

BOARD PROCEEDINGS

TWENTY-SECOND DAY

MAY 11, 2004

REGULAR MAY 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.

Discussion with Secondary Road Foreman.

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

Motion by Besch and 2nd by Cink to approve the following claims:

GENERAL BASIC FUND:

Algona Municipal Utilities	Utilities	2224.20
Deborah Baas	Expenses	60.00
Rosemary Bormann	Expenses	51.00
Hampton Inn	Lodging	301.74
KRHC-Hospital	Allocation	1992.00
Cinnamon Mawdsley	Expenses	15.00
United States Cellular	Phone	145.36
Waste Management	Services	180.59
Wellmark Inc Flexible Benefits	Services	185.00

SECONDARY ROAD FUND:

Airgas North Central	Rental	69.00
Algona Feed Store	Custom hwy mix	2460.00
Algona Machine & Supply	Outside labor/shear	324.26
Algona Municipal Utilities	Utilities/Repairs	2400.23
Alliant Energy	Utilities area shops	1470.23
ATCO International ATTN: Acco	See-thru	110.00
Barnes Group Inc.	Misc repair parts/supplie	532.86
Blacktop Service Co	161,000 lin ft/crackfilli	98541.00
Boyer Trucks Sioux Falls, Inc.	3-2005 Sterling Trucks	220810.00
Buscher Bros. Corporation	Repair part	5.22
Butler & Curtis Oil Inc.	Vehicle wash/conc	176.00
Catco	Misc repair parts/repairs	827.58
City of Bancroft	Utilities Bancroft Shop	146.21
City of Swea City	Utilities Swea City Shop	14.75
Cook's Scrap Iron & Metal	Misc welding supplies	232.10
Cummins Great Plains	Housing/gear/gasket/kit	396.47
Daylights Donuts	Safety	23.03
Ed's Conoco Service	Tire repair	162.35
Fenton Coop Telephone	Telephone service/Fenton	18.84
Finn Corp	Filter element/safety fil	83.52
Force America Inc.	Couplings/close nipple	13749.01
Fort Dodge Machine & Supply	Pintle hook-3	454.50
Greenberg Auto Supply	Misc repair parts/supplie	1113.99
Grey Products Corp	Grease typ clutch housing	170.15
Heartland Power Company	Security lights	48.00
HicktoryTech	Phone service-Bancroft	81.17
Humboldt County REC	Repairs to power line	638.45
Hy Vee Food Store	Batteries	4.99
IdentityNow.com	Safety supplies	1079.90
Iowa Lakes Electric Coop	Repair security light	41.75
Iowa Office Supply	Engineering field books	37.87
Iowa Transit	Fiberglass tapes	207.61
Jacks OK Tire Service	Misc tire repairs	2380.46
Lone Rock CO-OP Tel Co.	Telephone service-Lone Ro	33.32
Max Yield Cooperative	Fuel for West Bend/Bancro	2744.04
Meteorlogix	Sub fee/June/July/Aug	261.00
Mid American Energy	Electric service/LuVerne	180.63
Miller Lumber Company	Misc drainage repairs	205.04
Napa Auto Parts	Grease cap	23.64
Northern IA Constructs	24-18" Aprons	2918.40
Northland Computer System	Ribbon	12.95
Northwestern Mutual	Term Life Insurance Premi	879.50

R & M Supplies	Shop supplies	492.00
River Valley Truck Centers	Misc repair parts/clamp	888.75
Secretary of State State of Io	Notary Renewal	30.00
Shoppers Supply	Misc repair parts/supplie	472.18
Sioux City Iron Co	Norzon boxes	177.43
Star Energy	Fuel area shops/gasohol	7434.51
Ternes Garage	Tire repair/tube	113.00
Titonka-Burt Communication	Telephone service-Titonka	29.36
United States Cellular	Cellular phone service	181.44
W & H Coop Oil Co	Fuel 3 area shops/gasohol	10276.76
Waste Management	May commerical service	121.72
Ziegler Inc	Misc repair parts/supplie	1918.58

MGP G O BONDS:

First American Wealth Managmen GO BOND	417201.25
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E-911 SURCHARGE FUND:

Emmet County Auditor	Generator	1940.67
Ramsey Enterprises Inc	Wireless E911	1200.00

Ayes: all Nays: none. Motion carried unanimous.

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

Public Discussion and Committee Reports were held.

The Supervisors and the Departments in the Courthouse will form a committee to participate in the Sesquicentennial celebration and have a float.

Motion by Besch and 2nd by Froehlich to re-open the public hearing continued from April 20, 2004 regarding the proposed vacation and closure of the east one-half mile of secondary road located between Section 3 of Sherman Township and Section 34 of Irvington Township. Ayes: all Nays: none. Motion carried unanimous.

Motion by Cink and 2nd by Elsbecker to close the public hearing. Ayes: all Nays: none. Motion carried unanimous.

Moved by Elsbecker and seconded by Cink to adopt the following resolution.

RESOLUTION # 05-11-04-01

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

That part of originally established road #117, being 66' in width, 33' on each side of the following described centerline:

Beginning at the North Quarter Corner of Section 3-94-28; thence East along section line to the Northeast Corner of Section 3-94-28 and thence terminating.

