

**BOARD PROCEEDINGS**  
**November 14, 2017**  
**REGULAR NOVEMBER 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 followed by discussion with Secondary Road Foreman.

Motion by Tjarks and 2<sup>nd</sup> by Besch to approve the agenda and the minutes of the previous meetings dated October 31, 2017 and November 13, 2017. Motion carried.

Motion by Plathe and 2<sup>nd</sup> by Wymore to approve the 1<sup>st</sup> Reading and consideration of Ordinance #115, an Ordinance To Establish the Limited Use of Engine Brakes and Compression Brakes in Kossuth County, Iowa. There were not any written or verbal comments received from the public. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes. Motion carried 5 to 0.

Motion by Wymore and 2<sup>nd</sup> by Tjarks that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Midland Power Cooperative, Jefferson, IA, to bore electric under 70<sup>th</sup> Avenue 2580 feet north of 170<sup>th</sup> Street. Work will be in Section 25, Whittemore Township and Section 34, Cresco Township. Permit number 10-45-2017 is on file in the Kossuth County Engineer's Office. Motion carried.

Motion by Plathe and 2<sup>nd</sup> by Besch that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Ron Monson, LuVerne, IA, to install 20 feet of 24" diameter CMP and 56 feet of 18" diameter Class 3 reinforced concrete pipe by cutting through 180<sup>th</sup> Avenue, 2600 feet south of 170<sup>th</sup> Street. The crossing is between Sections 35 and 36 Irvington Township. Permit number 11-46-2017 is on file in the Kossuth County Engineer's Office. Motion carried.

Discussion with Kossuth County Engineer/Kossuth County Zoning Administrator was held.

The Board of Supervisors acknowledged the County Conservation Annual Report for 2016-2017 as presented by Kendall Stumme.

Drainage was held.

Discussion was held on the Ledyard Windpower Update.

Motion by Wymore and 2<sup>nd</sup> by Tjarks to approve the Application of Ledyard Windpower, LLC for Easement through Drainage District Right of Way to construct a road over lateral 22 of Kossuth County Drainage District 152 located in the southwest quarter of Section 1, T-99N, R-28W of the 5<sup>th</sup> P.M. Ledyard Township. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: no, McGregor: yes. Motion carried 4 to 1 with Besch being the No vote.

Motion by Plathe and 2<sup>nd</sup> by Wymore to approve Resolution #11-14-17-01 which is a resolution to grant Ledyard Windpower, LLC, a Texas Limited Liability Company a Drainage District Crossing Easement. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: no, McGregor: yes. Motion carried 4 to 1 with Besch being the No vote.

**RESOLUTION TO GRANT LEDYARD WINDPOWER, LLC, A TEXAS LIMITED LIABILITY COMPANY A DRAINAGE DISTRICT CROSSING EASEMENT**

**Kossuth County Resolution No. 11-14-17-01**

**WHEREAS**, Ledyard Windpower, LLC, a Texas limited liability company desires to construct a road in Kossuth County, and

**WHEREAS**, The proposed route of the road is across the right-of-way of a public drainage districts in the County, and

**WHEREAS**, Iowa Code section 468.186 mandates that any person proposing to construct a pipeline, electric transmission line, communication line, underground service line, or similar installation on, over,

across or beneath a District right-of-way must, prior to construction, obtain from the governing body of the District an easement to cross the right-of-way, and

**WHEREAS**, Ledyard Windpower, LLC has filed an Application for Crossing Easements across the drainage district Right-of-Way in Kossuth County, and

**WHEREAS**, The application of Ledyard Windpower, LLC has been approved by the Kossuth County Board of Supervisors.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY to issue a Crossing Easement to Ledyard Windpower, LLC, in accord with the Application on file and subject to Kossuth County's Procedures and Conditions for Construction in Drainage District Right-of-Way.

Resolution adopted this 14<sup>h</sup> day of November, 2017.

Kossuth County Board of Supervisors

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Don McGregor  
Board of Supervisors Chairperson

ATTEST:

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Amber Garman  
Kossuth County Auditor

Motion by Tjarks and 2<sup>nd</sup> by Plathe to set the fee for the Ledyard Windpower, LLC Application for Easement through Drainage District Right-of-Way at \$100.00 for a single crossing and the fee shall go to the secondary road department. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: no, McGregor: yes. Motion carried 4 to 1 with Besch being the No vote.

Motion by Besch and 2<sup>nd</sup> by Plathe to rescind the motion made on October 3, 2017 to withdraw from County Social Services. Motion carried.

Motion by Wymore and 2<sup>nd</sup> by Tjarks to approve Applications for Exemption from Buffer Strip Ban in Drainage District Facilities. Motion carried.

Motion by Tjarks and 2<sup>nd</sup> Plathe to clarify that the Veteran Affairs Director position is a Salaried Non-Exempt position and the starting wage is \$38,000 a year with benefits. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes. Motion carried.

Motion by Wymore and 2<sup>nd</sup> by Besch to approve the final job description and job advertisement for Environmental Health Specialist/Weed Commissioner Position. Motion carried.

The Board of Supervisors accepted the resignation of Steve Anderson, Environmental Health Specialist/Weed Commissioner.

Motion by Tjarks and 2<sup>nd</sup> by Wymore to acknowledge the termination of the contract with AmeriHealth Caritas and end provision of TCM and end Kossuth County's Case Managers job effective 11/30/2017. Motion carried.

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

On motion adjournment was taken until November 21, 2017.

Attest:

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Amber Garman  
Kossuth County Auditor

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Don McGregor, Chairman  
Kossuth County Board of Supervisors