

BOARD PROCEEDINGS
February 26, 2013
REGULAR FEBRUARY SESSION

The Board of Supervisors met pursuant to adjournment. Present were: Jack Plathe, Chairman, Don Besch, Don McGregor, Roger Tjarks and Pam Wymore.

Public Discussion was held.

Motion by Besch and 2nd by Tjarks to approve the agenda and the minutes of the previous meeting dated February 19th, 2013. Motion carried.

Motion by McGregor and 2nd by Besch that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Mastec, Hugo, MN, (Century Link) to do maintenance boring in the right of way. Work will consist of boring a communication cable from the south right of way line to the north right of way line of 250th Street. The work will be in section 24 and section 13 Lotts Creek Township. Permit number 02-03-2013 is on file in the Kossuth County Engineer's Office. Motion carried.

Discussion with Kossuth County Engineer was followed by Drainage.

Public Hearing/Construction Permit Application 8:35 a.m.
Darren Tietz and Jason Fuecht (Tietz Site #1)

Motion by Besch and 2nd by Tjarks to open the public hearing regarding the new construction permit for Darren Tietz and Jason Fuecht (Tietz Site #1) in the NWNW Section 4 of Sherman Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Public comments were received from Bob & Trish Casey, Channon & Cinnamon Mawdsley and Barry & Stacy Simpson.

Motion by McGregor and 2nd by Wymore to close the public hearing regarding the new construction permit for Darren Tietz and Jason Fuecht (Tietz Site #1) in the NWNW Section 4 of Sherman Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Motion by Besch and 2nd by Wymore to recommend to the Iowa Department of Natural Resources the disapproval by Resolution #02-26-13-01 of the construction permit application for Darren Tietz and Jason Fuecht (Tietz Site #1) in the NWNW Section 4 of Sherman Township due to them not meeting the requirements on the Master Matrix scoring system per Steve Anderson due to separation distances not being verified, sinkhole and impaired waters of the Des Moines River. Amber Garman will send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation along with the public comments that were received. Chairman Plathe called for a roll call vote: : Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

**Recommendation to Iowa DNR to Approve the Application Permit for Construction
of an Animal Confinement Feeding Operation**
Resolution # 02-26-13-01

WHEREAS, the Kossuth County Board of Supervisors has adopted the Master Matrix for the purpose of scoring construction applications to provide an opportunity for local input and

WHEREAS, The Master Matrix Delegate, Steve Anderson has informed the Kossuth County Board of Supervisors that this site has met the requirements of the Master Matrix as presented in the construction permit application.

WHEREAS, the Kossuth County Board of Supervisors has **disapproved** the Master Matrix scoring of this facility due to separation distances not being verified, sinkhole and impaired waters of the Des Moines river.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors Hereby recommends to the Iowa Department of Natural Resources **disapproval** of the construction

permit application for Darren Tietz and Jason Fuecht (Tietz Site #1) in the NW NW of Section 4 of Sherman Township.

Public Comments were received. See attached.

Passed and Approved this 26th day of February, 2013.

Chairman, Jack Plathe
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

**Public Hearing/Construction Permit Application 9:05 a.m.
Darren Tietz and Jason Fuecht (Tietz Site #2)**

Motion by McGregor and 2nd by Wymore to open the public hearing regarding the new construction permit for Darren Tietz and Jason Fuecht (Tietz Site #2) in the NWNE Section 4 of Sherman Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Public Comments were received from Bob & Trish Casey, Channon & Cinnamon Mawdsley and Barry & Stacy Simpson

Motion by Tjarks and 2nd by McGregor to close the public hearing regarding the new construction permit for Darren Tietz and Jason Fuecht (Tietz Site #2) in the NWNE Section 4 of Sherman Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Motion by Tjarks and 2nd by McGregor to recommend to the Iowa Department of Natural Resources the disapproval by Resolution #02-26-13-02 of the construction permit application for Darren Tietz and Jason Fuecht (Tietz Site #2) in the NWNE Section 4 of Sherman Township due to them not meeting the requirements on the Master Matrix scoring system per Steve Anderson due to separation distances not being verified, sinkhole and impaired waters of the Des Moines river. Amber Garman will send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation and the public comments that were received. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

