

BOARD PROCEEDINGS
April 4, 2023
REGULAR April SESSION

The Board of Supervisors met pursuant to adjournment. Present were Roger Tjarks (Chairman), Kyle Stecker, Joshua Waechter, Carter Nath, and Jack Plathe.

Chairman, Roger Tjarks called the meeting to order at 8:00 A.M. followed by the Pledge of Allegiance.

Public discussion was held.

Motion by Plathe and 2nd by Nath to approve the agenda and minutes of the previous meeting dated March 28, 2023. Motion carried unanimously.

Motion by Nath and 2nd by Stecker to approve the claims. Motion carried unanimously.

Algona Plumb & Htg	Srvs	249.15	3
Algona Public Lib	Alloc	25049.75	1
Alg Pub Co	Notices	305.80	1
AU Life Ins	Ins.	87.50	1
Atlas Stamp & Seal	Exp	28.30	1
Fidelity Sec Lif Ins	Ins	140.38	1
Axon Enterprise Inc.	Supp	480.00	1
Banc Public Lib	Alloc	8406.16	1
Carole Bernhard	Exp	99.56	1
Bomgaars	Supp	1474.59	4
Deborah Bowman	Exp	175.00	1
K Briggs	Exp	50.90	1
Burt Public Lib	Alloc	7429.38	1
CDW Government Inc	Supp	287.80	1
Centurylink	Phone	127.64	1
Cintas	Supplies	184.17	1
City of Fenton	Utilities	111.22	1
City of LuVerne	Exp	113.75	1
City of Wesley	Cons	66.45	1
City of West Bend	Utilities	652.92	1
City of Whittemore	Exp	481.83	1
Clear Air Enviro-Services	Exp	2134.00	1
Degen Extinguisher & Repair	Srvs	280.10	1
Dump-It Sanit	Srvs	84.00	1
Farmers Coop Elev	Fuel	25.70	1
Fenton Public Lib	Alloc	6918.39	1
D. Fickbohm	Exp	36.02	1
Galls	Supp	467.41	1
K Groesbeck	Exp	52.40	1
D Heidner	Exp	66.16	1
Henry-Olson Fuhrman Funeral	Srvs	700.00	1
Holiday Inn	Lodging	470.40	1
Houston County Sheriff's Offic	Exp	85.00	1
Humboldt Co Auditor	Engineer Supp	32.00	1
Hy-Vee	Supp	5776.82	1
ICIT	Membership	500.00	1
Ia Comm Assurance Pool	Ins	6181.00	1
Ia Co Attorney's Assoc	Exp	485.00	1
Iowa Emergency Management	Exp	155.00	1
Ia Law Enforcement Academy	Srvs	400.00	1
IA Ofs of St Medical Examiner	Srvs	2094.00	1
ISAC	Srvs	1449.70	4
ITsavvy LLC	Supp	6151.60	2
John Deere Financial	Parts	16143.40	1
Kemna GM	Serv	159.85	1
KC Sheriff	Srvs	58.82	1
KC Treas	Srvs	190.83	1
KRHC	Srvs	219.00	1
KRHC	Srvs	1455.30	1
Lakota Pub Lib	Alloc	6904.49	1
Ledyard Pub Lib	Alloc	6396.98	1
Luverne Pub Lib	Alloc	6768.92	1
Lynn Peavey Co	Exp	138.65	1
Martin Marietta Agg	Exp	11397.64	1
K Mastin	Exp	250.00	1
M McGregor	Exp	45.72	1
MCHS EMS Program	Exp	10.00	1

