

**BOARD PROCEEDINGS**  
**December 18, 2018**  
**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 2<sup>nd</sup> by Plathe to approve the agenda, minutes of the previous meeting dated December 11, 2018 and claims which includes the Conservation Claims. Motion carried.

AgSource Coop Srvs	Srvs	210.00	1
Al's Repair	Srvs	36.00	1
Algona Chamber	Srvs	195.00	1
Algona Machine & Sply	Supp	687.14	1
Algona Middle School	Exp	15.00	1
AMU	Srvs	7037.98	8
Algona Plumb & Htg	Srvs	4159.00	3
Alg Pub Co	Notices	1547.81	6
Alliant Energy	Srvs	3364.36	3
Ban Mun Utlities	Utilities	287.21	1
Bancroft Reg.	Notices	423.62	3
Beeline Blue	Srvs	76.03	1
Berntsen Intern'l	Srvs	301.33	1
A Berte	Exp	59.02	1
Bisso Tech	Srvs	399.00	1
Bitz Small Engines	Parts	5.00	1
BMC Aggregates	Rock	502.84	1
Bob's Biffys LLC	Srvs	875.00	1
Bomgaars	Supp	276.68	2
Brandt Repair	Srvs	429.98	1
Brown's Shoe Fit Co	Supp	174.71	4
Bugs N Stuff	Srvs	84.00	1
Builders FirstSource	Supp	156.61	2
Buscher Bros	Srvs	84.00	1
B Buscher	Exp	350.00	1
Buschers Srvs Ctr	Srvs	64.00	1
Card Services	Exp	4648.10	6
Central IA Dist	Supp	1096.90	4
Central IA Juv	Srvs	4240.00	1
Central Salt, LLC	Engineer Sup	6106.95	1
Centurylink	Phone	323.17	2
Cherokee Co Shf	Srvs	114.50	3
Chrome Country Inn	Supp	134.00	1
Cintas	Supplies	62.18	1
City of Lakota	Exp	80.25	1
City of Lone Rock	Exp	84.00	1
City of Swea City	Exp	55.48	1
City of Titonka	Utilities	10897.55	1
Cooks Scrap Iron & Metal	Supp	30.90	2
Counsel Ofs & Doc	Supp	559.76	4
CoverTrack Group Inc	Srvs	600.00	1
Dave D Lane	Exp	239.98	1
Degen Extinguisher & Repair	Srvs	375.00	2
Deitering Bros	Srvs	110.00	1
Roger Denton	Engineer Sup	30.00	1
Dump-It Sanit	Srvs	358.00	2
Ecolab	Srvs	187.95	1
Ed's Srvs	Fuel	147.15	1
L Eichenberger	Exp	196.20	1
ElectionSource	Exp	32.18	1
Elec Systems & Software	Supp	705.35	1
Environ Systems Research	Maint	3461.64	1
Erpelding Excav	Srvs	426.00	1
Fareway	Supp	510.77	1
Farm & Home Pub	Supp	2185.00	3
Farmers Coop Elev	Fuel	531.50	1

Fenton Coop Telephone	Srvs	252.37	2
FleetPride	Parts	5852.02	1
Force America	Parts	75.36	1
Cretex Concrete Products	Supp	6067.80	1
J Fosado	Exp	120.00	1
Jeff Frideres	Engineer Sup	250.00	1
Galls	Supp	165.91	1
B Gifford	Exp	175.00	1
Global Hydraulics & Supply Inc	Supp	935.42	1
Gold-Eagle Cooperative	Exp	21795.12	1
J Grandgenett	Exp	63.22	1
D Green	Exp	112.49	2
K Groesbeck	Exp	26.16	1
Hallett Materials	Supp	1802.75	1
Harrison Truck Centers	Supp	938.21	1
Heartland Paper Co	Supp	2557.20	6
Heartland Power Coop	Utilities	52.00	1
B Heeetland	Exp	60.00	1
L Hefty	Exp	125.90	1
Hometown Dist LLC	Supp	30.40	1
Hy-Vee	Supp	106.07	1
IEHA	Reg	80.00	1
M Illg	Exp	182.03	1
Immanuel Lutheran	Exp	400.00	1
Ingalls Electric	Engineer Sup	1454.20	1
Inland Truck Parts	Engineer Sup	120.88	1
Interstate Battery	Supp	554.55	1
IA Assoc of MU	Service	2021.31	1
Ia Comm Assurance Pool	Ins	1666.00	1
IA Lakes EC	Elec	286.68	2
Iowa Lakes Regional Water	Utilities	48.50	1
IOS	Supp	502.75	5
IA One Call	Srvs	20.70	1
IA Prison Ind	Signs	166.32	1
ISCIA	Reg	150.00	1
ITsavyv LLC	Supp	540.00	2
J.A. King	Supplies	4390.00	1
Jacks OK Tire Srv	Srvs	4232.10	2
T Johnson	Exp	34.88	1
Johnston Autostores	Parts	321.52	1
Kemco Tires	Srvs	102.24	1
Kmart	Supp	19.99	1
Kollasch Rep.	Repairs	1043.03	1
M Kollasch	Exp	1300.00	1
KRHC	Srvs	220.00	1
Kossuth County	Taxes	10897.55	1
KC Sec Road	Fuel	3775.93	4
KC Sheriff	Srvs	72.00	1
KC Treas	Srvs	9.93	1
KRHC-Phar	Srvs	7.41	1
G Lickteig	Exp	400.00	1
Lone Rock Coop Tel	Phone	777.68	2
Loofts on 9	Fuel	54.98	1
Martin Marietta Agg	Rock	3235.32	2
MaxYield Coop	Fuel	5806.50	1
M Mergen	Exp	53.13	1
Merryman Bridge Cons	Cons	15462.06	1
Mid Americ Publsh	Srvs	27.52	1
Midland Power Coop	Serv	75.00	1
Midland Power Coop	Utilities	36.33	1
Midwest Building Mat	Exp	181.58	2
Midwest Contracting	Exp	11470.38	1
Midwest Wheel	Exp	651.18	1
Mike Looft TW	Fuel	2366.52	1
T Miller	Exp	209.28	1
R Monson	Exp	250.00	1
Motor Inn/Alg	Rep.	43.69	1
MSC Industrial Supply Co	Supplies	681.48	1
NAPA	Parts	15.38	1

