

**BOARD PROCEEDINGS**  
**May 5, 2015**  
**REGULAR MAY SESSION**

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

Public Discussion was held.

Motion by Tjarks and 2<sup>nd</sup> by Plathe to approve the agenda, the minutes of the previous meeting dated April 28, 2015 and the claims which include two handwritten claims payable to Bob Boland Ford in the amount of \$44072.88 and to Midwest Tactical Officers Association in the amount of \$525.00. Motion carried.

Advanced Door System	Srvs	506.00	1
Advanced Drainage	Supp	1170.54	1
AMU	Srvs	799.87	3
Alg Pub Co	Notices	589.75	2
Alliant Energy	Srvs	1676.14	1
AU Life Ins	Ins.	67.20	1
S Anderson	Exp	324.88	1
J F Antoine	Exp	23.00	1
AUS Des Moines MC Lockbox	Srvs	28.00	1
Arnold Motor Supply	Parts	682.70	1
AT & T	Phone	40.44	1
Fidelity Sec Lif Ins	Ins	79.10	1
M Baade	Exp	9.08	1
Bomgaars	Supp	2153.39	4
N Bormann	Exp	300.00	1
Brown's Shoe Fit Co	Supp	163.61	2
R Bunkofske	Exp	650.00	2
Burr Oak Motel	Lodging	47.08	1
Butte Weekly	Notices	92.50	1
Calhoun-Burns & Associates, In	Ser	3187.90	1
CCMS	Reg	341.00	1
CCP Industries	Sup	1066.07	1
Central IA Dist	Supp	1031.40	2
Centurylink	Phone	873.60	2
Certified Lab	Supp	165.00	1
Cintas	Supp	56.39	1
City of Fenton	Utilities	62.20	1
City of Titonka	Utilities	186.51	1
City of Wesley	Utl	49.36	1
City of West Bend	Utl	347.43	1
Computer Systems	Supp	39.90	1
Contech Engineered Solutions L	Sup	6364.80	1
Cooks Scrap Iron & Metal	Supp	30.55	1
County Social Services	Allocation	184838.00	1
Daylight Donuts	Supp	42.50	1
Electrical Eng	Srvs	129.52	1
Electronic Specialties	Srvs	39.25	1
Fareway	Supp	406.99	1
Farmers Coop Elev	Fuel	792.29	1
Fidlar Tech	Exp	278.00	1
FleetPride	Parts	332.65	1
Force America	Parts	931.69	1
Foster's Frame & Alignment	Ser	687.77	1
R Freeburg	Exp	150.00	1
D Goede	Tools	10.00	1
H Haag	Exp	16.10	1
Hallett Materials	Supp	298.70	1
Hancock Concrete Prod	Pipe	3930.24	1
Hancor, Inc.	Pipe	2671.40	1
R Harms	Exp	1750.00	3
D Heiderscheidt	Exp	8.98	1
Holiday Inn Ames Conf Center	Lodging	350.54	2
Holiday Inn	Lodging	168.00	1
G Huber	Exp	300.00	1

