

BOARD PROCEEDINGS
June 11, 2013
REGULAR JUNE 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 followed by discussion with Secondary Road Foreman.

Motion by Tjarks and 2nd by Wymore to approve the agenda and the minutes of the previous meeting dated June 4, 2013. Motion carried.

Public Hearing to Vacate Originally Established Road #43

Motion by Besch and 2nd by McGregor to open the public hearing for discussion of the vacation of approximately 1.0 mile of originally established road #43 located on the east line of section 12 of Portland Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

There were no verbal or written comments received from the public.

Motion by McGregor and 2nd by Tjarks to close the public hearing for discussion of the vacation of approximately 1.0 mile of originally established road #43 located on the east line of section 12 of Portland 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 Wymore to adopt Resolution #06-11-13-01 which approves the vacation of approximately 1.0 mile of originally established road #43 located on the east line of section 12 of Portland Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

RESOLUTION # 06-11-13-01

WHEREAS; This being the date and time for the public hearing on the proposed vacation and closure of a portion of Kossuth County local secondary road described as follows:

That part of the originally established road #43, being 66 feet in width, 33 feet on each side of the following described centerline;

Beginning at the Northeast corner of section 12, T-97N, R-28W of the 5th P.M., Kossuth County, Iowa, thence 1.0 mile south along the east line of said section 12 to the Southeast corner of said section 12.

WHEREAS; Proper and legal, notice and publications were served and published according to the Code of Iowa and,

WHEREAS; There were no claims for damages filed and,

WHEREAS; No written comments or questions were received from the public.

NOW THEREFORE BE IT RESOLVED by the Kossuth County Board of Supervisors that the subject section of the road is ordered vacated and closed.

DATE: June 11, 2013

Jack Plathe, Chairman
Kossuth County Board of Supervisors

STATE OF IOWA)
) SS
COUNTY OF KOSSUTH)

I, Amber Garman, hereby certify that I am the Secretary of the Kossuth County Board of Supervisors, that the above and foregoing resolution is a true and correct copy of the resolution which was passed, adopted and approved by the Kossuth County Board of Supervisors on the 11th day of June, 2013.

Amber Garman
Kossuth County Auditor

Motion by Wymore and 2nd by Tjarks that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Martha Unke, Fridley, MN, to install a new drain tile across 200th Avenue. The crossing will involve excavating a trench and installing 100 linear feet of 12" 2000d reinforced concrete pipe. The crossing is approximately 1,950 feet north of the intersection with 200th Street. Work will be in Sections 7 and 8 of Prairie Township. Permit number 06-28-2013 is on file in the Kossuth County Engineer's Office. 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 MediaCom, of Middletown, NY, to do maintenance repair. Work will consist of replacing a bad underground line for approximately 250' from existing pedestal on 365th Street to residence at 1303 365th Street. The work will be in Section 19 Ramsey Township. Permit number 06-30-2013 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Wymore and 2nd by McGregor that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to the City of West Bend, West Bend IA, to convert single phase line to a three phase line. Work will involve trenching 3 phase primary electric service in south shoulder of 110th Street, beginning approximately 2,500 feet east of the intersection of Highway 15 for approximately 1000 feet. Work also includes adding anchors and ground rods by existing poles in the south right of way of 110th Street, Section 31 Garfield Township. Permit number 06-29-2013 is on file in the Kossuth County Engineer's Office. Motion carried.

**Public Hearing –Construction Permit Application
Roger Cherland SW SE Section 30 Burt Township**

Motion by McGregor and 2nd by Tjarks to open the public hearing regarding the new construction permit for Roger Cherland in the SWSE Section 30 Burt Township. Chairman Plathe called for a roll call vote: Besch: yes, McGregor: yes, Tjarks: yes, Wymore: yes, Plathe: yes

Written comments were received from Trish Gerhart, Tim Yarbrough, Mike Kadow
Verbal comments were received from Darrel Schmidt and Trish Gerhart

Motion by Besch and 2nd by McGregor to close the public hearing regarding the new construction permit for Roger Cherland in the SWSE Section 30 Burt 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 Tjarks to recommend to the Iowa Department of Natural Resources the approval by Resolution #06-11-13-02 of the construction permit application for Roger Cherland in the SW SE Section 30 of Burt Township due to them meeting the requirements on the Master Matrix scoring system 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

**Recommendation to Iowa DNR to Approve the Application Permit for Construction
of an Animal Confinement Feeding Operation
Resolution # 06-11-13-02**

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 he scored this matrix identically to the applicant and this site has met the requirements of the Master Matrix. His score is based on the Master Matrix filed in the Kossuth County Auditor's Office on May 20, 2013.

WHEREAS, the Kossuth County Board of Supervisors has **approved** the Master Matrix submitted on June 11, 2013. The score of this facility is 480 points.

NOW THEREFORE BE IT RESOLVED, that the Kossuth County Board of Supervisors Hereby recommends to the Iowa Department of Natural Resources **approval** of the construction permit application for Roger Cherland in the SW SE of Section 30 of Burt Township.

Public Comments: Yes (If yes, they are attached)

Passed and Approved this 11th day of June, 2013.

Chairman, Jack Plathe
Kossuth County Board of Supervisors

Attest:

Amber Garman, Kossuth County Auditor

The Board of Supervisors acknowledged transfers made by the Kossuth County Auditor on June 5, 2013. The transfers include a transfer from General Basic to the Secondary Road Fund in the amount of \$1,846.18, transfer from Rural Basic to Secondary Road in the amount of \$18,171.03 and from the Rural Basic to the Secondary Road Fund in the amount of \$300,000 which is the 2nd ½ of LOST dollars.

Motion by Besch and 2nd by Wymore to approve the fireworks permit on file in the Kossuth County Auditor's Office for ABATE of Iowa, Inc. at 2507 160th Avenue for July 5th and 6th, 2013. Motion carried.

Drainage was held followed by discussion regarding amending the Buffalo Township Urban Renewal Plan in which no action was taken. Discussion with Kossuth County Auditor was followed by Board Discussion and Committee Reports.

On motion adjournment was taken until June 18, 2013.

Attest:

Amber Garman
Kossuth County Auditor

Jack Plathe, Chairman
Kossuth County Board of Supervisors