SIXTH DAY FEBRUARY 2, 2004

SPECIAL FEBRUARY 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 2^{nd} by Besch to approve the following claims:

GENERAL BASIC FUND:

Dennis Ackerman	Relief	125.00
Algona Floor Design	Supplies	28.97
Algona Glass Co.	Parts	10.00
Algona Municipal Utilities	Relief	16.17
Algona Plumbing & Heating	Parts	4.00
Algona Publishing Co	Notices	441.75
Alliant Energy Allied Document Solutions	Utilities	64.50 419.83
American United Life Insurance	Supplies	34.00
Aramark Uniform Service Inc	Services	111.60
Arnold Motor Supply	Parts	22.18
AT & T	Phone	929.20
AT&T	Phone	439.23
Bancroft Register Jerry D Wise		625.54
Benton County Sheriff	Services	75.70
Lynn Bierstedt	Meeting	12.00
Joann Bormann	Expenses	35.40
Sylvester Brace	Meeting	36.00
Brand FX Body Company	Well Closing	150.00
Buena Vista County Sheriff	Services	36.50
Bugs N' Stuff Channon's Pest C	Services	122.00
Cabela's Inc	Uniforms	623.81
Central Iowa Juvenile Detentio	Services	545.85
Central Iowa Distributing	Supplies	728.79
Central Iowa Water, Inc	Services	75.00
Cerro Gordo County Sheriff	Services	142.50
Charterhouse Publishing Co	Supplies	30.48
Chief Supply Corporation	Supplies	243.99
Christians Sheet Metal	Supplies	635.68
Robert J Cink	Expenses	159.00
City Directory Inc	Supplies	266.00
City of Algona	Allocation	17687.19
Clay County Sheriff	Services	19.50
Colonial Chapel	Services	200.00
Correctional Services Corp. Culligan Water Conditioning	Services	67.38 12.80
Dataline Associates	Supplies Supplies	305.00
Des Moines Stamp Mfg	Supplies	205.50
Larry Devine	Expenses	24.00
Dicks Office Equipment	Supplies	91.67
	Supplies	4.00
Kim Dreyer	Meetings	36.00
Dump-It Inc.	Services	57.00
Dust-Tex Service	Services/Courthouse	54.28
Electronic Engineering Co	Services	80.00
Eugene Elsbecker	Expenses	96.00
Ernie Williams Ltd	Supplies	70.95
Melvin Faber	Meeting	12.00
Fareway Stores	Supplies	684.90
Fast Oil	Services	78.70
Jerry Ferstl	Well Closing	150.00
Fidlar Election Company	Supplies	518.18
Fillenwarth Beach	Conference	504.00
Fiscal Services Bureau Dept of		951.00
Floyd County Sheriff	Services	89.75
Franklin County Sheriff	Services	181.04
Galls Incorporated	Uniforms	85.78
Global Crossing	Services	16.20
Greenberg Auto Supply	Parts	5.88
Dwight Guerdet	Relief	150.00

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Delores Thilges Meeting 12.00 Becky Tietz Relief 150.00			
Becky Tietz Relief 150.00			
U S Postmaster Postage 200.00		_	150.00
	U S Postmaster	Postage	200.00

