

BOARD PROCEEDINGS
December 20, 2016
REGULAR DECEMBER 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 2nd by Plathe to approve the agenda, the minutes of the previous meeting dated December 13, 2016 and the claims which includes the Conservation claims. Motion carried.

A+ Tree Srvs	Srvs	200.00	1
Algona Comm Schl	Supp	15.00	1
Algona Glass	Srvs	326.72	1
Algona Machine & Sply	Supp	253.41	1
AMU	Srvs	7687.07	14
Algona Plumb & Htg	Srvs	315.40	1
Alg Pub Co	Notices	1158.53	7
Alliant Energy	Srvs	2403.69	3
American Concrete	Srvs	3090.00	1
American Glass Co	Supp	857.33	1
Arnold Motor Supply	Parts	117.96	1
Bancroft Reg.	Notices	701.50	3
Bisso Tech	Srvs	399.00	1
Bob Barker Co	Supp	668.24	1
Bomgaars	Supp	445.77	3
Brandt Repair	Srvs	704.00	1
Brick Gentry PC	Srvs	900.00	1
K Briggs	Exp	26.00	1
Brown's Shoe Fit Co	Supp	79.77	2
Bugs N Stuff	Srvs	80.00	1
Buschers Srvs Ctr	Srvs	28.50	1
Cannon Moss Brygger & Assoc	Srvs	4264.07	2
Card Services	Exp	5119.49	5
Central IA Dist	Supp	1206.60	2
Central Ia Water	Srvs	295.00	1
Centurylink	Phone	319.00	2
Cintas	Supp	53.95	1
City of Algona	Exp	12209.09	1
City of Lakota	Exp	88.00	1
City of Lone Rock	Exp	66.60	1
City of Swea City	Exp	60.42	1
Civil Defense Fund	Alloc	78580.00	1
Barnes Group	Supplies	617.24	1
CM&MHDS	Exp	330.00	1
Columbia Hall	Exp	300.00	1
Cooks Scrap Iron & Metal	Supp	880.65	2
Cost Advisory Srvs	Srvs	4125.00	1
Counsel Ofs & Doc	Supp	610.55	7
CoverTrack Group Inc	Srvs	600.00	1
Crescent Elec Supply	Supp	321.51	1
Daylight Donuts	Supp	49.95	1
Dean Meyer Elec	Srvs	2831.70	1
Deitering Bros	Srvs	82.90	1
DM Stamp Mfg	Supp	133.00	1
Dultmeier	Supp	346.25	1
Dump-It Sanit	Srvs	171.00	1
Eagle Ctr	Rent	156.00	1
Ecolab	Srvs	187.95	1
Ed's Srvs	Fuel	63.24	1
L Eichenberger	Exp	155.52	1
Electronic Specialties	Srvs	273.00	1
Emergency Mgmt	Exp	30.00	1
Emmet Co Shf	Srvs	19.50	1
Ernie Williams Ltd	Parts	79.83	1
Fareway	Supp	125.67	1
Fenton Coop Telephone	Srvs	447.12	1

