

BOARD PROCEEDINGS

EIGHTEENTH DAY

APRIL 15, 2003

REGULAR APRIL SESSION

The Board of Supervisors met pursuant to adjournment. Present were: Don McGregor, Chairman, Eugene Elsbecker, Bob Cink, Don Besch and Lee Froehlich. Absent: none.

Motion by Cink and 2nd by Elsbecker to approve minutes of previous meeting as read. Ayes: all Nays: none. Motion carried unanimous.

Motion by Froehlich and 2nd by Besch to approve the agenda. Ayes: all Nays: none. Motion carried unanimous.

Discussion was held about Drainage Software and if it can be obtained from Solutions.

Motion by Cink and 2nd by Besch to approve Wetland Resolution 04-15-03-01 for County Drainage Districts presented by Robert Christian

Resolution on Kossuth County Drainage Districts – 04-15-03-01

WHEREAS, the Drainage District Board of Trustees are responsible for the maintenance and management of Drainage Districts located within Kossuth County established under Chapter 468 of the Iowa Code.

WHEREAS, Kossuth County Drainage Districts have been established and constructed with the presumption the drainage of surface water from agricultural lands and all other lands, for the protection of such lands from overflow, is conducive to the public health, convenience and welfare.

WHEREAS, certain programs of the State of Iowa and the United States Government have been established to create wetlands within the State of Iowa. The creation of these wetlands is also conducive to the public health, convenience and welfare.

WHEREAS, some wetlands may be located within a Drainage District and the creation of the wetlands may potentially compromise the efficiency of the Drainage District improvements.

WHEREAS, a procedure is required to promote the establishment of the wetlands and yet protect the improvements of a Drainage District.

WHEREAS, the Drainage District Board of Trustees shall be the exclusive governing body to make the decisions affecting the maintenance and management of Drainage Districts within Kossuth County.

NOW, THEREFORE, BE IT RESOLVED, a landowner who proposes to establish a wetland in an area in which Drainage District improvements are located, shall file with the Kossuth County Auditor a Statement of Intent containing the following information:

1. The name of the landowner and farm tenant, if any.
2. A plat of the wetland identifying any Drainage District improvement within the proposed wetland.
3. A report from the engineer who designed the wetland setting forth any proposed manipulation or destruction of drainage district improvements and the resulting effects on existing drainage of lands within the Drainage District.

Upon receipt of the Statement of Intent, the District shall schedule a public meeting before the Board of Trustees to be held not less than 20 days after the date of receipt. The Trustees may continue this meeting from time to time.

The Auditor shall provide notice of the public meeting to affected landowners as directed by the Drainage District Board of Trustees.

Ayes: all Nays: none. Motion carried unanimous.

Motion by Cink and 2nd by Elsbecker to approve Resolution 04-15-03-02 on procedures for preparing agenda prepared by County Attorney.

RESOLUTION 04-15-03-02

RE: PROCEDURES FOR PREPARING WEEKLY AGENDA.

WHEREAS, the Kossuth County Board of Supervisors has decided to set out in a resolution how the agenda is to be determined each week; and

WHEREAS, the Kossuth County Board of Supervisors is in charge of its agenda and decides what topics or issues should be discussed or addressed; and

WHEREAS, the Kossuth County Board of Supervisors desires to allow time for the public to address the Board with concerns, issues or possible future action items; and

WHEREAS, the intent of the Open Meetings Law is that the public has a right to attend the meetings, but does not have a right to participate in the meetings unless the Board allows time to do so; and

WHEREAS, Robert's Rules of Order provides that discussion or comments from the audience is only done under the direction of the presiding officer and the rules the Board has adopted, and the Board has the right to cut off the public discussion when it sees fit; and

WHEREAS, at all times this public discussion should be conducted with civility.

NOW THEREFORE BE IT RESOLVED that the Kossuth County Board of Supervisors hereby adopts Robert's Rules of Order and sets out the following procedure for preparing its weekly agenda:

1. Each regular meeting of the Board shall have a 15 minute time period for public discussion starting at 9:05 a.m. at which time the public is free to come in and address the Board with concerns, issues or possible future action items.
2. Anyone, including individual Supervisors, wishing to add an item to the agenda must submit to the Auditor, in person, by e-mail or fax, a written statement setting out in detail what the proposed topic is regarding so that the Supervisors can be informed prior to the meeting and an educated discussion can be achieved. In addition this will allow the Auditor to prepare a more detailed agenda so that the public can be better informed.
3. The deadline for submitting proposed agenda items is Wednesday at 4:00 p.m. of the week preceding the meeting at which the proposed agenda item is to be discussed.
4. After the deadline only Supervisors may add proposed agenda items, however, a detailed written statement as set out in Paragraph 2 is still required to be delivered to the auditor, in person, by e-mail or fax.
5. The Auditor will attempt to schedule proposed agenda items on the date requested. However, if there is no available time on the date requested then the Auditor will schedule the proposed agenda item at the first available time on a subsequent meeting date.