United Building Centers	Supplies	117.31
United States Cellular	Phone	567.54
U of IA Hospitals & Clinics	Relief	133.00
Vern Walker	Meetings	24.00
Merlin E. Walker	Meetings	24.00
Minnie Walker	Meetings	24.00
Webster County Sheriff	Services	56.00
West Bend Elevator	Fuel	54.67
Harley Willmert	Meeting	12.00
Tom Winkel	Reserve	312.50
Winnebago County Sheriff	Services	136.40
Worth County Sheriff	Services	136.12
MENTAL HEALTH FUND:		
		20 54
Algona Municipal Utilities	Utilities	38.54
AT & T	Phone	165.83
Bremer County Case Management		168.72
Buschers Service Center	Services	90.80
Cedar Valley Community Support		1052.10
Children & Families of IA	Services	76.83
Community Services Association	Services	50.00
Country View Estates	Services	1653.75
County Case Management Service	Meeting	321.00
Duncan Heights	Services	8381.06
Echo/Plus Inc. ATTENTION: AMY	Services	1137.76
Exceptional Opportunities	Services	45282.85
Handicap Village dba Opportuni	Services	7875.80
Harry Meyering Center	Services	416.54
Mary Hauptmann	Expenses	57.60
Hope Haven	Services	567.18
Horizons Unlimited of Palo Alt		5603.12
Hutzells Inc	Supplies	34.99
Hy Vee Pharmacy	Services	338.83
IA Department of Human Service		44207.70
Iowa Central Industries	Services	1385.88
Iowa Office Supply	Supplies	64.12
Iowa Workforce Development Col		677.05
Kmart Pharmacy 9220	Services	729.26
Kmart 9220	Supplies	15.87
KRHC-Hospital	Services	143.00
Nicolle Marlow	Expenses	49.20
Mental Health Center of North	Services	310.86
Morse Enterprises Inc. Mary Mo	Services	2476.32
Motor Inn of Algona, Inc.	Services	231.18
Dona Nielsen	Expenses	113.73
Nishna Productions Inc.	SErvices	539.14
North Central Human Services	Services	596.75
North Central Iowa Mental Heal	Services	4652.06
North Iowa Transition Center	Services	2686.32
North Iowa Vocational Center	Services	140.16
Pioneer Bank Marvin Kimm	Services	150.00
Plymouth Life Inc.	Services	3255.00
Psychiatry Lee & Associates of		180.00
OWEST	Phone	146.69
Seasons Center for Community M		456.00
	Services	
Patti Sougstad		175.80
State of Iowa Treasurer of Sta		13279.14
The Richmond Center	Services	493.53
Thul Law Firm Brian Thul	Services	237.17
Trinity Regional Hospital	Services	3510.00
United States Cellular	Phone	40.69
Village Northwest Unlimited	Services	2845.52
SECONDARY ROAD FUND:		
Airgas North Central	Variable lens	156.45
Algona Municipal Utilities	Courthouse/Feb/internet	199.90
Arnold Motor Supply The Merril		516.25
AT & T	Long distance service	101.69
Barnes Group Inc.	Misc repair supplies	355.97
Cenex Credit Card	Diesel/Swea City/pump	2403.78
Cintas First Aid & Safety	First Aid Supplies	324.75
City of Titonka	Utilities Titonka Shop	501.27
City of Titonka City of Wesley		
-	Utilities Wesley Shop	28.25
City of West Bend	Utilities West Bend Shop	452.03