Force America	Parts	1702.59	1
J Fosado	Exp	120.00	1
Galls	Supp	170.17	1
Gateway Hotel & Conf Center	Exp	577.92	1
GovConnection, Inc.	Srvs	444.47	1
K Groesbeck	Exp	185.76	1
Donald Hagen	Exp	285.88	1
Kory Hagen	Exp	285.88	1
Harrison Truck Centers	Parts	4547.43	1
Heartland Power Cooperative	Ser	52.00	1
B Heetland	Exp	80.00	1
Henkel Construction Company	Exp	31485.00	1
Holiday Inn	Lodging	665.28	1
Hy-Vee	Supp	445.04	2
I & S Group, Inc	Srvs	1100.00	1
IA DOT	Service	109.35	1
IACCBE	Reg.	220.00	1
ICIT	Membership	50.00	1
IEMA	Reg.	150.00	1
IA Lakes EC	Elec	228.71	2
Iowa Lakes Regional Water	Utilities	48.50	1
IOS	Supp	533.93	5
IA One Call	Srvs	24.30	1
Iowa Park & Recreation Assoc a	Reg	280.00	1
IA Prison Ind	Signs	558.00	1
IA St Bank	Supp	13.17	1
IA Transit	Supp	116.60	1
ISAC	Reg	565.25	1
ISACA Dist II Auditors	Dues	20.00	1
iworQ Sys	Srvs	2480.00	1
Jacks OK Tire Srv	Srvs	909.88	1
Jan. Closet	Supp	446.82	1
John Deere Financial	Parts	2021.40	1
T Johnson	Exp	25.92	1
K & H	Fuel	1023.17	2
Kemco Tires	Srvs	992.55	2
Kendell Doors & Hardware Inc	Srvs	548.70	1
Kmart	Supp	21.75	1
KOFAB	Exp	3495.00	1
Kollasch Rep.	Repairs	32.81	1
S Kollasch	Exp	16.15	1
KRHC	Srvs	3054.50	4
KC Sec Road	Fuel	3627.39	5
KC Sheriff	Srvs	41.00	1
KC Treas	Srvs	22.95	2
Landfill of NI	Exp	2300.13	1
Lone Rock Coop Tel	Phone	653.78	1
Loofts on 9	Fuel	138.44	1
Mail Serv	Supp	511.36	1
Mangold Environm Testing	Srvs	11.00	1
Martin Marietta Agg	Rock	2318.94	1
Martins Flag	Srvs	64.56	1
MaxYield Coop	Fuel	153.07	1
McMahon Stowater Lynch Laddusa	Srvs	72.00	1
Mercy Medical Ctr	Srvs	235.80	1
M Mergen	Exp	49.95	1
Merryman Bridge Cons	Cons	9994.12	1
Merryman Bridge Cons	Rep	1650.00	1
Mid Am Energy	Srvs	275.00	2
Midland Power Coop	Exp	392.00	1
Midland Power Coop	Utilities	301.44	2
Midwest Building Mat	Exp	62.46	1
A Miller	Exp	340.03	1
T Miller	Exp	190.08	1
Murphy Manage Srvs	Exp	175.00	1
NAPA	Supp	38.67	1
NG 911	Exp	238.75	1
NW Comm	Service	107.90	1
Notary Law Ins	Exp	18.50	1

M Nyman	Exp	214.92	1
Office Max	Supp	74.02	1
MC Overhead Door	Service	207.20	1
Pet Kingdom	Exp	53.26	1
Pitney Bowes	Srvs	2404.53	1
Prairie Energy Coop	Lights	28.00	1
ProBuild	Supp	246.94	2
M Rasmussen	Exp	142.56	1
Rees Hydraulic Sales & Service	Parts	76.74	1
Reutzel Excav	Srvs	1579.75	1
Ricoh USA, Inc.	Maint	61.33	1
T Ristau	Exp	154.44	1
C Robinson	Exp.	9.31	1
Rolling Excavating	Exp	300.00	1
Safety X-treme	Signs	392.18	1
R Schmidt	Exp	120.00	1
D Schulz	Exp.	48.60	1
Schumacher WaterCare	Supp	1141.00	2
Secure Shed Solutions	Srvs	48.00	1
Sec St Bank	Srvs	25.00	1
Sign Works	Supp	47.26	1
Smidt Repair	Repairs	861.32	1
M Smidt	Exp	120.00	1
Solutions	Srvs	102.38	3
St Hygienic Lab	Supp	40.00	1
Star Leasing LLC	Srvs	278.68	2
K Stumme	Exp	120.00	1
Stundahl's Cleaning	Srvs	198.75	1
SC Herald Press	Notices	727.50	3
TestAmerica Laboratories, Inc.	Exp	4761.75	1
The Law Ofs of Eric J Eide	Srvs	4760.00	1
Water Conn	Srvs	104.88	3
Thomson Reuters West	Supp	195.72	1
Thompson Farm Drainage	Supp	1250.00	1
Titonka Burt Comm	Phone	862.66	2
Tom Eischen Sales	Parts	167.00	1
Trans IA Equip	Repairs	409.10	1
US Cellular	Srvs	899.20	3
St. Lukes Res.	Srvs	74.00	2
Verizon Wireless	Phone	416.04	2
W & H Coop Oil Co	Fuel	17806.86	1
Wallace Water Conditioning	Srvs	24.00	1
Waste Mgmt of WI-MN	Srvs	56019.21	5
Wellmark BCBS	Fees	133018.56	1
Wildin Motorsport Supply	Supp	1417.80	1
B Wille	Exp	120.00	1
Winnebago Coop Telep	Srvs	218.55	1
WM Recycle America	Exp	1321.79	1
P Wymore	Exp	76.02	1
S Young	Exp	48.60	1
Ziegler	Parts	13173.68	1
Grand Total		466744.98	