**Recommendation to Iowa DNR to Approve the Application Permit for Construction
of an Animal Confinement Feeding Operation
Resolution #02-26-13-02**

WHEREAS, the Kossuth County Board of Supervisors has adopted the Master Matrix for the purpose of scoring construction applications to provide an opportunity for local input and

WHEREAS, The Master Matrix Delegate, Steve Anderson has informed the Kossuth County Board of Supervisors that this site has met the requirements of the Master Matrix as presented in the construction permit application.

WHEREAS, the Kossuth County Board of Supervisors has **disapproved** the Master Matrix scoring of this facility due to separation distances not being verified, sinkhole and impaired waters of the Des Moines river.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors Hereby recommends to the Iowa Department of Natural Resources **disapproval** of the construction permit application for Darren Tietz and Jason Fuecht (Tietz Site #2) in the NW NE of Section 4 of Sherman Township.

Public Comments were received. See attached.

Passed and Approved this 26th day of February, 2013.

Chairman, Jack Plathe
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

**Public Hearing/Construction Permit Application 9:35 a.m.
Darren Tietz and Jason Fuecht (Tietz Site #3)**

Motion by Tjarks and 2nd by Besch to open the public hearing regarding the new construction permit for Darren Tietz and Jason Fuecht (Tietz Site #3) in the NWNW Section 3 of Sherman Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Public comments were received from Bob & Trish Casey, Channon & Cinnamon Mawdsley and Barry & Stacy Simpson.

Motion by McGregor and 2nd by Besch to close the public hearing regarding the new construction permit for Darren Tietz and Jason Fuecht (Tietz Site #3) in the NWNW Section 3 of Sherman Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Motion by McGregor and 2nd by Wymore to recommend to the Iowa Department of Natural Resources the disapproval by Resolution #02-26-13-03 of the construction permit application for Darren Tietz and Jason Fuecht (Tietz Site #3) in the NWNW Section 3 of Sherman Township due to them not meeting the requirements on the Master Matrix scoring system per Steve Anderson due to separation distances not being verified, sinkhole and impaired waters of the Des Moines river. Amber Garman will send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation along with the public comments that were received. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

**Recommendation to Iowa DNR to Approve the Application Permit for Construction
of an Animal Confinement Feeding Operation
Resolution #02-26-13-03**

WHEREAS, the Kossuth County Board of Supervisors has adopted the Master Matrix for the purpose of scoring construction applications to provide an opportunity for local input and

WHEREAS, The Master Matrix Delegate, Steve Anderson has informed the Kossuth County Board of Supervisors that this site has met the requirements of the Master Matrix as presented in the construction permit application.

WHEREAS, the Kossuth County Board of Supervisors has **disapproved** the Master Matrix scoring of this facility due to separation distances not being verified, sinkhole and impaired waters of the Des Moines river.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors Hereby recommends to the Iowa Department of Natural Resources **disapproval** of the construction permit application for Darren Tietz and Jason Fuecht (Tietz Site #3) in the NW NW of Section 3 of Sherman Township.

Public Comments were received. See attached.

Passed and Approved this 26th day of February, 2013.

Chairman, Jack Plathe
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

**Public Hearing/Construction Permit Application 10:05 a.m.
Darren Tietz and Jason Fuecht (Tietz Site #4)**

Motion by McGregor and 2nd by Tjarks to open the public hearing regarding the new construction permit for Darren Tietz and Jason Fuecht (Tietz Site #4) in the NENE Section 3 of Sherman Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Public comments were received from Bob & Trish Casey, Channon & Cinnamon Mawdsley and Barry & Stacy Simpson.

