

BOARD PROCEEDINGS
October 4, 2011
REGULAR OCTOBER SESSION

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

Motion by Plathe and 2nd by Besch to approve the agenda. Motion carried.

Motion by Elsbecker and 2nd by Besch to approve the minutes of the previous meeting as read and corrected. Motion carried.

Motion by Wymore and 2nd by Elsbecker to approve the claims which included two handwritten claims payable to Elbert Chevrolet Inc for \$52,776.00 and to Business Card in the amount of \$803.93. Motion carried.

Airgas NC	Supplies	42.00	1
Algona Glass Co.	Supplies	12.50	1
AMU	Phone	5934.70	12
Algona Public Library	Allocation	22259.78	1
American Glass Company	Repairs	405.17	1
AU Life Ins	Ins.	75.65	2
Aramark	Service	66.74	1
Arnold Motor Supply	Supplies	455.87	1
A.T. & T.	Phone	35.19	1
Fidelity Security Life Ins Co	Ins	18.12	1
Bancroft Public Library	Allocation	8889.20	1
BMC Aggregates L.C.	Rock	4549.25	1
Bomgaars	Supplies	890.24	2
Francis M Bormann	Well Closing	195.00	1
Burt Public Library	Allocation	8338.10	1
Central IA Dist	Supplies	687.70	1
Centurylink	Phone	831.36	4
Certified Laboratories	Supplies	198.58	1
Cintas	Supplies	124.57	1
City of Algona	Exp	13936.15	2
City of Fenton	Utilities	26.00	1
City of LuVerne	Utilities	78.15	1
City of Titonka	Utilities	50.25	1
City of Wesley	Utilities	40.00	1
City of West Bend	Utilities	117.27	1
CRA Payment Center	Repairs	16.18	1
Creative Living Center, P.C.	Services	1040.00	1
Des Moines Stamp Mfg	Supplies	159.50	1
DK Diesel of Fort Dodge	Repairs	1363.47	1
Dump-It Inc.	Services	162.00	1
Electronic Engineering Co	Supplies	10.00	1
Fareway	Supplies	967.91	1
Fenton Public Library	Allocation	7634.67	1
William Goche	Well Closing	300.00	1
Don Goede Snap-On Tools	Tool	127.95	1
Graves Construction Co.Inc. 18	Construction	5679.35	1
Heartland Asphalt, Inc.	Construction	31016.79	1
Humboldt Independent	Notices	100.00	1
Hutzells	Supplies	143.82	5
I Wireless Payment Processing	Phone	74.16	1
IMWCA	Installment	10308.00	1
Interstate All Battery Center	Supplies	146.57	1
Iowa Law Enforcement Academy A	Reg	310.00	1
IOS	Supplies	181.49	2
IA Prison Ind	Signs	816.75	1
Jacks OK Tire Service	Tires	10908.95	1
Jan. Closet	Supplies	193.74	2
Kassandra Keeney	Exp	168.33	1
Kmart	Supplies	144.72	3

KRHC	Grant	3405.29	2
KCAA	Allocation	4983.22	1
KC Sheriff	Service	128.20	4
KC Treas	UPS	97.32	1
Lakota Public Library	Allocation	7568.21	1
Ledyard Public Library	Allocation	7222.04	1
LuVerne Public Library	Allocation	7584.82	1
Mail Serv	Postage	460.78	1
Martin Marietta Aggregates	Rock	3081.90	1
Metal Culverts Inc	CMP	8953.10	1
Mid Am Energy	Service	362.96	2
Mid Country Machinery, Inc.	Equipment	26764.95	1
Midwest Xpress	Service	200.00	1
C Miller	Service	414.50	2
Doug Miller	Reimbursement	25.00	1
NACO	Dues	400.00	1
NIACOG	Handbook	125.00	1
North Iowa Lumber & Design	Supplies	167.83	1
NW Tel	Phone	492.09	2
Office Max	Supplies	56.76	1
Ofs of the St Public Defender	Allocation	1202.00	1
Keara Omdahl	Exp	30.66	1
Pamela Polley	Exp	26.05	1
Pro Advantage Services, Inc.	Ins	410.00	1
Purchase Power Pitney Bowes	Supplies	102.48	1
Rockler Woodworking & Hardware	Supplies	38.96	1
RSM McGlad.	Service	350.00	1
Ruhnke Bros	Service	143.57	2
Scott Telecommunications	Maint	1023.12	1
Sec St Bank	Service	25.00	1
R Sewick	Exp.	65.78	1
Sign-Up Ltd	Supplies	65866.10	1
Solutions	Service	500.00	1
Brooke Sonnicksen	Exp	7.41	1
Stitzell Electric Supply Co	Supplies	179.40	1
Swea City Public Library	Allocation	8346.40	1
Water Conn	Service	358.00	2
Titonka Public Library	Allocation	8180.24	1
Tom Eischen Sales Inc.	Repairs	150.87	1
US Cellular	Service	523.10	3
Verizon Wireless	Phone	74.71	1
Von Bokern Associate	Services	6825.00	1
Waste Management of WI-MN	Service	315.39	1
Jordan Weichert	Exp	102.20	1
Wesley Public Library	Allocation	7942.07	1
West Bend Public Library	Allocation	3637.21	1
Whittemore Public Library	Allocation	8257.78	1
IA Telecom	Phone	186.70	2
Pam Wymore	Exp	197.58	1
Grand Total		327793.64	

