

BOARD PROCEEDINGS
May 8, 2018
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.

Discussion with Secondary Road Foreman was held followed by Public discussion.

Motion by Tjarks and 2nd by Wymore to approve the agenda, the minutes of the previous meeting dated May 1, 2018 and the handwritten claim payable to The Wilson Group in the amount of \$25,310.70. Motion carried.

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

Motion by Besch and 2nd by Wymore to approve the Cooperative Reimbursement Agreement Amendment. Motion carried.

Motion by Tjarks and 2nd by Plathe to approve the Annual Report for Central Iowa Juvenile Detention Center. Motion carried.

Motion by Plathe and 2nd by Wymore to adopt Resolution #05-08-18-01 which sets the date and time for a public hearing to vacate and close part of the originally established road #189. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes. Motion carried 5 to 0.

RESOLUTION #05-08-18-01

WHEREAS; The Kossuth County Board of Supervisors has received a request to vacate and close part of the originally established road #189, being 66 feet in width, 33 feet on each side of the following described centerline;

Beginning at the Northwest Corner of Section 26-96-27; thence east approximately 1 mile on the section line between Sections 23-96-27 and section 26-96-27 to the northeast corner of section 26-96-27 and thence terminating.

WHEREAS; The Kossuth County Board of Supervisors has determined that this road is no longer needed for public road purposes and should be vacated.

THEREFORE BE IT RESOLVED; That a public hearing be held on July 3, 2018 at 8:35 a.m. in the board room of the Kossuth County Courthouse to hear support or objections from the public concerning this proposed road vacation.

Resolution adopted this 8th day of May, 2018.

ATTEST:

Amber Garman
Kossuth County Auditor

Don McGregor, Chair
Kossuth County Board of Supervisors

Motion by Tjarks and 2nd by Wymore to approve the purchase of a 2018 Caterpillar 12M3 Motor Grader for the Secondary Road Department for \$293,133.09 less the trade of a 1995 Caterpillar 140G Motor Grader serial #72V17568 for \$67,200. Total purchase price equals \$225,933.09. 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.

Discussion was held with Kossuth County Engineer/Kossuth County Zoning Administrator followed by Drainage.

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

Motion by Tjarks and 2nd by Wymore to amend the Wind Ordinance.

Plathe raised a point of order because he had attempted to make a motion before Chairman McGregor accepted Supervisor Tjarks motion. Chairman McGregor asked if there was a 2nd to that point and Besch made the 2nd. Chairman McGregor recognized the point of order and called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes. Point of order stands.

Motion by Plathe and 2nd by Besch to amend the ordinance in regards to the newspapers and that is it. Wymore: No, Tjarks: No, Plathe: yes, Besch: yes, McGregor: No. Motion failed 2 to 3 with Wymore, Tjarks and McGregor being the No votes.

Chairman McGregor called for a roll call vote on previous motion to amend the ordinance: Wymore: yes, Tjarks: yes, Plathe: no, Besch: no, McGregor: yes. Motion carried 3 to 2 with Plathe and Besch being the No votes.

Motion by Plathe and 2nd by Tjarks to amend Article 4 to read Papers of Record which is Kossuth County's Official Newspapers and to also include the West Bend Journal, Buffalo Center Tribune and The Reminder. 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 Tjarks and 2nd by Wymore in regards to the Centerline Shadow Flicker to use the Centroid location of the occupied residence as a result of an individual turbine in the project and to leave the waiver as written. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: no, Besch: no, McGregor: yes. Motion carried 3 to 2 with Plathe and Besch being the no votes.

Motion by Tjarks and 2nd by Wymore to address any setback that states 600 feet will be changed to 110% of the tip height and to increase total tip height of turbines to 600 feet and to limit the total name plate production to 700 mega watts.

Supervisor Besch requested to amend the motion to change setbacks to 500 meters of occupied residence and property lines and to limit tip height to 500 feet. Motion dies for lack of 2nd.

Tjarks asked to amend his motion to read to state setback is a minimum of 600 feet or 110% whichever is greater and to change the wording to total height instead of total tip height.

Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: no, Besch: no, McGregor: yes. Motion carried 3 to 2 with Plathe and Besch being the no votes.

Motion by McGregor and 2nd by Tjarks to amend the wording for public airports and private airstrips as follows: to drop the 3 mile radius and to use the greater of any FAA regulations. Chairman McGregor called for a roll call vote: Wymore: no, Tjarks: yes, Plathe: no, Besch: no, McGregor: yes. Motion fails 2 to 3 with Wymore, Plathe and Besch being the no votes.

Wymore wanted to discuss the motion further and Roger Tjarks called for a point of order because she voted no on the motion and the only members that can bring it up for further discussion are the members that voted yes. Chairman McGregor recognized that point of order. The point of order did not stand because the no votes were prevailing. Discussion on this topic will be continued next week.

Motion by Wymore and 2nd by Plathe that we re-visit private and public airstrips next week. Motion carried.

On motion adjournment was taken until May 15, 2018.

Attest:

Amber Garman
Kossuth County Auditor

Don McGregor, Chairman
Kossuth County Board of Supervisors