NG 911	Exp	226.01	1
NIA Lumber&Design	Exp	363.83	5
NIA Mechan	Exp	2320.00	1
North Iowa Reporting	Srvs	112.50	1
NK Auto & Farm	Supp	3.50	1
NW Comm	Service	107.90	1
K & H	Fuel	21249.74	3
M Nyman	Exp	34.88	1
Office Depot	Exp	16.69	1
Overhead Door	Exp	218.70	1
K Pals	Exp	8.25	1
Payroll Forms	Exp	42.45	1
PFI Algona	Exp	2676.00	1
Pitney Bowes	Srvs	2404.53	1
J Plathe	Exp	17.44	1
Prairie Energy Coop	Lights	28.00	1
J Radmaker	Exp	50.20	1
M Rasmussen	Exp	156.96	1
Ricoh USA, Inc.	Maint	26.71	1
RingTel Communications	Phone	95.41	1
T Ristau	Exp	155.87	1
Roethler Elec.	Srvs	780.55	1
R Schmidt	Exp	120.00	1
Secure Shed Solutions	Srvs	48.00	1
Smidt Automotive & Repair	Srvs	147.15	1
M Smidt	Exp	120.00	1
Society of LS	Dues	280.00	1
Solutions	Srvs	586.09	2
Sprayer Specialties Inc	Engineer Sup	178.35	1
St Hygienic Lab	Supp	30.00	1
Stanard & Associates	Srvs	101.00	1
Star Leasing LLC	Srvs	109.28	1
Steffen Truck Equipment, Inc.	Engineer Sup	202.15	1
K Stumme	Exp	120.00	1
SC Herald Press	Notices	453.62	3
TestAmerica Laboratories, Inc.	Ia Grd Water Mon	4851.00	1
The Messenger	Notices	89.00	1
Water Conn	Srvs	96.68	2
Thomson Reuters West	Supp	427.46	2
Thompson Sewer & Drain	Supp	150.00	1
S Thompson	Exp	148.46	1
K Thul	Exp	120.00	1
Titonka Burt Comm	Phone	1260.02	3
Truck Country "OF IOWA"	Engineer Sup	10869.63	1
TSP Court Reporting	Srvs	126.00	1
Uline	Supp	487.60	1
US Cellular	Srvs	1307.04	5
St. Lukes Res.	Srvs	168.00	1
Verizon Wireless	Phone	488.27	2
Vogel Traffic Services	Engineer Sup	6371.25	1
W & H Coop Oil Co	Fuel	22423.60	1
Wallace Water Conditioning	Srvs	6.00	1
Waste Mgmt of WI-MN	Srvs	66445.44	4
Wellmark BCBS	Fees	139100.26	1
West Bend Journal	Notices	38.30	1
B Wille	Exp	120.00	1
Windstream	Srvs	206.83	2
Winnebago Coop Telecom Assoc	Phone	127.91	1
Winnebago Coop Telep	Srvs	250.65	1
WM Recycle America	Srvs	1329.92	1
Woodward Youth Corp	Srvs	653.10	1
S Young	Exp	59.95	1
Youth Shelter Care	Srvs	186.60	1
Ziegler	Parts	37785.30	2
<b>Grand Total</b>		<b>511599.72</b>	

Motion by Wymore and 2<sup>nd</sup> by Tjarks to approve Conditional Purchase Agreement of Land in Section 30 of Prairie Township. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes. Motion carried 5 to 0.

The Board of Supervisors acknowledged the Safety Committee Meeting Minutes for the month of December 2018.