DRAINAGE CLAIMS:

Algona Publishing Co.	Drain 33	112.36
Jacobson Westergard	Drain 60	1559.40
Kerry Mastin	Drain 60	124.95
Kiewiet Tiling	Drain 110	687.50
Jacobson Westergard Assoc	Drain 165	712.00
McClure Engineering	Drain HK #2 Sub	1627.50
McClure Engineering	Drain PAK #1 Lat M	1351.15
Reutzell Excavating Inc.	Drain Tri #84 Ours	38022.00
McClure Engineering	Drain 133 Main Tile	2106.65
McClure Engineering	Drain 133 Main Tile	1592.50
Ken Laubenthal	Drain 133 Main Tile	100.53
Bill Walstead	Drain 133 Main Tile	111.63
McClure Engineering	Drain EK #2 Lat E-E	638.37

McClure Engineering
Total Drainage Claims

Drain EK #2 Lat E-E

1744.70
53386.24

Discussion was held with Dave Newbrough in regards to purchasing a truck to pull the Kossuth County Emergency Response Trailer. The truck would have to be owned by the County. The Board did not wish to take any action on this item due to the insurance following the tow vehicle.

Motion by Plathe and 2nd by Wymore to approve assigning the Tax Sale Certificate for Parcel #840-07-24-401-008 to Royce Janssen for the amount of \$306.00 and an assignment fee of \$10. Motion carried.

Motion by Besch and 2nd by McGregor that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Allan Kohlhaas, Livermore, IA, to install new 12" diameter drain tile under 115th Street. Work will involve excavating approximately 700 feet west of the intersection of 115th Street and 130th Avenue in Section 25 of Riverdale Township. Permit number 11-10-23 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Plathe and 2nd by Elsbecker that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Myles Miller, Algona, IA, to install new 12" diameter drain tile under 240th Street. Work will involve excavating approximately 275 feet west of the intersection of 240th Street and 170th Avenue between Sections 22 and 27 of Plum Creek Township. Permit number 11-10-25 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Wymore and 2nd by Besch that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Cyril Thilges, Algona, IA, to install new 12" diameter drain tile under 60th Avenue. Work will involve excavating approximately 100 feet south of the intersection of 190th Street and 60th Avenue between Sections 23 and 24 of Whittemore Township. Permit number 11-10-24 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Elsbecker and 2nd by Wymore that the Board of Supervisors of Kossuth County, Iowa does hereby authorize and give its permission to Marie Penton to outlet a tile system into the road ditch and road cross pipe that is located in the road right of way. The proposed tile outlet is 6" in diameter and located in the west road right of way on 160th Avenue, approximately 600 feet south of the intersection of 160th Avenue (P56) and 180th Street. Work will be completed in the NE ¼ of the NE ¼ of Section 28, T-95, R-28W of the 5th P.M., Irvington Township. Permit number OT-11-10-02 is on file in the Kossuth County Engineer's Office. Motion carried 4 to 1 Besch: NO

Discussion with Kossuth County Engineer and Public Discussion and Committee Reports were held followed by Drainage. There were not any Applications for Exemption from Buffer Strip Ban in Drainage District Facilities and this is the last time this will be on the agenda as the deadline was September 30, 2011.

Motion by Wymore and 2nd by Plathe to accept the signed farm lease for the County Farm Property from Josh Roethler for \$420 an acre for 3 years with the first year due March 1, 2012, second year due March 1, 2013 and the third year due March 1, 2014. Motion carried.

Motion by Elsbecker and 2nd by Wymore to approve the renewal of Flexible Benefits for 2012. Motion carried.

Joe Myhre was present to discuss with the Board of Supervisors options available with the project in Buffalo Township for Gold Eagle Cooperative. No action was taken as this was an informational meeting.

The Board of Supervisors had the first reading of Ordinance #1-2011 which readopts the existing County code of Kossuth County, Iowa.

KOSSUTH COUNTY ORDINANCE NUMBER 1-2011

TITLE: AN ORDINANCE READOPTING THE EXISTING COUNTY CODE OF KOSSUTH COUNTY, IOWA:

BE IT ENACTED by the Board of Supervisors of Kossuth County, Iowa:

Section 1. Purpose. Code of Iowa Section 331.302(9) requires that once every five years a County shall compile its Code of Ordinances. This ordinance readopts ordinances already in effect, adopts ordinances that became effective after the last readoption and repeals any ordinance deemed no longer necessary to the operation of Kossuth County, Iowa, or to the health, safety, and welfare of its citizens.

Section 2. Readoption of Current Code. The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the Kossuth County Board of Supervisors, comprise Kossuth County Code of Ordinances:

SECONDARY ROADS

Ordinance No. 101(A): An ordinance to protect and regulate secondary road right of way and debris on secondary roads.