Drainage Claims

Reutzel Excavating Inc	Drain 39 Main 2	\$47101.70
Hancock County Auditor	Drain HK 3-46	\$728.00
Hancock County Auditor	Drain HK 3-46 Lat 25	\$2025.00
Roger Cherland	Drain 39 Main 2	\$32565.00
Donald Morrison	Drain 39 Main 2	\$5678.00
Ralph Hantelman	Drain 39 Main 2	\$2505.00
Roger Cherland	Drain 39 Lat 13	\$334.00
Roseann Gifford	Drain 39 Lat 13	\$1837.00
Donald Tietz	Drain 39 Lat 13	\$2171.00
Donald Tietz	Drain 39 Lat 16	\$334.00
Ralph Hantelman	Drain 39 Lat 16	\$4676.00
TOTAL		\$99954.70

Retirement Recognition for Secondary Road Employees Rick Post and Steve Ditsworth.

Scott Curtis was present to give the monthly report for Kossuth Regional Health Center.

RESOLUTION #12-20-16-01

RE: Proposal for exchange of a 0.25 acre tract of land, labeled Parcel 1 in Plat of Survey of an Exempt Subdivision of Part of the SE¼ SW¼ Section 9, T-95-N, R-30-W, Kossuth County, Iowa, for a 0.08 acre tract of land adjacent to the Siems Park, labeled Parcel 2 in Plat of Survey of an Exempt Subdivision of Part of the SE¼ SW¼ Section 9, T-95-N, R-30-W, Kossuth County, Iowa.

WHEREAS, the Kossuth County Conservation Board is in the process of making improvements to Siems Park which will require additional land, a 0.08 acre tract labeled Parcel 2 in Plat of Survey of an Exempt Subdivision of Part of the SE¼ SW¼ Section 9, T-95-N, R-30-W, Kossuth County, Iowa, which is currently owned by an adjacent landowner; and

WHEREAS, Kossuth County currently owns a 0.25 acre tract of land, labeled Parcel 1 in Plat of Survey of an Exempt Subdivision of Part of the SE¼ SW¼ Section 9, T-95-N, R-30-W, Kossuth County, Iowa, that the adjacent landowner would like to acquire; and

WHEREAS, the Kossuth County Board of Supervisors recognizes that the improvement of Siems Park is beneficial to the County for many reasons; and

WHEREAS, the exchange of the Parcel 1 for Parcel 2 would be advantageous to Kossuth County; and

WHEREAS, the Code of Iowa sets forth the procedure for the sale or exchange of property by a county; and

WHEREAS, pursuant to Section 331.361(2), Iowa Code, the Kossuth County Board of Supervisors sets forth the following proposal which will be presented at a public hearing on December 27, 2016, at 8:35 a.m.:

Parcel 1, legally described as:

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE¼ SW¼) of Section 9, Township 95 North, Range 30 West of the 5th P.M., Kossuth County, Iowa and being more particularly described as follows:

Commencing at the Southeast (SE) corner of the Southwest Quarter (SW¼) of said Section 9; thence along the South line of said Southwest Quarter (SW¼) on a previously recorded bearing of North 88°57'00" West a distance of 982.24 feet to the West line of a parcel described in Book 2016, page 3589; thence along said West line and the East line of an unrecorded survey dated July 24, 1970, North 00°00'35" West a distance of 831.69 feet to a southerly line of said unrecorded survey; thence along said southerly line, South 88°57'00" East a distance of 23.76 feet to an existing fence line, the Point of Beginning; thence continuing along said line, South 88°57'00" East a distance of 117.74 to the West line of said unrecorded survey; thence along said West line, North 00°00'00" West a distance of 95.14 feet; thence South 89°57'55" West a distance of 114.98 feet to the said existing fence line extended northerly; thence along said extended line, South 01°41'32" West a distance of 92.97 feet to the Point of Beginning.

Note: Tract contains 0.25 Acres, and is subject to all easements of record.

shall be exchanged for

Parcel 2, legally described as:

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE¼ SW¼) of Section 9, Township 95 North, Range 30 West of the 5th P.M., Kossuth County, Iowa and being more particularly described as follows:

Commencing at the Southeast (SE) corner of the Southwest Quarter (SW¼) of said Section 9; thence along the South line of said Southwest Quarter (SW¼) on a previously recorded bearing of North 88°57'00" West a distance of 982.24 feet to the West line of a parcel described in Book 2016, page 3589; thence along said West line, North 00°00'35" West a distance of 670.00 feet to the North line of said

parcel, the Point of Beginning; thence continuing North 00°00'35" West along the East line of a parcel described on an unrecorded survey dated July 24, 1970, a distance of 161.69 feet to a southerly line of said parcel; thence along said southerly line, South 88°57'00" East a distance of 23.76 feet to an existing fence line; thence along said existing fence line, South 01°41'32" West a distance of 161.68 feet to the North line of said parcel described in Book 2016, page 3589; thence along said North line, North 88°57'00" West a distance of 18.96 feet to the Point of Beginning.