Motion by Wymore and 2nd by McGregor to close the public hearing regarding the new construction permit for Darren Tietz and Jason Fuecht (Tietz Site #4) in the NENE Section 3 of Sherman Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Motion by Wymore and 2nd by Besch to recommend to the Iowa Department of Natural Resources the disapproval by Resolution #02-26-13-04 of the construction permit application for Darren Tietz and Jason Fuecht (Tietz Site #4) in the NENE Section 3 of Sherman Township due to them not meeting the requirements on the Master Matrix scoring system per Steve Anderson due to separation distances not being verified and impaired waters of the Des Moines River. Amber Garman will send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation along with public comments that were received. . Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

**Recommendation to Iowa DNR to Approve the Application Permit for Construction
of an Animal Confinement Feeding Operation
Resolution #02-26-13-04**

WHEREAS, the Kossuth County Board of Supervisors has adopted the Master Matrix for the purpose of scoring construction applications to provide an opportunity for local input and

WHEREAS, The Master Matrix Delegate, Steve Anderson has informed the Kossuth County Board of Supervisors that this site has met the requirements of the Master Matrix as presented in the construction permit application.

WHEREAS, the Kossuth County Board of Supervisors has **disapproved** the Master Matrix scoring of this facility due to separation distances not being verified and impaired waters of the Des Moines river.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors Hereby recommends to the Iowa Department of Natural Resources **disapproval** of the construction permit application for Darren Tietz and Jason Fuecht (Tietz Site #4) in the NE NE of Section 3 of Sherman Township.

Public Comments were received. See attached.

Passed and Approved this 26th day of February, 2013.

Chairman, Jack Plathe
Kossuth County Board of Supervisors

Attest:

Amber Garman, Auditor
Kossuth County

**Public Hearing/Construction Permit Application 10:35 a.m.
Shadow Farms, LLC/NENE Section 1 Wesley Township**

Motion by McGregor and 2nd by Besch to open the public hearing regarding the new construction permit for Shadow Farms, LLC in the NENE Section 1 of Wesley Township. . Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

No public comments were received.

Motion by McGregor and 2nd by Tjarks to close the public hearing regarding the new construction permit for Shadow Farms, LLC in the NENE Section 1 of Wesley Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Motion by McGregor and 2nd by Tjarks to recommend to the Iowa Department of Natural Resources the approval by Resolution #02-26-13-05 of the construction permit application for Shadow Farms LLC in the NENE Section 1 of Wesley Township due to them meeting the requirements on the Master Matrix scoring system with a corrected score of 465 instead of 475 per Steve Anderson and to have Amber Garman send notice to the Iowa Department of Natural Resources the Kossuth County Board of Supervisors adopted recommendation. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Motion by Tjarks and 2nd by Besch to adopt Resolution #02-26-13-06 which is adopting the Kossuth County Multi-Jurisdictional Multi-Hazard Mitigation Plan for the Unincorporated areas of the County. Motion carried.

**Resolution #02-26-13-06
KOSSUTH COUNTY**

Resolution Adopting Kossuth County Multi-Jurisdictional Multi-Hazard Mitigation Plan

A RESOLUTION OF THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY IOWA ADOPTING A COUNTY WIDE MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN FOR THE UNINCORPORATED AREAS OF THE COUNTY.

WHEREAS, the Kossuth County Board of Supervisor's recognizes the cost of reoccurring hazards to county services, infrastructure, and users.

WHEREAS, the Board of Supervisor's of Kossuth County has authorized the development of a Multi-Jurisdictional Multi-Hazard Mitigation Plan for Kossuth County which includes the Kossuth County Unincorporated Areas; and,

WHEREAS, the Kossuth County Board of Supervisor's recognizes the need for public support during the planning process; and,

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisor's, herewith adopts said plan, incorporating citizen comment and recommendations.

Passed and adopted this 26th day of February, 2013.

Jack Plathe, Chairman Board of Supervisors

ATTEST: _____
Amber Garman, Kossuth County Auditor

Discussion with Kossuth County Auditor was followed by Board Discussion and Committee Reports.

On motion adjournment was taken until March 1 , 2013.

Attest:

Amber Garman
Kossuth County Auditor

Jack Plathe, Chairman
Kossuth County Board of Supervisors