Ayes: 3 Nays: 2

Roll call vote: Besch, no Cink, yes Elsbecker, yes Froehlich, no McGregor, yes. Motion carried.

Resolution declared adopted this 15th day of April, 2003.

Donald McGregor, Chairperson
Board of Supervisors
Kossuth County, Iowa

ATTEST:

Joann Bormann
Kossuth County, Iowa

Motion by Besch and 2nd by Froehlich to approve liquor license for Racers Bar & Grill. Ayes: all Nays: none. Motion carried unanimous.

Motion by Froehlich and 2nd by Cink to approve liquor license for Hoover Land Corp. Ayes: all Nays: none. Motion carried unanimous.

Motion by Besch and 2nd by Froehlich to approve Resolution 04-15-03-03 to appoint 1st contact, Jim Kelley and 2nd contact, Paul Gronbach for Homeland Security.

RESOLUTION 04-15-03-03

RESOLUTION FOR APPOINTING POINTS OF CONTACT FOR HOMELAND SECURITY

WHEREAS, THE STATE OF Iowa, Homeland Security Advisor, has Requested the appointment by each county, a Primary Point of Contact and a Secondary Point of contact for Homeland Security.

WHEREAS, the Kossuth County Emergency Management Commission and the Board of Supervisors of Kossuth County, Iowa appoint the following individuals as Points of Contact for Homeland Security in Kossuth County.

NOW THEREFORE, BE IT RESOLVED, that James E. Kelley, Emergency Management Coordinator be designated as Primary Point of Contact for Kossuth County Homeland Security.

AND MAY IT BE FURTHER RESOLVED, that Paul R. Gronbach, Sheriff of Kossuth County Iowa be designated as Secondary Point of Contact for Kossuth County Homeland Security.

Don McGregor
Emergency Management Commission

Dated: April 15, 2003

Ayes: all Nays: none. Motion carried unanimous.

Motion by Elsbecker and 2nd by Froehlich to approve the following Resolution:

KOSSUTH COUNTY BOARD OF SUPERVISORS RESOLUTION 04-15-03-04

WHEREAS, Section 321.345 of the Code of Iowa provides for local authorities to establish and erect stop signs, and

WHEREAS, an engineering study has been completed by the Kossuth County Engineer's Office, and

WHEREAS, the study indicates a need for a stop sign for east bound traffic on 428th Street at the intersection of 428th Street and 170th Avenue in Section 22, T-99N, R-28W, Ledyard Township, Kossuth County, and

WHEREAS, the study indicates a need for a stop sign for northwest bound traffic on 428th Street at the intersection of 428th Street and the entrance to Midwest Grain Processors ethanol plant in Section 22, T-99N, R-28W, Ledyard Township, Kossuth County.

NOW, THEREFORE, BE IT RESOLVED, by the Kossuth County Board of Supervisors:

That a stop signs be installed at the intersection of 428th Street and 170th Avenue in Section 22, T-99N, R-28W, Ledyard Township, Kossuth County for east bound traffic on 428th Street and at the intersection of 428th Street and at the entrance to Midwest Grain Processors ethanol plant in Section 22, T-99N, R-28W, Ledyard Township, Kossuth County for northwest bound traffic.

This resolution shall be in effect upon passage of this resolution and after stop signs are erected.

PASSED AND APPROVED THIS 15th DAY OF APRIL, 2003.

Don McGregor, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Joann Bormann
Kossuth County Auditor

Ayes: all Nays: none. Motion carried unanimous.

Motion by Cink and 2nd by Besch to approve the quarterly report for Soldiers Relief Commission. Ayes: all Nays: none. Motion carried unanimous.

On motion adjournment was taken until April 22, 2003.

Attest: _____

Joann Bormann
Kossuth County Auditor

Don McGregor, Chairman
Board of Supervisors