CoZO Pottawattamie County	Annual membership dues	50.00
Dicks Office Equipment	File folders	47.86
Ernie Williams Ltd	Misc repair parts	184.02
Farmers Coop-Ottosen	Diesel/Titonka Shop	4148.69
Force America Inc.	Repair part/male pipe	14.94
William Goche	74' of 24" RCP cross #2	3111.00
Paul Hamilton	50' of 6" dual pipe	200.00
Iowa Lakes Electric Coop	New service/Hebron 36	2340.00
Iowa League of Cities	Annual service fee 2004	100.00
Iowa Office Supply	Monthly copy machine fee	238.63
Iowa Prison Industries	Diag stripe RT	1785.00
Iowa Telecom	Phone service/Ledyard	101.15
Jacks OK Tire Service	Misc tire repairs	2079.50
Kossuth County Treasurer Kossu	UPS fee-truck country	3.50
Jayne Krieps	Mailbox damage	20.00
Lacal Equipment Inc	Blades	3739.20
Lloyd's Auto Electric Lloyd M	Alternator repair	526.93
Metal Culverts Inc	32-24" CMP	5710.40
Mid American Energy	Gas service-Lone Rock	1064.51
Midwest Diesel Injec	Overflow valve	62.69
Northern IA Constructs	36-15" CMP	10528.85
Northland Computer System	Network switch/conductor	438.99
Northwest Telephone Cooperativ		54.46
Nu Metrics	Meter	359.50
QWEST	Phone Service Shops	438.47
R & M Supplies	Shop/cleaning supplies	927.00
Roethler Electric % Mike Roeth		114.00
Ruhnke Brothers dba/Hilton's F		437.44
Schaeffer Mfg. Co.	Supreme 7000 15W40	552.75
Secretary of State State of Io	-	30.00
Shine Bros. Steel State Steel	Tubing/angle/round/flat	1502.77
Shoppers Supply	Misc repairs/supplies	606.88
Sign Works Ink	Lettering/black #2,#3	104.64
Society of Land Surv	2004 annual dues	65.00
Star Energy	Diesel/Lone Rock Shop	7043.50
Truck Country "OF IOWA"	Water pump-hose-gasket	486.91
United Building Centers	Barricades	324.35
United States Cellular	Cellular phone service(2)	141.12
L.O.S.T. REVENUE NOTE:		
Iowa State Bank	LOST REVENUE NOTE	20461.16
CIVIL DEFENSE FUND:		
		E4 E4
Algona Publishing Co	Notices	51.71
Elbert Motor Company	Services	140.28
Electronic Specialties	Services	15.95
Kossuth County Secondary Road Midwest Wireless	Fuel Services	11.76 45.96
OWEST	Phone	109.31
QWESI	Phone	109.31
SANITARY LANDFILL FUND:		
Arnold Motor Supply The Merril	Shop Supplies	540.36
Central Fiber Corporation	Supplies	11027.25
Deitering Brothers		56.64
Dicks Office Equipment	Repairs	
	Repairs Office Supplies	
Farmers Coop-Ottosen	Repairs Office Supplies Repairs	69.50 155.95
Farmers Coop-Ottosen Horizons Unlimited of Palo Alt	Office Supplies Repairs	69.50
-	Office Supplies Repairs	69.50 155.95
Horizons Unlimited of Palo Alt	Office Supplies Repairs Processing Fees	69.50 155.95 2147.19
Horizons Unlimited of Palo Alt Humboldt County REC	Office Supplies Repairs Processing Fees Utilities	69.50 155.95 2147.19 347.51
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service	Office Supplies Repairs Processing Fees Utilities Tire repair	69.50 155.95 2147.19 347.51 98.00
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel	69.50 155.95 2147.19 347.51 98.00 1181.25
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co KLGA Radio	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel Advertising Hazardous material servic	69.50 155.95 2147.19 347.51 98.00 1181.25 150.00
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co KLGA Radio Landfill of North Iowa Overhead Door Co Webster Count Shoppers Supply	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel Advertising Hazardous material servic Services Supplies	69.50 155.95 2147.19 347.51 98.00 1181.25 150.00 5103.60 334.30 297.63
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co KLGA Radio Landfill of North Iowa Overhead Door Co Webster Count Shoppers Supply StateLine Cooperative Attentio	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel Advertising Hazardous material servic Services Supplies Supplies	69.50 155.95 2147.19 347.51 98.00 1181.25 150.00 5103.60 334.30 297.63 187.15
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co KLGA Radio Landfill of North Iowa Overhead Door Co Webster Count Shoppers Supply StateLine Cooperative Attentio Syntex Industries, Inc.	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel Advertising Hazardous material servic Services Supplies Supplies Supplies	69.50 155.95 2147.19 347.51 98.00 1181.25 150.00 5103.60 334.30 297.63 187.15 254.15
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co KLGA Radio Landfill of North Iowa Overhead Door Co Webster Count Shoppers Supply StateLine Cooperative Attentio Syntex Industries, Inc. Titonka-Burt Communications	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel Advertising Hazardous material servic Services Supplies Supplies Supplies Phone service	69.50 155.95 2147.19 347.51 98.00 1181.25 150.00 5103.60 334.30 297.63 187.15 254.15 34.40
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co KLGA Radio Landfill of North Iowa Overhead Door Co Webster Count Shoppers Supply StateLine Cooperative Attentio Syntex Industries, Inc. Titonka-Burt Communications Townmart	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel Advertising Hazardous material servic Services Supplies Supplies Supplies Phone service Fuel	69.50 155.95 2147.19 347.51 98.00 1181.25 150.00 5103.60 334.30 297.63 187.15 254.15 34.40 148.38
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co KLGA Radio Landfill of North Iowa Overhead Door Co Webster Count Shoppers Supply StateLine Cooperative Attentio Syntex Industries, Inc. Titonka-Burt Communications Townmart Wallace Water Conditioning	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel Advertising Hazardous material servic Services Supplies Supplies Supplies Phone service Fuel Supplies	69.50 155.95 2147.19 347.51 98.00 1181.25 150.00 5103.60 334.30 297.63 187.15 254.15 34.40 148.38 34.25
Horizons Unlimited of Palo Alt Humboldt County REC Jacks OK Tire Service K & H Coop Oil Co KLGA Radio Landfill of North Iowa Overhead Door Co Webster Count Shoppers Supply StateLine Cooperative Attentio Syntex Industries, Inc. Titonka-Burt Communications Townmart	Office Supplies Repairs Processing Fees Utilities Tire repair Fuel Advertising Hazardous material servic Services Supplies Supplies Supplies Phone service Fuel	69.50 155.95 2147.19 347.51 98.00 1181.25 150.00 5103.60 334.30 297.63 187.15 254.15 34.40 148.38