Ia Comm Assurance Pool	Ins	2649.00	1
Iowa Lakes Comm College	Training	150.00	1
IOS	Supp	978.08	12
IA One Call	Srvs	44.10	1
IA Prison Ind	Signs	166.32	1
ISACA Treasurer	Reg	325.00	2
ISCTA	Dues	290.00	1
ITsavvy LLC	Supp	1995.50	4
Jacks OK Tire Srv	Srvs	1662.64	1
Johnston Autostores	Parts	628.58	2
Joyce Funeral Home	Srvs	2780.00	1
Kemna GM	Serv	807.84	1
Kens Wood Prod	Exp	787.50	1
KRHC	Srvs	825.00	1
KC Sheriff	Srvs	78.40	1
KC Treas	Srvs	63.58	2
S Long	Exp	71.31	1
C Ludwig	Exp	130.48	1
Mail Serv	Supp	504.14	1
Martin Marietta Agg	Rock	3580.50	1
M McGregor	Exp	82.31	1
McMahon Stowater Lynch Laddusa	Srvs	90.00	1
Merryman Bridge Cons	Cons	75702.17	1
Metal Culverts	Pipe	28358.22	1
K Meyer	Exp	34.50	1
Mid Am Energy	Srvs	1850.14	2
Midwest Alarm Srvs	Srvs	840.00	1
Mike Looft TW	Fuel	10459.83	1
NW Comm	Service	806.70	2
NUGENCO	Exp	500.00	1
Oakcrest	Srvs	231.08	1
Petroblend	Exp	152.25	1
Phil's Auto & Trk Rpr II	Srvs	114.78	2
Print Shoppe Plus	Srvs	1150.00	1
Michael D. Raner	Exp	100.00	1
Recorder's Assoc	Exp	13.50	1
Ruhnke Bros	Srvs	1155.99	1
Schrauth Flooring	Srvs	1319.42	1
Sec St Bank	Srvs	25.00	1
Sign Works	Supp	192.34	1
Solutions	Srvs	953.00	3
Stanard & Associates	Srvs	124.00	1
Sup Lamp	Supp	1394.47	1
Water Conn	Srvs	43.92	2
D Thilges	Exp	10.35	1
US Postmaster	Exp	611.46	1
US Cellular	Srvs	479.70	3
US Postmaster	Postage	577.54	1
S Waller	Exp	30.72	1
Warner Plastics & Liners	Sup	1297.00	1
Washburn	Srvs	560.00	1
J Weichert	Exp	8.55	1
Westman Freightliner	Parts	1239.00	1
Windstream	Srvs	138.73	1
Ziegler	Equ	206600.00	1
<b>Grand Total</b>		<b>577102.65</b>	

#### Drainage Claims

S & S Jetting	Drain HK 5-87	\$200.00
Algona Publishing Co.	Drain 45	\$112.93
Bolton & Menk	Drain 9	\$2906.00
Bolton & Menk	Drain 9	\$680.00
Bolton & Menk	Drain 9	\$2149.50
Bolton & Menk	Drain 9	\$280.00
Robert Bunkofske	Drain 7	\$400.00
Robert Bunkofske	Drain 86	\$500.00
Robert Bunkofske	Drain 165	\$100.00

Roger Harms	Drain 9	\$300.00
Roger Harms	Drain HK 8	\$100.00
Roger Harms	Drain 91	\$50.00
Roger Harms	Drain 150	\$150.00
Roger Harms	Drain 4	\$100.00
McClure Engineering	Drain 134	\$250.00
McClure Engineering	Drain 39	\$5742.50
McClure Engineering	Drain 99	\$1444.50
McClure Engineering	Drain 80 Lat 80	\$3358.00
McClure Engineering	Drain 60 Sub 3	\$790.50
McClure Engineering	Drain 4 Lat 2	\$765.75
McClure Engineering	Drain PAK 1 Lat 48	\$1771.50
McClure Engineering	Drain 110	\$942.00
McClure Engineering	Drain 96	\$764.00
Kossuth County Secondary Road	Drain WK 35-89 Lat 6	\$111.12
Reutzel Excavating Inc.	Drain 9	\$6697.85
Algona Publishing Co	Drain 9	\$36.63
Hudson Law Firm	Drain 9	\$120.00
Kossuth County Secondary Road	Drain 9	\$1810.37
Kossuth County Secondary Road	Drain 9	\$789.55
Reutzel Excavating Inc.	Drain 83	\$16597.50
Reutzel Excavating Inc.	Drain 2 Consent	\$6196.00
Reutzel Excavating Inc.	Drain PAK 1	\$2507.00
Reutzel Excavating Inc.	Drain TRI 84	\$704.00
Reutzel Excavating Inc.	Drain 69 Lat 4	\$1244.00
Reutzel Excavating Inc.	Drain 83	\$3938.50
Reutzel Excavating Inc.	Drain 63	\$747.00
Reutzel Excavating Inc.	Drain 110	\$160,220.42
Reutzel Excavating Inc.	Drain PAK 1 Lat 48	\$64,953.68
<b>TOTAL</b>		<b>\$290,530.80</b>

Discussion was held with Kendall Stumme in regards to Kossuth County Conservation Boards offer to purchase Beneke Land which is 61 acres in Section 30 of Prairie Township.