The Board of Supervisors acknowledged the November transfers made by the Kossuth County Auditor on December 4, 2018 from the General Basic Fund to the Secondary Road Fund in the amount of \$4419.97 and from the Rural Basic Fund to Secondary Road Fund in the amount of \$31,583.67.

Motion by Plathe and 2<sup>nd</sup> by Besch to authorize and give permission to the Kossuth County Drift Skippers to groom and use snowmobile trails within Kossuth County Secondary road right of way using the designated routes for the period of December 1, 2018 to March 31, 2019. Motion Carried.

Motion by Wymore and 2<sup>nd</sup> by Tjarks to authorize and give permission to the Lakota Sno-Eagles to groom and use snowmobile trails within Kossuth County Secondary road right of way using the designated routes for the period of December 1, 2018 to March 31, 2019. Motion Carried.

Motion by Plathe and 2<sup>nd</sup> by Tjarks that the Board of Supervisors of Kossuth County, Iowa does hereby approve the Third Amendment to the Service Agreement for Transportation of Solid Waste at the Central Disposal Systems, Inc. Landfill between Kossuth Waste Management Association and Central Disposal Systems. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes. Motion carried 5 to 0.

Discussion was held to Approve Transfer of WECS-2018-1 Construction Permit from EDF to Iowa Power and Light Company. Don Besch protested this agenda item. Doug Miller conferred with the Kossuth County Attorney, Todd Holmes, prior to the meeting and stated that it was legal and could continue with this agenda item at the meeting. Resolution will be approved later in the meeting.

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 Wymore and 2<sup>nd</sup> by Tjarks to approve Resolution #12-18-18-01 which is a resolution approving the assignment and transfer of WECS Construction Permit 2018-01 from EDF Renewables Development, Inc to Interstate Power and Light Company. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: DID NOT VOTE BUT PRESENT, McGregor: yes. Motion carried 4 to 0.

#### RESOLUTION #12-18-18-01

[A Resolution Approving the assignment and transfer of WECS Construction Permit 2018-01 from *EDF Renewables Development, Inc.* to *Interstate Power and Light Company*]

**WHEREAS**, Kossuth County has heretofore enacted Ordinance #310-A – “*An Ordinance Regulating, the Construction and Operation of Commercial Wind Energy Conversion Systems (WECS) in Kossuth County, Iowa* (the “*Ordinance*”), and

**WHEREAS**, on December 11, 2018, the Kossuth County Board of Supervisors (the “*Board*”) approved a WECS Construction Permit for the Golden Plains Wind Farm Project (the “*Project*”) to EDF Renewables Development, Inc. (“*EDF*”), and

**WHEREAS**, on December 11, 2018, the Zoning Administrator issued WECS Construction Permit No. 2018-01 for the Project to EDF (the “*Permit*”), and

**WHEREAS**, Interstate Power and Light Company (“*IPL*”) has entered into an agreement to acquire the Project from EDF (the “*Transaction*”), which is expected to close on or before January 1, 2019, and

**WHEREAS**, as part of the Transaction, EDF will assign and IPL will acquire and assume, all Project assets including EDF’s rights and obligations under the Permit and Ancillary Agreements with the County which include the Road Use and Repair Agreement, Public Drainage System Protection Agreement, the Emergency Response Plan, and the Decommissioning Plan for the Project, and

**WHEREAS**, EDF has requested that Kossuth County approve the transfer and assignment of the Permit from EDF to IPL, with such approval of the transfer to become effective as of the closing of the Transaction, and

**WHEREAS**, after hearing from the respective parties and the County Zoning Administrator the Board hereby FINDS that IPL has the experience and financial resources to develop and operate the Project in a manner that complies with the WECS Permit and all Ancillary Agreements and has the financial and operational responsibility to assume all obligations required by the Project Permit Holder under the Ordinance and the Ancillary Agreements, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Kossuth County Board of Supervisors that the transfer and assignment of WECS Permit No. 2018-01 from EDF to IPL is approved, with such approval to become effective as of closing of the Transaction; **PROVIDED**, in the event said closing does not occur by February 18, 2019 this Permit transfer approval shall be void and of no further effect; **AND FURTHER PROVIDED**, that nothing in this Resolution shall be deemed to release EDF from any liabilities related to the Project (specifically including crop damages) that arose prior to the date of this Resolution; and

**BE IT FURTHER RESOLVED**, that the Zoning Administrator is hereby directed to secure a written acknowledgment from IPL documenting its afore-mentioned assumption of all obligations and responsibilities required under the Ordinance, the Permit, and the Ancillary Agreement and to execute any other documentation as may be necessary to confirm this approval and effectuate the afore-mentioned Permit transfer and assignment.

December 18, 2018  
Dated at Algona, Iowa

\_\_\_\_\_  
Jack Plathe, Vice Chairman  
Kossuth County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Amber Garman  
Kossuth County Auditor

On motion adjournment was taken until January 2, 2019.

Attest:

\_\_\_\_\_  
Amber Garman  
Kossuth County Auditor

\_\_\_\_\_  
Jack Plathe, Vice Chairman  
Kossuth County Board of Supervisors