E-911 SURCHARGE FUND:

AT & T	Phone	46.36
AT&T	Phone	46.59
Fenton Coop Telephone	Phone	239.42
Iowa Telecom	Phone	70.80
Lone Rock CO-OP Tel Co.	Phone	215.66
Northwest Telephone Cooperativ		265.68
OWEST	Phone	732.04
Ramsey Enterprises Inc	Services	4393.54
RDJ Specialties Inc.	Supplies	64.28
Sundet Omdahl Insurance Agency		1993.44
Titonka-Burt Communication	Phone	233.38
Verizon Credit Inc.	Lease	1394.96
Winnebago Coop Telephone Assn.		262.10
willicago coop icicphone Assii.	Tione	202.10
DRAINAGE FUND:		
Charleton Eridana	Duain 0	204 00
Charlotee Frideres Ron Frideres	Drain 9 Drain 9	394.00
		274.16
James Schmidt	Drain 9	275.00
Sherry Schmidt	Drain 9	50.00
Linden Venhuizen	Drain 9	147.00
Jacobson Westergard Assoc.	Drain 68 Main 3	273.60
Swea City Herald Press	Drain 80 O.D. A	77.86
John Cowin	Drain 165	125.00
Francis Rotterman	Drain 165	400.00
Orville Brandt	Drain 165	125.00
Clarion W. Reece	Drain 165	125.00
Swea City Senior Center	Drain 166 Main Outlet O	50.00
Office Etc.	Drain 166 Main Outlet O	147.50
Bill Walstead	Drain 166 Main Outlet O	25.00
Sidney Payne	Drain 166 Main Outlet O	25.00
Gerald Pedersen	Drain 166 Main Outlet O	25.00
Milton Jorgenson	Drain 166 Main #1 Tile	80.00
DeeAnn Bierstedt	Drain 166 Main #1 Tile	2428.04
August Brandt	Drain 166 Main #1 Tile	2728.08
Linde Farms Coop	Drain 166 Main #1 Tile	2487.50
Lennon Brandt	Drain 166 Main #1 Tile	4185.42
Earl Kvamsdale	Drain 166 Main #1 Tile	2665.00
Jacobson Westergard Assoc.	Drain 166 Main #1 Tile	941.62
Dahl Heritage LLC	Drain 166 Main #1 Tile	532.50
Lucille Swanson	Drain 166 Main #1 Tile	1713.52
Arlene Bowman	Drain 166 Main #1 Tile	617.50
Paul Nelson	Drain 166 Main #1 Tile	550.00
Vivien W Maves Rev Trust	Drain 166 Main #1 Tile	1057.50
John, Donald & Norm Henricksen	Drain 166 Main #1 Tile	757.50
Gloria Petersen	Drain 166 Main #1 Tile	25.00
Bernice Haag Trust	Drain 166 Main #1 Tile	275.00
Gelhaus Farms Inc.	Drain 166 Main #1 Tile	1105.00
Esta T Angle	Drain 166 Main #1 Tile	1640.00
Richard Blair	Drain 166 Main #1 Tile	552.50
Milton Jorgenson	Drain 166 Main #3 Tile	80.00
DeeAnn Bierstedt	Drain 166 Main #3 Tile	2428.03
August Brandt	Drain 166 Main #3 Tile	2728.08
Linde Farms Coop	Drain 166 Main #3 Tile	2487.50
Lennon Brandt	Drain 166 Main #3 Tile	4185.42
Earl Kvamsdale	Drain 166 Main #3 Tile	2665.00
Jacobson Westergard Assoc.	Drain 166 Main #3 Tile	941.61
Dahl Heritage LLC	Drain 166 Main #3 Tile	532.50
Lucille Swanson	Drain 166 Main #3 Tile	1713.51
Arlene Bowman	Drain 166 Main #3 Tile	617.50
Paul Nelson	Drain 166 Main #3 Tile	550.00
Vivien W Maves Rev Trust	Drain 166 Main #3 Tile	1057.50
John, Donald & Norm Henricksen	**	757.50
Gloria Petersen	Drain 166 Main #3 Tile	25.00
Bernice Haaq Trust	Drain 166 Main #3 Tile Drain 166 Main #3 Tile	25.00
5		
Gelhaus Farms Inc.	Drain 166 Main #3 Tile	1105.00
Esta T Angle Richard Blair	Drain 166 Main #3 Tile	1640.00
	Drain 166 Main #3 Tile	552.50
Reutzel Excavating Inc.	Drain WK 3-11 Sub 1 Koss	480.00

