

BOARD PROCEEDINGS
January 9, 2024
REGULAR January SESSION

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

Vice Chairman, Carter Nath called the meeting to order at 8:00 A.M. followed by the Pledge of Allegiance.

Public discussion was held.

Motion by Waechter and 2nd by Nath to approve the agenda and minutes of the previous meeting dated January 2, 2024. Motion carried unanimously.

No update from Secondary Road Foreman.

Kossuth Regional Health Center gave their monthly report.

The Board acknowledged the transfers made by the Kossuth County Auditor.

No action was taken to appoint an Economic Development Representative to NIACOG board.

No action was taken on the County Dog Ordinance in unincorporated parts of the county.

Motion by Tjarks and 2nd by Waechter to authorize Roger Fisher to sign a 28E Agreement between Kossuth County Sheriff and Iowa Great Lakes Drug Task Force. Motion carried unanimously.

Chairman, Kyle Stecker arrived at the meeting.

Motion by Stecker and 2nd by Waechter to approve Resolution #01-09-24-01, which directs the Secondary Road Department to remove obstruction from Secondary Road Right of Way.

Chairman Stecker called for a roll call vote: Plathe: yes, Tjarks: yes, Waechter: yes, Nath: yes, Stecker: yes. Motion carried.

RESOLUTION TO REMOVE OBSTRUCTION

Kossuth County Resolution # _____

WHEREAS, Kossuth County Ordinance 1 Protects and Regulates Secondary Road Right-of-Way and Debris on Kossuth County Secondary Roads, and

WHEREAS, Kossuth County Ordinance 1 defines an Obstruction as anything that is placed in a secondary road right-of-way or on a secondary road by persons other than persons authorized to do so by the Kossuth County Board of Supervisors. It includes property such as, but not limited to, fences, growing crops, rocks, trash, corn cobs, piles of brush, snow from private drives placed on roadway or shoulders, abandoned vehicles or machinery, billboards, advertising signs or devices, open ditches, and water breaks, manure run-off, the cultivation of the Right-of-way, and mud and other debris from farm fields which is deposited on secondary county roads, and

WHEREAS, Iowa Code Chapter 318, Obstructions in Highway Rights-Of-Way, enhances public safety for those traveling the public roads and allows economical maintenance of highway rights-of-way, and

WHEREAS, Iowa Code Chapter 318 defines an obstruction as an obstacle in the highway right-of-way, or an impediment or hindrance which impedes, opposes, or interferes with free passage along the highway right-of-way, not including utility structures installed in accordance with an approved permit, and

WHEREAS, Iowa Code Section 318.3, Obstructions in highway right-of-way, prohibits the placement of trash, litter, debris, waste material, manure, rocks, crops or crop residue, brush, vehicles, machinery, or other items within the highway right-of-way.

WHEREAS, the Kossuth County Secondary Road Department has determined that an obstruction of junked appliances, scrap metal and other debris exists in the west road right-of-way of 20th Avenue (P16) located in the east 500 feet of that part of the southeast quarter of section 18, T-99N, R-30W of the 5th P.M., Kossuth County, Iowa, lying south of the right of-way of the Chicago, Rock Island and Pacific Railway (Parcel 1), and

WHEREAS, the owner of Parcel 1 has been served numerous notices to remove the obstruction, and

WHEREAS, the owner of Parcel 1 has removed the obstructions after being served notice and after removal places and/or allows to be placed more obstructions in the road right-of-way, and

WHEREAS, the most recent notice to remove the obstruction was served on December 22, 2023 and notified the owner to remove the previously mentioned obstruction within a period of 14 days after service of the notice, and

WHEREAS, The December 22, 2023 served notice states that if the obstruction is not removed within the 14 day period, Kossuth County may remove the obstruction and the expense of the removal may be charged and assessed to the owner.

NOW, THEREFORE, BE IT RESOLVED, by the Kossuth County Board of Supervisors that they direct the Kossuth County Secondary Road Department to remove the obstruction in Parcel 1.

BE IT FURTHER RESOLVED, the Kossuth County Board of Supervisors directs the Kossuth County Secondary Road Department to remove any obstructions placed in the road right-of-way of 20th Avenue in Parcel 1 after this removal is complete.

January 9, 2024
Dated at Algona, Iowa

Kyle Stecker, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Tammy Eden
Kossuth County Auditor

There was no Construction in ROW.

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

Motion by Tjarks and 2nd by Stecker to reject the invoices for DD20. Chairman Sticker called for a roll call vote: Plathe: yes, Tjarks: yes, Waechter: yes, Nath: yes, Stecker: yes. Motion carried.

Motion by Waechter and 2nd by Nath for the Supervisors to handle their requests as follows: Supervisor Stecker: Request 2024-001 DD 4 Lat 65; Request 2024-002 DD 110 S Main; Request 2024-003 DD 80 Lat 30; Request 2024-004 DD 4 Lat 18; Request 2024-005 DD 50; Request 2024-006 DD 133; Request 2024-008 DD 4 Lat 11 OD; Supervisor Tjarks: Request 2024-007 DD Tri 84; Request 2024-009 DD WK 3-11. Motion carried unanimously.

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

Motion by Waechter and 2nd by Nath to adjourn at 9:17 A.M. Motion carried unanimously.

Attest:

Tammy Eden
Kossuth County Auditor

Chairman, Kossuth County
Board of Supervisors