

**BOARD PROCEEDINGS**  
**March 26, 2024**  
**REGULAR March SESSION**

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

Chairman, Kyle Stecker called the meeting to order at 8:02 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 March 19, 2024. Motion carried unanimously.

The Board of Supervisors acknowledged the Safety Committee Minutes.

Motion by Tjarks and 2nd by Stecker to approve Resolution #03-26-24-01, which is a resolution awarding the Contract for 2024 Secondary Road Resurfacing Projects: FM-C055(206)—55-55, LFM-208—7X-55, LFM-209—7X-55. Chairman Stecker called for a roll call vote: Tjarks: yes, Waechter: yes, Nath: yes, Stecker: yes. Motion carried.

Motion by \_\_\_\_\_ and Seconded by \_\_\_\_\_ to approve the following resolution:

Plathe \_\_\_\_\_, Tjarks \_\_\_\_\_, Waechter \_\_\_\_\_, Nath \_\_\_\_\_, Stecker \_\_\_\_\_

**RESOLUTION TO AWARD CONTRACT:**  
**2024 HMA Resurfacing**  
**Kossuth County Resolution No. \_\_\_\_\_**

**WHEREAS**, the Board of Supervisors, hereafter referred to as "the Board", believes the *FM-C055(206)--55-55, LFM-208--7X-55, LFM-209--7X-55*, hereafter referred to as "the project" is in the best interest of Kossuth County, Iowa, and the residents thereof. The project is defined as HMA resurfacing projects located at various locations throughout Kossuth County; and

**WHEREAS**, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

**WHEREAS**, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Kossuth County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

**IT IS THEREFORE RESOLVED** by Board to accept the bid from Mathy Construction Company in the amount of \$2,613,696.36 and awards the associated contract to the same;

**BE IT FURTHER RESOLVED** that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

**BE IT FURTHER RESOLVED** by the Board of Supervisors of Kossuth County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of

insurance, Douglas A. Miller, the County Engineer for Kossuth County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

March 26, 2024  
Dated at Algona, Iowa

\_\_\_\_\_  
Kyle Stecker, Chairperson  
Kossuth County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Tammy Eden  
Kossuth County Auditor

Motion by Tjarks and 2nd by Stecker to approve Resolution #03-26-24-02, which is a Resolution Setting the Public Hearing Date and Time for Road Vacation of 90th Avenue between 340th Street and 350th Street for May 28, 2024, at 8:05 A.M. in the board room of the Kossuth County Courthouse. Chairman Stecker called for a roll call vote: Tjarks: yes, Waechter: yes, Nath: yes, Stecker: yes. Motion carried.

Motion by \_\_\_\_\_ and Second by \_\_\_\_\_ to approve the following resolution:

Plathe: \_\_\_\_\_ Tjarks : \_\_\_\_\_ Waechter: \_\_\_\_\_ Nath: \_\_\_\_\_ Stecker : \_\_\_\_\_

RESOLUTION # \_\_\_\_\_

WHEREAS; The Kossuth County Board of Supervisors has received a request to vacate and close part of the originally established road #139, being 66 feet in width, 33 feet on each side of the following described centerline;

Beginning at the Northwest Corner of section 33-98-29; thence south; approximately 1 mile on section line to the Southwest Corner of section 33-98-29 and thence terminating, and

WHEREAS; The Kossuth County Board of Supervisors has determined that this road is no longer needed for public road purposes and should be vacated.

THEREFORE BE IT RESOLVED; That a public hearing be held on May 28, 2024 at 8:05 a.m. in the board room of the Kossuth County Courthouse to hear support or objections from the public concerning this proposed road vacation.

Resolution adopted this 26<sup>th</sup> day of March, 2024.

