

REGULAR NOVEMBER SESSION

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

The Board had a discussion about Self Insurance at 8:00 a.m. with Trish Casey and Doug Miller.

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

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

The Supervisors acknowledged the receipt of the Initial Bargaining Proposal of the Secondary Road Unit.

Motion by Elsbecker and 2nd by Wymore to approve **Resolution #11-24-09-01** which gives its support for the Lakota Annexation Project. Ayes: all Nays: none Motion carried unanimous.

RESOLUTION 11-24-09-01
COUNTY OF KOSSUTH, IOWA

RESOLUTION SUPPORTING THE ANNEXATION APPLICATION, THE ANNEXATION OF LAND TO THE CITY OF LAKOTA

WHEREAS, the Board of Supervisors of Kossuth County were notified by the City of Lakota that it had received an application for the annexation of certain properties to the City; and

WHEREAS, the properties proposed for annexation are located outside the boundaries of the City of Lakota, but contiguous to the City; and

WHEREAS, the City of Lakota has expressed its desire to consider the application for annexation, pursuant to Chapter 368 of the Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY, IOWA THAT:

1. The County of Kossuth acknowledges the receipt of copies of the application for annexation from the property owners identified in Exhibit A, a map of the proposed area to be annexed and a legal description of the annexation. A copy of which is attached to this resolution.
2. Information was provided to the County Board of Supervisors on November 10th and the County Board of Supervisors did meet with representatives of the City of Lakota on November 17, 2009 In compliance with Chapter 368 of the Code of Iowa.
3. The County Board of Supervisors understands that the proposed area to be annexed includes a County owned parcel approximately 2.308 acres in size and identified as parcel number 50724276001 and hereby consents to the annexation of this parcel.
4. The County Board of Supervisors further understands that right-of-way for County roads is also included in the proposed annexation and that this is permitted under Chapter 368 of the Code of Iowa, provided notice is given to the County Attorney of the public hearing pursuant to Chapter 368 of the Code of Iowa.
5. The County Board of Supervisors supports the proposed annexation of land to the City of Lakota.

Adopted this _____ day of November, 2009.

Jack Plathe, Chair

ATTEST:

Amber Garman, Kossuth County Auditor

Motion by Plathe and 2nd by McGregor to approve Resolution #11-24-09-02 which approves the application for Enterprise Zone Certification for 1.4 Acres in the City of Algona. Ayes: 4 Nays: 1 Motion carried. (Besch: no)

Kossuth County, Iowa Resolution #11-24-09-02

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN KOSSUTH COUNTY.

WHEREAS, Kossuth County, Iowa, (hereinafter referred to as “County”) is a political subdivision organized and existing under the laws and the constitution of the State of Iowa (hereinafter referred to as “State”); and

WHEREAS, the purpose of Iowa Code Sections 15E.191 through 15E.196 is to promote new economic development in economically distressed areas by encouraging communities to target resources in ways that attract productive private investment; and

WHEREAS, administrative rules adopted by the Iowa Department of Economic Development (hereinafter referred to as “Department”) require the County to approve, by resolution, the establishment of an enterprise zone and the submission of an application requesting certification to the Iowa Department of Economic Development Board (hereinafter referred to as “Board”); and

WHEREAS, Iowa Code Section 15E.196 enumerates incentives or assistance for an eligible business located in an enterprise zone. For purposes of determining the incentives or assistance provided in Section 15E.196, “*eligible business*” means a business which has been approved to receive incentives and assistance by the Department pursuant to application as provided in Section 15E.196 of the Iowa Code. One of the incentives listed is the County for which an eligible enterprise zone is certified may exempt from all property taxation all or a portion of the value added to the property upon which an eligible business locates or expands in an enterprise zone and which is used in the operation of the eligible business. (Under Article 8; Section 6, the Commission will utilize the decision matrix forms in determining the property tax exemption under the Enterprise Zone Benefits. Refer to Attachment Amended Resolution #1).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY AS FOLLOWS:

SECTION 1. The County certifies that it is an eligible participant and meets the following required distress criteria pursuant to Iowa Code Section 15E.194: (Choose all that apply – must have at least 2)

- The County has an average weekly wage that ranks among the bottom twenty-five counties in the state based on the 2000 annual average weekly wage for employees in private business.
- The County has a family poverty rate that ranks among the top twenty-five counties in the state based on the 2000 census.
- The County has experienced a percentage population loss that ranks among the top twenty-five counties in the state between 1995 and 2000.
- The County has a percentage of persons sixty-five years of age or older that ranks among the top twenty-five counties in the state based on the 2000 census.

SECTION 2. The County hereby requests enterprise zone certification from the Board, pursuant to Iowa Code Section 15E.192, for **1.40 acres** described below, which the County verifies the total amount of land designated as enterprise zones under Iowa Code Section 15E.192, Subsections 1 and 2, and any other enterprise zones certified by the Department, excluding those approved pursuant to Iowa Code Section 15E.194, Subsection 4, does not exceed in the aggregate one (1) percent of the total county area (623,248 or 623,251.20 acres).

(See attached legal descriptions and site maps)

SECTION 3. The County shall provide a copy of this resolution to the Department and shall file this resolution with the Kossuth County Assessor.

SECTION 4. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

SECTION 6. This resolution shall become effective immediately upon its passage and approval.

Passed and approved this 24th day of November, 2009.

Jack Plathe, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Amber Garman, Kossuth County Auditor

Motion by Besch and 2nd by Wymore to accept the resignation of Amber Garman as Recording Secretary of the Enterprise Zone Commission. This resignation will be effective as of December 31, 2009. Ayes: all Nays: none Motion carried unanimous.

Public Discussion and Committee Reports were held followed by Drainage.

Motion by Besch and 2nd by McGregor to approve the 2009 Weed Commissioner Report submitted by Jack Bradley. Ayes: all Nays: none Motion carried unanimous.

Jack Bradley gave the Board of Supervisors an update on the Sexton Property. He has been in touch with Drew Fett and Jack has also taken some photos that show the improvements to the property. There has been significant improvements, but Drew no longer feels that he can save the building. His intention is to tear it down. The Board has asked Jack Bradley to notify Drew that we need a revised plan to state these changes. Jack will be in contact with Drew.

Bill Frideres was acknowledged for his upcoming retirement.

Motion by Wymore and 2nd by Elsbecker to agree to the terms set forth in Iowa Department of Transportation Federal-aid Agreement for a County Highway Bridge Program Project BRS-C055(132)—60-55, Iowa DOT Agreement Number 2-09-HBRRS-046 and to authorize the chair to sign the agreement for Kossuth County, Iowa. Ayes: all Nays: none Motion carried unanimous.

Motion by McGregor and 2nd by Elsbecker to agree to the terms set forth in Iowa Department of Transportation Federal-aid Agreement for a County Highway Bridge Program Project BRS-C055(133)—60-55, Iowa DOT Agreement Number 2-09-HBRRS-047 and to authorize the chair to sign the agreement for Kossuth County, Iowa. Ayes: all Nays: none Motion carried unanimous.

Scott Curtis from Kossuth Regional Health Center was present to give the monthly report and to discuss the upcoming FY Medical Examiner Fees. He presented the Board with his request and the Board will take a look at this possible change during their annual budget workshops.

On motion adjournment was taken until December 1 , 2009.

Attest:

Amber Garman
Kossuth County Auditor

Jack Plathe, Chairman
Kossuth County Board of Supervisors