes of the previous meeting dated October 24, 2023. Motion carried unanimously.

Motion by Waechter and 2nd by Stecker to approve the transfer of a 2018 Ford F150 from the Kossuth County Sheriff's Office to Kossuth County IT. Motion carried unanimously.

Motion by Nath and 2nd by Tjarks to begin the process of adopting the amendment to the zoning ordinance that addresses the use of land for the transport of hazardous liquid through hazardous liquid pipeline as recommended by the Planning & Zoning Commission. Chairman Tjarks called for a roll call vote: Plathe: no, Nath: no, Waechter: no, Stecker: no, Tjarks: no. Motion failed.

Motion by Nath and 2nd by Stecker to change the effective date of the ordinance from July 23rd to October 22nd, 1973, in the Amendment to the Kossuth County's Zoning Ordinance. Motion carried unanimously.

Motion by Nath to include the public health statement that has been verified, into the Whereas in the paragraph of finding of the Amendment to the Kossuth County's Zoning Ordinance, which was previously excluded. Supervisor Nath withdrew his motion.

Motion by Stecker and 2nd by Nath to acknowledge the public health position statement as presented previously. Motion carried unanimously.

Motion by Nath and 2nd by Tjarks to accept the recommendation from the Planning & Zoning Commission to change lines 25.42 through 25.44 in the Amendment to the Kossuth County Zoning's Ordinance to: not less than 3,000 feet instead of one half of one mile. Chairman Tjarks left the meeting after the motion was made, but before the vote was taken. Vice Chairman Stecker called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: no. Motion carried 3-1.

Motion by Nath and 2nd by Plathe to change Line 25.72 on the top of page A13 of the Amendment to the Kossuth County Zoning's Ordinance from a \$50 application fee to a \$100 application fee. Motion carried 4-0.

Motion by Plathe and 2nd by Waechter to approve the addendum to Warranty Deed recorded as Document No. 2023-958 and authorize the Vice Chairman to sign. Motion carried 4-0.

Motion by Waechter and 2nd by Plathe to approve Resolution #10-31-23-01, which is a resolution to set a public hearing to classify 165th Avenue between 250th Street and 260th Street as Service Level "C". Vice Chairman Stecker called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes. Motion carried.

Motion by _____ and Second by _____ to approve the following resolution:

Plathe: _____ Nath : _____ Waechter: _____ Stecker: _____ Tjarks : _____

RESOLUTION # _____

WHEREAS; the Kossuth County Board of Supervisors is empowered under authority of Chapter 309.57 of the Code of Iowa to classify Secondary Roads on the Area Service System to provide for a reduced level of maintenance; and

WHEREAS; Kossuth County Ordinance 112, Area Service "C" Road Maintenance Ordinance provides actions required to classify certain roads on the Area Service system in Kossuth County to provide for a reduced level of maintenance; and

WHEREAS; The Kossuth County Board of Supervisors has determined that 165 Avenue lying between 250 Street and 260 Street requires a lower level of maintenance; and

WHEREAS; Section 5 of Ordinance 112 requires the Board of Supervisors to fix a time a place for a Public Hearing that allows all persons interested to appear and be heard on the proposal.

NOW THEREFORE BE IT RESOLVED; That a public hearing be held on November 21, 2023 at 9:05 a.m. in the board room of the Kossuth County Courthouse to hear support or objections from interested persons and the public concerning this proposed reduction of maintenance on the referenced road segment.

Resolution adopted this 31st day of October, 2023.

ATTEST:

Tammy Eden
Kossuth County Auditor

Roger Tjarks, Chair
Kossuth County Board of Supervisors

Motion by Nath and 2nd by Waechter to authorize and give its permission to Al & Ray Ludwig, Corwith, IA, to install 72 feet of 12" Ø Class 3 reinforced concrete pipe through 170th Avenue, 50 feet south of the northwest corner of Section 14, Irvington Township, Kossuth County. Permit number 10-36-2023 is on file in the Kossuth County Engineer's Office. Motion carried 4-0.

Motion by Waechter and 2nd by Stecker to authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, IA, to bore underground electric approximately 870 feet south of 460 Street and 30 Avenue. Work will be in Sections 32-33, Eagle Township. Permit 10-37-2023 is on file in the Kossuth County Engineer's Office. Motion carried 4-0.

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

Motion by Plathe and 2nd by Stecker to approve the contract for DD 60 Sub 4 Tile Improvement with Reutzel Excavating, Inc. Motion carried 4-0.

Motion by Waechter and 2nd by Plathe to have the supervisors handle their requests as follows: Supervisor Nath: Request 2023-086 DD PAK 1 Lat K; Supervisor Tjarks: Request 2023-087 DD 82 Main, Request 2023-088 DD 179, Request 2023-089 DD 106, and Request 2023-091 DD 7 Lat 18. Motion carried 4-0.

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

Motion by Waechter and 2nd by Nath to adjourn at 9:20 A.M. Motion carried unanimously.

Attest:

Roger Tjarks, Chairman
Kossuth County Board of Supervisors

Tammy Eden
Kossuth County Auditor