

**BOARD PROCEEDINGS**  
**May 19, 2026**  
**REGULAR May SESSION**

The Board of Supervisors met pursuant to adjournment. Present were Chairman Carter Nath, Howard Haas, Amber Garman and Josh Waechter. Absent: Kyle Stecker.

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

There wasn't any public discussion.

Motion by Garman and 2nd by Haas to approve the agenda and minutes of the previous meeting dated May 12, 2026. Motion carried unanimously.

Motion by Garman and 2<sup>nd</sup> by Haas to approve the claims, conservation claims, and drainage claims. Motion carried unanimously.

|                             |               |           |    |
|-----------------------------|---------------|-----------|----|
| Access Systems              | Exp           | 329.18    | 2  |
| AgSource Coop Srvs          | Srvs          | 367.00    | 1  |
| Algona Hearing Center LLC   | Serv          | 70.00     | 1  |
| AMU                         | Srvs          | 8566.00   | 14 |
| Algona Plumb & Htg          | Srvs          | 3117.10   | 4  |
| Alg Pub Co                  | Notices       | 778.00    | 2  |
| Alg Pub Co                  | Srvs          | 535.03    | 1  |
| All Traffic Solutions       | Supp          | 5130.00   | 1  |
| Alliant Energy              | Srvs          | 3681.94   | 3  |
| Amazon Capital Serv         | Supp          | 91.55     | 1  |
| American Glass Co           | Supp          | 2728.00   | 1  |
| American Welding & Gas, Inc | Exp           | 496.27    | 1  |
| Arnold Motor Supply         | Parts         | 155.72    | 1  |
| Ban Mun Utlities            | Utilities     | 331.47    | 1  |
| Bancroft Reg.               | Notices       | 73.55     | 1  |
| Bancroft Tire               | EXP           | 39.95     | 1  |
| BMC Aggregates              | Rock          | 4757.29   | 1  |
| Bob Barker Co               | Supp          | 1175.95   | 1  |
| Bomgaars                    | Supp          | 313.05    | 3  |
| Bound Tree Medical          | Supp          | 3596.08   | 1  |
| Braun Tree Service          | Exp           | 600.00    | 1  |
| Bugs N Stuff                | Srvs          | 1442.00   | 4  |
| B Buscher                   | Exp           | 350.00    | 1  |
| Buscher Bros                | Srvs          | 178.12    | 1  |
| Campbell's                  | Engineer Supe | 142.82    | 1  |
| Card Services               | Exp           | 5761.78   | 9  |
| Cellebrite                  | Exp           | 11077.50  | 3  |
| Central IA Dist             | Supp          | 3385.00   | 3  |
| City of Lakota              | Exp           | 109.41    | 1  |
| City of Swea City           | Exp           | 3233.02   | 3  |
| Clarion Distributing, LLC   | Engineer Supp | 182.00    | 1  |
| Com-Tec Land Mobile Radio   | Exp           | 187310.40 | 1  |
| Wallace Water Conditioning  | Srvs          | 13.00     | 1  |
| Diamond Mowers              | Srvs          | 4564.99   | 1  |