Motion by Besch and 2<sup>nd</sup> by Wymore to approve the “Notice to the Public” for Noxious Weed Control and to have Steve Anderson, Weed Commissioner publish said notice. Motion carried.

Motion by Plathe and 2<sup>nd</sup> by Tjarks to approve Resolution #05-05-15-01 for Highly Pathogenic Avian Influenza (HPAI) which proclaims a civil emergency and authorizing chairperson to issue orders of road closure and/or embargo. Motion carried.

Resolution     #05-05-15-01    

**RESOLUTION PROCLAIMING A CIVIL EMERGENCY AND AUTHORIZING CHAIRPERSON TO ISSUE ORDERS OF ROAD CLOSURE AND/OR EMBARGO**

Whereas, Kossuth County, Iowa, including both incorporated and unincorporated areas thereof, is currently experiencing significant risk of infection of its poultry by the Highly Pathogenic Avian Influenza (HPAI): and

Whereas, Kossuth County may, pursuant to its home rule authority, exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the County and/or of its residence, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents; and

Whereas, the Kossuth County Board of Supervisors on May 5, 2015, declare a state of emergency in Kossuth County in an effort to take a proactive, preventative approach to the widespread Highly Pathogenic Avian Influenza (HPAI); and

Whereas, the Kossuth County Board of Supervisors has determined that in following suit with surrounding counties in Iowa and the proclamation of disaster emergency by Iowa Gov. Terry E Branstad it is necessary to order the mandatory closing of certain roads of unincorporated Kossuth County and restrict movement of any poultry or poultry waste products within 0.5 miles of any poultry facility not owned by that facility, in order to protect or preserve life or property; to assist in disaster mitigation, response and recovery; and to generally preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents.

Therefore, be it resolved by the Kossuth County Board of Supervisors that due to the current risk of infection of its poultry by the Highly Pathogenic Avian Influenza (HPAI) in Kossuth County, Iowa, there is proclaimed to be a state of emergency in the unincorporated areas of the county; and

Be it further resolved that the Chairperson of the Board of Supervisors may, in response to the state of emergency, issue orders of road closure and or embargo for any part of unincorporated Kossuth County that the Chairperson deems advisable as necessary to protect or preserve life or property or as necessary to assist in disaster mitigation, response or recovery; and

Be it further resolved that any such order of road closure and or embargo shall be made in writing and communicated in such a manner as to reasonably apprise the affected residents and the general public of the specific time and location of the roads to be closed and or any restrictions on the movement of any poultry or poultry waste products; and

Be it further resolved that ingress and egress to and from any road designated by the county shall be limited to authorized law enforcement, emergency management personnel and other person specifically designated by the county. All other vehicles are prohibited from traveling on designated roads; and

Be it further resolved that the movement or transport of any poultry or poultry waste products is hereby prohibited within 0.5 miles of any poultry facility. This prohibition shall not apply to a poultry facility moving or transporting on or near its own facility; and

Be it further resolved that the Kossuth County Board of Supervisors hereby requests that the State of Iowa issue an embargo and/or take actions to prohibit the movement or transport of any poultry or poultry waste products within 0.5 miles of any poultry facility in Kossuth County.

Motion by Plathe, second by Tjarks, to approve resolution     #05-05-15-01    .

---

Don McGregor  
Chairman, Kossuth County Board of Supervisors

---

Attest: Amber Garman, Kossuth County Auditor

Motion by Besch and 2<sup>nd</sup> by Wymore to adopt Resolution #05-05-15-02 which sets the date for the public hearing for Assessment of Corrective Measure Report. Motion carried.