Note: Tract contains 0.08 Acres, and is subject to all easements of record.

NOW, THEREFORE, BE IT RESOLVED, that the Kossuth County Board of Supervisors hereby sets forth its proposal for the exchange of Parcel 1 for Parcel 2 pursuant to Section 331.361(2) Iowa Code.

It was on motion by Supervisor Wymore, and seconded by Supervisor Besch, that the foregoing resolution be adopted as read. Motion carried. Vote thereon resulting as follows: Ayes: All Nays: None. Resolution declared adopted this December 20, 2016.

Don McGregor, Chairperson
Board of Supervisors
Kossuth County, Iowa

ATTEST:

Amber Garman, Auditor
Kossuth County, Iowa

Motion by Wymore and 2nd by Plathe to approve the First Reading of Ordinance #01-2016 which is an Ordinance Readopting the existing County Code of Kossuth County, Iowa. Motion carried.

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)

Ordinance No. 114: An ordinance regulating the operation of All-Terrain vehicles
And off-road vehicles in Kossuth County, Iowa.

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. 205A: An ordinance establishing a local sales and services tax applicable to transactions within the Incorporated areas of Algona and Bancroft in Kossuth County, Iowa.
- 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. 206A: An ordinance establishing a local sales and services tax applicable to transactions within the Unincorporated Areas of Kossuth County, Iowa.
- 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 (2-2011): An ordinance amending the previous Kossuth County Code to establish new boundary lines for voting precincts within the County of Kossuth.
(Formerly Ordinance No. 208)
- 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)
- Ordinance No. 224: An Ordinance providing for the division of taxes levied on taxable Property in the Kossuth County Buffalo Township Economic Development Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa.

ZONING

- Ordinance No. 300: County Zoning Ordinance.
(Formerly Unnumbered)
- Ordinance No. 300A: An Ordinance Amending the Kossuth County Iowa Zoning Ordinance imposing a six (6) month moratorium on the processing of any applications to construct commercial wind energy conversion systems or associated facilities anywhere in Kossuth County.
- Ordinance No. 350: County Subdivision Ordinance.
(Formerly Unnumbered)
- Ordinance No. 350A: An Amendment to existing Ordinance No. 350 an ordinance Amending the subdivision regulations and ordinance of Kossuth County, Iowa.

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. 412A: An Amendment to existing Ordinance No 412 an Ordinance amending the Floodplain Management Ordinance with changes per the DNR.

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)

Ordinance No. 423: An Ordinance authorizing the County or a City to bid on and purchase delinquent taxes and to assign tax sale certificates of abandoned property or vacant lots.

Ordinance No. 424: An Ordinance authorizing the County Treasurer to separately offer and sell delinquent taxes at a public nuisance tax sale.

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.

Ordinance No. 631: An Ordinance providing for official street names for all public roads in unincorporated areas of Kossuth County, Iowa and providing for an orderly street and address numbering system.

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.

Discussion with Kossuth County Engineer/Zoning Administrator was held.

Drainage was held followed by Public Hearing for Improvement Project for Drainage District 60 Sub 1, Public Hearing for Completion for Drainage District 5 West and Public Hearing for Reclassification for Drainage District 4 Lateral 2.

Motion by Wymore and 2nd by Tjarks to accept the Plans & Specifications and approve for bidding on Courthouse Window Project. Motion carried.

Motion by Plathe and 2nd by Wymore to set the Date and Time for the Public Hearing regarding the Courthouse Window Project for Tuesday, January 17, 2017 at 8:35 a.m. with bids being due in the Kossuth County Auditor's Office by Monday, January 16, 2017 at 4:00 p.m. Motion carried.

Motion by Plathe and 2nd by Besch to Set the Date and Time to Open the Bids for the Courthouse Window Project on Tuesday, January 17, 2017 at 8:45 a.m. Motion carried.

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

On motion adjournment was taken until December 27, 2016.

Attest:

Amber Garman
Kossuth County Auditor

Don McGregor, Chairman
Kossuth County Board of Supervisors