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; Phillip J. Reding by and through his attorneys, Buchanan, Bibler & Gabor, filed a written qualified objection to the proposed vacation and,

WHEREAS; comments and questions were received from the public and,

WHEREAS; the Board of Supervisors continued the public hearing held at 10:00 am on April 20, 2004 to 10:00 am on May 11, 2004 and,

WHEREAS; further comments and questions were received from the public at the continued hearing.

NOW THEREFORE BE IT RESOLVED by the Kossuth County Board of Supervisors that the west 100 feet of the subject section of road remains open as a Level "B" Road and that the remaining subject section of the road is ordered vacated and closed.

Roll call vote:

Besch passed, Cink yes, Elsbecker yes, Froehlich yes, McGregor yes. Don Besch called on to vote again. Besch yes. Motion carried unanimous.

DATE: May 11, 2004

Don McGregor, Chairman
Kossuth County Board of Supervisors

State of Iowa
County of Kossuth County Auditor

I, Joann Bormann, 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 May, 2004.

Joann Bormann
Kossuth County Auditor

A letter will be sent to the Department of Natural Resources to inform them that construction on F-70, Christensen Farms has been abandoned at this time. No other action was taken.

RESOLUTION # 05-11-04-02

Motion by Elsbecker and seconded by Besch to approve the following resolution.

WHEREAS; Chapter 317.13 of the Code of Iowa requires that each year the Board of Supervisors prescribe and order a program of weed destruction to be followed by landowners and tenants.

WHEREAS; it is the recommendation of the Kossuth County Weed Commissioner that the following weed policy be adopted.

NOW THEREFORE BE IT RESOLVED by the Kossuth County Board of Supervisors to adopt the following noxious weed policy for all Kossuth County landowners and tenants:

NOXIOUS WEED POLICY

Notice is hereby given this 11th day of May, 2004, pursuant to the Code of Iowa, Chapter 317, Weed Law. All owners, occupants, agents, and public officials in charge of lands in Kossuth County shall destroy or eradicate noxious weeds standing, being, or growing on such lands by effective cutting, tillage, cropping, or treating with chemicals or combination thereof, **as often as may be required to prevent the weeds from blooming and maturing seeds.**

GROUP 1 - by June 5 - Leafy spurge, Hoary cress, Sour Dock, Smooth dock, Red Sorrel, Musk thistle, Buckthorn.

GROUP 2 – by June 16 - Canada thistle, Russian knapweed, Buckthorn plantain, Wild mustard.

GROUP 3 – by July 15 - Field bindweed, Wild carrot, Poison hemlock, Multiflora rose, Horsenettle, Sowthistle, Quackgrass, Velvetleaf, Puncture vine, Cocklebur, Bull thistle, Tall thistle, Wild sunflower, Teasel, and all other thistles of the *Cirsium* or *Carduus* genus, Shattercane and Purple Loosestrife.

Upon failure to observe this notice, the Weed Commissioner is required to proceed pursuant to the law and have the weeds destroyed, the expense of which shall constitute a lien and be entered as a tax against the land and be collected as other real estates taxes are collected.

Ayes: all Nays: none. Motion carried unanimous.

DATE: May 11, 2004

Don McGregor, Chairperson

Kossuth County Board of Supervisors

ATTEST Joann Bormann
Kossuth County Auditor

Ken Mulligan
Kossuth County Weed Commissioner

Motion by Cink and 2nd by Froehlich to approve purchase of a new Tiger/Deere twin mower package from REXCO Equipment, Inc., Des Moines, Iowa, in the amount of \$62,055.00. Ayes: all Nays: none. Motion carried unanimous.

KOSSUTH COUNTY RESOLUTION # 05-11-04-03

Moved by Froehlich and Seconded by McGregor to approve the following resolution:

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 northbound traffic at the intersection of 160th Avenue and the Union Pacific Railroad near the Northwest Corner of 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 sign be installed for northbound traffic at the intersection of 160th Avenue and the Union Pacific Railroad near the Northwest Corner of section 22, T-99N, R-28W, Ledyard Township, Kossuth County.

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

Ayes: all Nays: none. Motion carried unanimous.

PASSED AND APPROVED THIS 11th DAY OF MAY, 2004.

Don McGregor, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Joann Borman
Kossuth County Auditor

Motion by McGregor and 2nd by Elsbecker to appoint Bob Cink and Lee Froehlich to work along with CPC and Relief Office to work through transition. Ayes: all Nays: none. Motion carried unanimous.

Letters of dismissal from General Assistance was given to Pam Klein and Marvel Immerfall. This is a reduction in staff due to the merger April 13, 2004.

Motion by Cink and 2nd by Froehlich to approve application for fireworks for Marjorie Schoons, 2409 20th Ave., Whittemore, Iowa 50598. Ayes: all Nays: none. Motion carried unanimous.

The Visitor Guide for Kossuth County, KCEDC will be put on the agenda for May 18, 2004.

On motion adjournment was taken until May 18, 2004.

Attest: _____
Joann Bormann
Kossuth County Auditor

Don McGregor, Chairman
Board of Supervisors