Mid Am Energy	Srvs	6922.03	3
Mid Am Research	Srvs	461.00	1
Midwest Card and ID	Supp	333.56	1
A Miller	Exp	15.00	1
D Miller	Reim	458.74	1
M Miller	Exp	650.00	1
NASSCO	Supp	1171.68	3
D Nielsen	Exp	157.00	1
NIA Appliance	Exp	80.00	1
NIA Lumber&Design	Exp	104.93	2
North Iowa TelCom	Parts	235.32	1
Norther Cedar Srv	Srvs	9332.95	1
NW Comm	Service	986.58	2
IOS	Supp	266.66	4
MC Overhead Door	Service	46315.65	1
Palo Alto Co Sheriff	Exp	16.88	1
Patton Funeral Home	Srvs	250.00	1
P Bowes	Postage	1130.00	1
J Plathe	Exp	20.96	1
Recorder's Association	Exp	20.00	1
Roethler Elec.	Srvs	72.00	1
N Roethler	Exp	15.00	1
Ruhnke Bros	Srvs	595.57	1
SCS Engineers, AR Dept	Exp	750.00	1
Sheraton-West Des Moines	Lodging	860.16	1
Shield Tech Corp	Srvs	3800.00	1
Sign Works	Supp	916.68	1
Simpson Auto Repair	Exp	128.75	1
Sips & Seams	Exp	105.00	1
SC Public Library	Alloc	7943.84	1
Water Conn	Srvs	129.47	1
Z Thompson	Exp	15.00	1
Titonka Munc Utilities	Srvs	776.53	1
Titonka Public Library	Alloc	7752.66	1
R Tjarks	Exp	216.15	1
US Postmaster	Exp	200.00	1
Verus	Supp	2280.00	1
Counsel Ofs & Doc	Supp	271.70	3
Wesley Public Library	Alloc	7335.52	1
West Bend Pub Library	Alloc	2012.45	1
Whittemore Municipal Utilities	Utilities	152.64	1
Whittemore Public Lib	Alloc	7703.99	1
Windstream	Srvs	280.56	1
Grand Total		243929.16	

Drainage Claims

Bolton & Menk	Drain 4	\$5051.00
Bolton & Menk	Drain 4 Lat 28	\$7090.50
Bolton & Menk	Drain 129	\$3941.00
Goodwin Law Office	Drain 80 OD	\$11960.00
Clerk of District Court	Drain 7	\$80.00
McClure Engineering	Drain 4 Lat 110D	\$813.75
McClure Engineering	Drain 60 Sub 1	\$2401.28
TOTAL		\$31337.53

Motion by Plathe and 2nd by Waechter to approve the 2023 applications for Natural Conservation. Motion carried unanimously.

Motion by Plathe and 2nd by Stecker to approve the payment of retainage for the Courthouse Chiller in the amount of \$19,226.75 to Midwestern Mechanical. Motion carried unanimously.

Motion by Plathe and 2nd by Tjarks to decline the GPS account for the Board of Supervisors. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: no, Stecker: no, Tjarks: yes. Motion carried.

Motion by Stecker and 2nd by Waechter to open the Public Hearing on Proposed Property Tax Levy for FY 23-24. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Presentation of Proposed Property Tax Levy for FY 23-24 was given. There were no public comments in writing or in person.

Motion by Plathe and 2nd by Nath to close the Public Hearing on Proposed Property Tax Levy for FY 23-24. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Motion by Stecker and 2nd by Waechter to approve Resolution #04-04-23-01, which is a resolution approving the Maximum Property Tax Dollars for FY 23-24. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Resolution #04-04-23-01

Approval of FY 23/24 Maximum Property Tax Dollars

WHEREAS, the Kossuth County Board of Supervisors have considered the proposed FY 23/24 County Maximum Property Tax Dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on the county website, and

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on April 4, 2023 at 8:30 a.m.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Kossuth County that the maximum property tax dollars for General County Services and Rural County Services for FY 23/24 shall not exceed the following:

General County Services: \$8,143,365
Rural County Services: \$2,038,384

The Maximum Property Tax dollars requested in General County Services does represent an increase of 3.51% and in Rural County Services a decrease of 3.56% from the Maximum Property Tax Dollars requested in FY 22/23.

By Roll Call Vote:

Ayes:

Nays:

Passed and adopted the 4th day of April 2023.

Attest:

Roger Tjarks, Chairman
Kossuth County Board of Supervisors

Tammy Eden, Kossuth County Auditor

Motion by Nath and 2nd by Stecker to set April 25, 2023, at 8:30 A.M. for the FY 23-24 Kossuth County Public Budget Hearing. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Motion by Stecker 2nd by Tjarks to approve hiring the current EMS Staff honoring their hire date for the Kossuth County EMS System back to July 1, 2020. Motion carried unanimously.

Motion by Stecker 2nd by Tjarks to allow EMS employees to carry over up to 40 hours of vacation to be reimbursed by the City of Algona at the rate of hire on July 1, 2023. Motion carried unanimously.

Motion by Tjarks 2nd by Stecker to allow up to 56 compensatory hours to be reimbursed by the City of Algona at the rate of hire on July 1, 2023, and add to the Kossuth County Handbook that EMS employees can carry over 56 hours of Comp time per year. Motion carried unanimously. Updated 4-11-2023 per motion at the board meeting: Clarification – to allow up to 56 compensatory hours of carry over from City of Algona.

Motion by Stecker and 2nd by Nath to table the discussion on EMS sick leave until after clarification from the payroll attorney. Motion carried unanimously.