**Resolution #05-05-15-02**

WHEREAS: The Kossuth County Board of Supervisors has submitted an Assessment of Corrective Measures to the Iowa Department of Natural Resources, and

WHEREAS: The Iowa Department of Natural Resources has approved the Assessment of Corrective Action contingent on the outcome of a required public hearing.

THEREFORE BE IT RESOLVED; That a public hearing be held on June 9, 2015 at 10:15 a.m., in the board Room of the Kossuth County Courthouse to discuss the proposed Assessment of Corrective Measures to the Kossuth County Landfill.

Resolution adopted this 5<sup>th</sup> day of May, 2015.

Attest: \_\_\_\_\_  
Amber Garman  
Kossuth County Auditor

\_\_\_\_\_  
Don McGregor, Chair  
Kossuth County Board of Supervisors

Motion by Wymore and 2<sup>nd</sup> by Plathe that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Algona Municipal Utilities, Algona, IA, to install underground conduit for electric. Work will involve replacing a power pole and boring three 2" conduits under Irvington Road approximately 1050 feet east of US Highway 169, in section 12, Cresco Township. Permit number 05-14-2015 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Wymore and 2<sup>nd</sup> by Tjarks to approve Resolution #05-05-15-03 which provides for the temporary closing of sections of roadway when necessary because of construction. Motion carried.

**RESOLUTION#05-05-15-03**

WHEREAS, Section 306.41 of the Code of Iowa provides for the temporary closing of sections of roadway when necessary because of construction, and

WHEREAS, the County Engineer has been authorized by a previous resolution of this Board of Supervisors to execute the requirements of Section 306.41 regarding temporary road closures, and

WHEREAS, bridge replacement project L-B671003—73-55 will require that 220<sup>th</sup> Avenue between 260<sup>th</sup> Street and 270<sup>th</sup> Street be closed to all traffic, and

NOW, THEREFORE, BE IT RESOLVED, by the Kossuth County Board of Supervisors that the above described roads be closed and proper signs be erected for the duration of the construction project as determined by the County Engineer.

BE IT FURTHER RESOLVED, that upon completion of the construction work, as determined by the County Engineer, the road shall be opened to the traveling public without further action of this board.

May 5, 2015  
Dated at Algona, Iowa

\_\_\_\_\_  
Don McGregor, Chairperson  
Kossuth County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Amber Garman  
Kossuth County Auditor

Motion by Plathe and 2<sup>nd</sup> by McGregor to approve Resolution #05-05-15-04 which provides for the temporary closing of sections of roadway when necessary because of construction. Motion carried.

**RESOLUTION#05-05-15-04**

WHEREAS, Section 306.41 of the Code of Iowa provides for the temporary closing of sections of roadway when necessary because of construction, and

WHEREAS, the County Engineer has been authorized by a previous resolution of this Board of Supervisors to execute the requirements of Section 306.41 regarding temporary road closures, and

WHEREAS, a resurfacing project FM-CO55(151)--55-55 will require that B-19 (310<sup>th</sup> Street) from the Palo Alto/Kossuth County line east 11 miles to Iowa Highway #169 be closed to all traffic, and

NOW, THEREFORE, BE IT RESOLVED, by the Kossuth County Board of Supervisors that the above-described road be closed and proper signs be erected for the duration of the construction project as determined by the County Engineer.

BE IT FURTHER RESOLVED, that upon completion of the construction work, as determined by the County Engineer, the road shall be opened to the traveling public without further action of this board.

May 5, 2015  
Dated at Algona, Iowa

\_\_\_\_\_  
Don McGregor, Chairperson  
Kossuth County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Amber Garman  
Kossuth County Auditor

Discussion with Kossuth County Engineer was held followed by Drainage.

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

On motion adjournment was taken until May 12, 2015.

Attest:

---

Amber Garman  
Kossuth County Auditor

---

Don McGregor, Chairman  
Kossuth County Board of Supervisors