Ayes: all Nays: none. Motion carried unanimous.

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

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

Public Discussion and Committee Reports were held.

Motion by Elsbecker and seconded by Froehlich to open a public hearing to complete the second and final reading of Kossuth County Ordinance # 12, An Ordinance Establishing the Area Service "C" Road Classification in Kossuth County, Iowa.

Ayes: all Nays: none. Motion carried unanimous.

Motion by Froehlich and seconded by Besch to close the public hearing.

Ayes: all Nays: none. Motion carried unanimous.

Motion by Cink and seconded by Elsbecker to approve the second and final reading of Kossuth County Ordinance # 12 effective upon publication.

Ayes: all Nays: none. Motion carried unanimous.

AREA SERVICE "C" ROAD MAINTENANCE ORDINANCE Kossuth County Ordinance No. 12

Title: An Ordinance Establishing the Area Service "C" Road Classification in Kossuth County, Iowa.

Be It Enacted by the Board of Supervisors, Kossuth County, Iowa:

Section 1. PURPOSE

The purpose of this ordinance is to classify certain roads on the area service system in the county as Area Service "C" roads so as to provide for a reduced level of maintenance effort and restricted access, pursuant to Iowa Code Section 309.57.

Section 2. **DEFINITIONS**

For use in this ordinance, certain terms or words used herein shall be interpreted or defined as follows:

- 1. "Area Service System" include those public roads outside of municipalities not otherwise classified.
 - a. "Area Service System "A" roads" shall be maintained in conformance with applicable state statutes.
 - b. "Area Service System "C" roads" shall not require standard maintenance equal to farm to market, or Area Service System "A" roads. Area Service System "C" roads shall not mean what is construed in the normal sense as a driveway or private lane to a farm building or dwelling.
- 2. "Board" shall mean the Board of Supervisors of Kossuth County.
- 3. "Engineer" shall mean the County Engineer of Kossuth County.
- 4. "County" shall mean Kossuth County.

Section 3. **POWERS OF THE BOARD**

All jurisdiction and control over Area Service System "C" roads as provided by this ordinance shall rest with the Board.

Section 4. **AUTHORITY TO ESTABLISH**

The Board is empowered under authority of Iowa Code Section 309.57, to classify secondary roads on the area system to provide for a reduced level of maintenance on roads so designated. The Board shall, by resolution, declare its intention to establish an Area Service System "C" Road in Kossuth County after consultation with the County Engineer.

Section 5. NOTICE AND HEARING

The Board shall fix a time and place for a hearing and cause notice to be published as provided by law. The notice shall set forth the termini of the Area Service System "C" Road as set out in the Resolution of the Board, and shall state that all persons interested may appear and be heard at such hearing.

Section 6. HEARING-AREA SERVICE SYSTEM "C" ROAD ESTABLISHED BY RESOLUTION

On the day fixed for the hearing or any day to which the hearing has been adjourned, upon proof to its satisfaction made by affidavit of due publication and posting of the notice of hearing, the Board shall consider any and all relevant evidence, and if the Board finds that the proposed Area Service System "C" Road is practicable, it may establish it by proper Resolution.