(Formerly Ordinance No. 1)

Ordinance No. 103(A): An ordinance that establishes the policy and level of service in respect to clearance of snow or ice and maintenance of this county's secondary roads during the winter months.

(Repeals Ordinance No. 3)

Ordinance No. 112: An ordinance establishing the Area Service "C" Road Maintenance Classification.

(Formerly Ordinance No. 12)

Ordinance No. 113: An ordinance establishing the Area Service "B" Road Maintenance Classification.

(Formerly Ordinance No. 13)

ELECTION AND TAXATION

Ordinance No. 205: An ordinance establishing a local option sales and services tax applicable to transactions within the incorporated areas of Algona, Bancroft, Burt, Fenton, Lakota, Ledyard, Lone Rock, LuVerne, Swea City, Titonka, Wesley, West Bend, and Whittemore of Kossuth County.

(Formerly Ordinance No. 5)

- Ordinance No. 206: An ordinance establishing a local option sales and services tax applicable to transactions within the unincorporated areas of Kossuth County.
(Formerly Ordinance No. 6)
- Ordinance No. 207: An ordinance providing special property taxation in lieu of the valuation and assessment provisions for wind energy conversion property.
(Formerly Ordinance No. 6-97)
- Ordinance No. 208: An ordinance amending the previous Kossuth County Code to establish new boundary lines for voting precincts within the County of Kossuth.
(Formerly Ordinance No. 8)
- Ordinance No. 209: An ordinance establishing a local office fee for Uniform Commercial Code (UCC) information requests.
(Formerly Ordinance No. 9)
- Ordinance No. 216: An ordinance establishing a School Local Option Sales and Service tax applicable to transactions within the listed school districts of Kossuth County, Iowa.
(Formerly Ordinance No. 16)
- Ordinance No. 223: An ordinance extending the local option sales tax for schools.
(Formerly Ordinance No. 23)

ZONING

- Ordinance No. 300: County Zoning Ordinance.
(Formerly Unnumbered)
- Ordinance No. 350: County Subdivision Ordinance.
(Formerly Unnumbered)

HEALTH, SAFETY AND WELFARE

- Ordinance No. 402: An ordinance prohibiting open burning in Kossuth County during periods when open burning poses a threat to the public health, safety and welfare and providing for a penalty.
(Formerly Ordinance No. 2)

Ordinance No. 404: An ordinance controlling lead hazards in dwellings, including establishing minimum standards for inspections and providing penalties for violations.
(Formerly Ordinance No. 4)

Ordinance No. 412: An ordinance establishing flood plain management and control measures for those areas having flood hazards.
(Formerly Ordinance No. 12)

Ordinance No. 413: An ordinance for the establishment of construction standards for private on-site sewage treatment and water well systems, and the issuance of permits for these systems; for the proper plugging of abandoned wells; and for providing penalties for violations of provisions of this ordinance.
(Formerly Ordinance No. 13)

Ordinance No. 422: An ordinance defining and providing for the abatement of nuisances.
(Formerly Ordinance No. 22)

CONSERVATION

Ordinance No. 512: An ordinance establishing rules and regulations for the protection, regulation and control of all parks, preserves, parkways, playgrounds, recreation centers and other property of Kossuth County and establishing penalties for violations thereof.
(Formerly Ordinance No. 12)

EMERGENCY MANAGEMENT

Ordinance No. 601: An ordinance establishing model rules for the local board of health relating to quarantine and isolation for communicable and infectious diseases.

Ordinance No. 621: An ordinance regulating the storing, handling and transportation of hazardous materials.

PUBLIC SAFETY

Ordinance No. 707: An ordinance prohibiting the use, possession with intent to use, manufacture, and delivery of drug paraphernalia in Kossuth County.
(Formerly Ordinance No. 7)

Ordinance No. 713: An ordinance placing conditions on the sale of products containing pseudoephedrine in combination with other active ingredients.
(Formerly Ordinance No. 13)

Ordinance No. 714: An ordinance providing for the registration and documentation of retail sales of keg alcoholic beverages and imposing penalties for violations.
(Formerly Ordinance No. 14)

Section 3. Code of Ordinances. Copies of the code as adopted herein shall be on file and available for public inspection in the Office of the County Auditor at the Kossuth County Courthouse.

Section 4. When Effective. This ordinance shall be effective after its final passage, approval, and publication as provided by law.

Motion by Elsbecker and 2nd by Plathe to approve the Kossuth County Redistricting Plan as submitted by the Kossuth County Redistricting Commission. Chairman McGregor called for a Roll Call Vote. Besch: yes, Elsbecker: yes, Plathe: yes, Wymore: yes, McGregor: yes Motion carried.

Motion by Wymore and 2nd by Besch to set the date and time for two public hearings for Ordinance #2-2011 which sets the new precincts for the Redistricting Plan. The Public Hearings are set for Tuesday, October 11th at 10:00 a.m. and Wednesday, October 12th at 8:30 a.m. Motion carried.

On motion adjournment was taken until October 11, 2011.

Attest:

Amber Garman
Kossuth County Auditor

Don McGregor, Chairman
Kossuth County Board of Supervisors