Motion by Stecker and 2nd by Waechter to approve the EMS full-time staff job descriptions and job posting. Motion carried unanimously.

A joint teleconference with Winnebago County was held to consider approval of updated Reclassification Report of WK68-136 Main OD and Lateral 2 OD. Winnebago County had a full board present of: Terry Durby, Bill Jensvold and Susan Smith. Kossuth County also had a full board present of: Roger Tjarks, Kyle Stecker, Joshua Waechter, Carter Nath and Jack Plathe.

Motion by Bill Jensvold and 2nd by Kyle Stecker to approve the updated Reclassification Report of WK 68-136 Main OD and Lateral 2 OD and set the public hearing for May 16, 2023, at 9:25 A.M. Motion carried unanimously by both Kossuth County and Winnebago County boards.

Motion by Plathe and 2nd by Stecker to approve and authorize the chair to sign the Annual Financial Assurance Report for Kossuth County Sanitary Landfill for FY 2022. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Motion by Waechter and 2nd by Nath to approve Resolution #04-04-23-02, which is a resolution supporting the current Local Option Sales Tax and Opposing Sales Tax distribution Language in SF550. Chairman Tjarks called for a roll call vote: Plathe: yes, Nath: yes, Waechter: yes, Stecker: yes, Tjarks: yes. Motion carried.

Motion by _____ and Seconded by _____ to approve the following resolution: Plathe _____, Nath _____, Waechter _____, Stecker _____, Tjarks _____

RESOLUTION OF THE KOSSUTH COUNTYBOARD OF SUPERVISORS

Kossuth County Resolution No. _____

- WHEREAS, the voters of Kossuth County and cities within Kossuth County have voted to enact a 1 cent Local Option Sales Tax in accordance with Iowa Code 423B, and
- WHEREAS, the revenue derived from the tax is used for property tax relief and any lawful purpose in the rural basic fund, and
- WHEREAS, the residents of Kossuth County have grown to rely on these revenues as a means to reduce property taxes, and
- WHEREAS, the 2023 legislative session has seen the introduction of SF 550, which proposes to convert the Local Option Sales Tax efforts into a statewide sales tax and impose the local option sales tax in every jurisdiction, thereby triggering the constitutional amendment to require an allocation of 3/8th of a cent to the Iowa Water and Land Legacy (IWLL) trust fund, and
- WHEREAS, SF 550 proposes to backfill revenues lost due to the proposal and Kossuth County concerns of the Legislature ability to continue backfilling revenues, and
- WHEREAS, voters across Iowa have voted to either implement a local option sales tax or not to do so, and
- WHEREAS, voters across Iowa who have voted to utilize the local option sales tax have approved revenue purpose statements (RPS), and
- WHEREAS, SF 550 also sunsets these provisions on January 1, 2025, after which no jurisdiction will have the authority to take either a LOST proposal or revenue purpose statement to a vote, essentially deleting the local government's ability to have local option sales taxes.

THEREFORE, the Kossuth County Board of Supervisors would like to express their support of the current Local Option Sales Tax. The current law best represents the interest of Kossuth County voters and furthers the reduction of property taxes, which is a common goal of Kossuth County and the Iowa Legislature. The Board of Supervisors unanimously supports the Iowa Water and Land Legacy (IWLL) trust fund; however, SF 550 as currently written, would not only strip the County of control over Local Option Sales Tax (LOST) revenues, but would effectively disregard the will of the Voters.

Passed and approved on this _____th day of April, 2023.

Kossuth County Board of Supervisors

Roger Tjarks, Chair

Kyle Stecker, Member

Joshua Waechter, Member

Carter Nath, Member

Jack Plathe, Member

Attest:

Tammy Eden,
Kossuth County Auditor

Motion by Nath and 2nd by Plathe to authorize and give its permission to Mike Reding, Ottosen, IA, to install 72 feet of Class 3 reinforced concrete pipe through 60th Ave, 12" ø at 60 feet and 18" ø at 2265 feet north of the southwest corner of Section 24, Garfield Township, Kossuth County. Permit number 03-06-2023 is on file in the Kossuth County Engineer's Office. Motion carried unanimously.

No discussion was held with the Kossuth County Engineer/Zoning Administrator.

Discussion was held with the Kossuth County Auditor and Kossuth County Board of Supervisors.

Motion by Stecker and 2nd by Nath to adjourn at 9:54 A.M. Motion carried unanimously.

Attest:

Tammy Eden
Kossuth County Auditor

Roger Tjarks, Chairman
Kossuth County Board of Supervisors