Section 7. ACCESS

Access to any Area Service "C" road shall be restricted by means of a gate or other barrier, as determined by the County Engineer. The county shall only allow access to the road to the owner, lessee, or person in lawful possession of any adjoining land, or the agent or employee of the owner, lessee, or person in lawful possession, or to any peace officer, magistrate, or public employee whose duty it is to supervise the use or perform maintenance of the road. The gate shall be purchased and installed by the County, and maintained by the adjoining landowners.

Section 8. SIGNS

Area Service "C" roads shall have signs conforming to the Iowa Signing Manual Per 761 Iowa Administrative Code (IAC) Chapter 130. The signs shall be installed and maintained by the County at all access points to the Area Service "C" roads from other public roads to warn the public that access is limited.

Section 9. MAINTENANCE POLICY

Only the minimum effort, expense and attention will be provided to keep Area Service System C roads open to traffic. Bridges may not be maintained to carry legal loads, but will be posted as appropriate to advise of any load limitations. For the various maintenance activities, the minimum maintenance on Area Service Level C Roads will be as follows:

- 1. Blading. Blading or dragging will not be performed on a regular basis.
- 2. <u>Snow and Ice Removal</u>. Snow and ice will not be removed, nor will the road surface be sanded or salted.
- 3. <u>Signing</u>. Except for load limit posting for bridges, signing shall not be continued or provided. <u>ALL AREA SERVICE LEVEL C ROADS SHALL BE IDENTIFIED WITH A SIGN AT ALL POINTS OF ACCESS TO WARN THE PUBLIC OF THE LOWER LEVEL OF MAINTENANCE.</u>
- 4. <u>Weeds, Brush and Trees</u>. Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances may not be maintained.
- 5. <u>Structures</u>. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
- 6. Road Surfacing. Surfacing materials will not be applied to Area Service System C Roads.
- 7. Shoulders. Shoulders will not be maintained.
- 8. Crown. A crown will not be maintained.

- 9. Repairs. There will be no road repair on a regular basis.
- 10. <u>Uniform Width</u>. Uniform width for the traveled portion of the road will not be maintained.
- 11. <u>Inspections</u>. Regular inspections will not be conducted.

Section 10. TRESPASS

Notwithstanding section 716.7, subsection 4, entering or remaining upon an area service "C" classification road without justification after being notified or requested to abstain from entering or to remove or vacate the road by any person lawfully allowed access shall be a trespass as defined in section 716.7.

Section 11. **RECLASSIFICATION**

A road with an Area Service "C" classification shall retain the classification until such time as a petition for reclassification is submitted to the Board. The petition shall be signed by one or more adjoining landowners. The Board shall approve or deny the request for reclassification within 60 days of receipt of the petition.

Section 12. **EXEMPTION FROM LIABILITY**

As provided in Iowa Code Section 309.57, the County and officers, agents and employees of the County are not liable for injury to any person or for damage to any vehicle or equipment which occurs approximately as a result of the maintenance of a road which is classified as Area Service "C", if the road has been maintained to the level of maintenance effort described in the establishing resolution.

Section 13. **REPEALER**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 14. **SEVERABILITY CLAUSE**

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 15. WHEN EFFECTIVE

This ordinance shall be in effect after its final passage, approval and publication, as provided by law.

February 2, 2004

Kossuth County Board of Supervisors ATTEST:

Don McGregor Chair Joann Bormann Kossuth County Auditor

Kossuth County Board of Supervisors

Eugene Elsbecker Lee Froehlich Don Besch Robert J. Cink

Prairie Ridge request for funds was made by Phil Heath. Their bid is same as the last 10 years, of \$17,212 with county being \$12,909 and state refunding \$4303.

Motion by Cink and 2^{nd} by Froehlich to acknowledge purchase of three tandem trucks with quotations from four Dealers, with low bid of \$220,810 from Boyer Trucks of Sioux Falls, South Dakota. Ayes: all Nays: none. Motion carried unanimous.

On motion adjournment was taken until February 10, 2004.	
Attest:	
Joann Bormann	Don McGregor, Chairman
Kossuth County Auditor	Board of Supervisors