ATTEST: \_\_\_\_\_  
Tammy Eden  
Kossuth County Auditor

\_\_\_\_\_  
Kyle Stecker, Chair  
Kossuth County Board of Supervisors

Motion by Stecker and 2nd by Waechter to approve B&W Control Specialists, Inc., quote for roadside weed control for 2024 which is on file in the County Engineer's Office. Total estimated cost for control of noxious weeds equals \$106,924.25. Motion carried unanimously.

Motion by Tjarks and 2nd by Nath to approve Resolution 03-26-24-03, which is a resolution approving the temporary closing of 210th Avenue between 280th and 290th Streets to all traffic. Chairman Stecker called for a roll call vote: Tjarks: yes, Waechter: yes, Nath: yes, Stecker: yes. Motion carried.

RESOLUTION# \_\_\_\_\_

Motion by \_\_\_\_\_ and Seconded by \_\_\_\_\_ to approve the following resolution:

Plathe \_\_\_\_\_, Tjarks \_\_\_\_\_, Waechter \_\_\_\_\_, Nath \_\_\_\_\_, Stecker \_\_\_\_\_

WHEREAS, Section 306.41 of the Code of Iowa provides for the temporary closing of sections of roadway when necessary because of construction, and

WHEREAS, the County Engineer has been authorized by a previous resolution of this Board of Supervisors to execute the requirements of Section 306.41 regarding temporary road closures, and

WHEREAS, culvert replacement project BRS-C055(199)--60-55 requires 210<sup>th</sup> Avenue between 280<sup>th</sup> and 290<sup>th</sup> Street closed to all traffic, and

NOW, THEREFORE, BE IT RESOLVED, by the Kossuth County Board of Supervisors that the above described road be closed and proper signs be erected for the duration of the construction project as determined by the County Engineer.

BE IT FURTHER RESOLVED, that upon completion of the construction work, as determined by the County Engineer, the road shall be opened to the traveling public without further action of this board.

March 26, 2024  
Dated at Algona, Iowa

ATTEST:

\_\_\_\_\_  
Kyle Stecker, Chairperson  
Kossuth County Board of Supervisors

\_\_\_\_\_  
Tammy Eden  
Kossuth County Auditor

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

Motion by Tjarks and 2nd by Stecker to approve the internal drainage policy for landowner notifications with the addition of the sentence, "All connections to district tiles should be made with "wye" fittings to ensure there is no obstruction into the tiles which would affect water flow capacity or televising ability. It is expected that attempts will be made to remove any/all debris that results from connecting to these tiles prior to completing the connection." Motion carried unanimously.

Motion by Waechter and 2nd by Nath to have the Supervisors handle their requests as follows: Supervisor Tjarks: Request 2024-021 DD 78. Motion carried unanimously.

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

Discussion was held regarding the composition of a Solar Ordinance.

Motion by Nath and 2nd by Waechter to adjourn at 10:38 A.M. Motion carried unanimously.

**BOARD PROCEEDINGS**  
**March 26, 2024**  
**SPECIAL March SESSION**  
**Proposed Tax Levy Public Hearing**  
**FY 24-25**

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

Chairman, Kyle Stecker called the meeting to order at 1:00 P.M. followed by the Pledge of Allegiance.

Motion by Tjarks and 2nd by Waechter to approve the agenda. Motion carried unanimously.

Motion by Waechter and 2<sup>nd</sup> by Tjarks to open the Public Hearing on the Proposed Property Tax Levy for FY 24-25. Motion carried unanimously.

A presentation of the Proposed Property Tax Levy for FY 24-25 was given. A written objection to the proposed property tax levy was read and many tax payers were present to voice their opposition to the presented levy.

Motion by Waechter and 2<sup>nd</sup> by Tjarks to close the Public Hearing on Proposed Property Tax Levy for FY 24-25. Motion carried unanimously.

Motion by Nath and 2nd by Waechter to adjourn at 2:05 P.M. Motion carried unanimously.

Attest:

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Tammy Eden  
Kossuth County Auditor

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Kyle Stecker, Chairman  
Kossuth County Board of Supervisors