|                                |                |          |   |
|--------------------------------|----------------|----------|---|
| Diamond Vogel                  | Engineer Supp  | 57230.00 | 1 |
| N. Dreyer                      | Exp            | 751.00   | 1 |
| Dump-It Sanit                  | Srvs           | 474.00   | 2 |
| Echo Electric                  | Exp            | 165.00   | 1 |
| Echo Group Inc                 | Supp           | 39.89    | 1 |
| EKOS Inc                       | Engineer Suppl | 4776.00  | 1 |
| Electronic Specialties         | Srvs           | 6574.96  | 2 |
| Erpelding Excav                | Srvs           | 631.50   | 1 |
| Fareway                        | Supp           | 794.42   | 1 |
| Farmers Coop Elev              | Fuel           | 490.03   | 1 |
| Fenton Coop Telephone          | Srvs           | 223.56   | 1 |
| FleetPride                     | Parts          | 59.94    | 1 |
| Forge & Build UH LLC           | Exp            | 138.74   | 2 |
| Galls                          | Supp           | 150.98   | 1 |
| Goche Farms LLC                | Exp            | 2519.48  | 1 |
| Goodwin Law Office, P.C. Rober | Exp            | 62.50    | 1 |
| Heartland Power Coop           | Utilities      | 52.00    | 1 |
| Hy-Vee                         | Supp           | 145.29   | 1 |
| Iowa GEMT Payment Program      | Exp            | 2467.49  | 1 |
| Iowa Homeland Security         | Exp            | 7083.59  | 1 |
| IA Lakes EC                    | Elec           | 381.96   | 2 |
| Iowa Lakes Regional Water      | Utilities      | 48.50    | 1 |
| Ia Natural Heritage            | Dues           | 100.00   | 1 |
| Jacks OK Tire Srv              | Srvs           | 579.73   | 3 |
| JCL Solutions                  | Supp           | 122.54   | 1 |
| Kemco Tires                    | Srvs           | 240.00   | 1 |
| KLGA                           | Adv.           | 233.00   | 2 |
| KCAA                           | Allocation     | 25000.00 | 1 |
| Koss Co Auditor                | Exp            | 12000.00 | 1 |
| KC Sec Road                    | Fuel           | 3567.83  | 4 |
| KRHC                           | Srvs           | 1992.90  | 2 |
| KRHC-Phar                      | Srvs           | 2488.40  | 2 |
| P. Lampe                       | Exp            | 2650.73  | 1 |
| Lentz Funeral Home             | Srvs           | 1174.00  | 1 |
| Lone Rock Coop Tel             | Phone          | 1042.10  | 1 |
| Martin Marietta Agg            | Rock           | 4372.58  | 1 |
| M. Masias                      | Exp            | 105.99   | 1 |
| Mercy Medical Ctr              | Exp            | 2500.00  | 1 |
| Mid Am Energy                  | Srvs           | 263.94   | 3 |
| Midland Power Coop             | Utilities      | 24.13    | 1 |
| Midwest Wheel                  | Exp            | 20.46    | 1 |
| Mike Looft TW                  | Fuel           | 9198.86  | 1 |
| NAPA                           | Parts          | 18.36    | 1 |
| Nates Auto and Truck Repair    | Engineer Supp  | 1700.74  | 1 |
| E. Needs                       | Exp            | 1213.65  | 1 |
| New Cooperative Inc MaxYield C | Fuel           | 4212.95  | 1 |
| NIACC                          | Exp            | 2250.00  | 2 |
| NW Comm                        | Service        | 124.85   | 1 |
| K & H                          | Fuel           | 44228.31 | 4 |
| Nyberg's Dakota Workwear       | Engineer Supp  | 1750.19  | 1 |
| O'Reilly                       | Exp            | 12.47    | 1 |
| Old Republic Surety            | Exp            | 982.00   | 1 |

|                                |                |           |   |
|--------------------------------|----------------|-----------|---|
| Our Iowa Magazine              | Exp            | 450.25    | 1 |
| MC Overhead Door               | Service        | 1190.25   | 2 |
| Patten Enterprises LLC         | Servs          | 34041.30  | 1 |
| Pet Kingdom                    | Exp            | 82.87     | 1 |
| Petroblend                     | Exp            | 4371.71   | 1 |
| B Pfeffer                      | Exp            | 60.81     | 1 |
| Pitney Bowes Bank Inc          | Exp            | 500.00    | 1 |
| Prairie Energy Coop            | Lights         | 28.00     | 1 |
| Quill Corp                     | Supp           | 62.44     | 1 |
| Radiologists of North Iowa PC  | Exp            | 174.00    | 1 |
| Reding's Gravel & Excav        | Srvs           | 4915.00   | 1 |
| Reserve Act                    | Postage        | 5000.00   | 1 |
| RingTel Communications         | Exp            | 65.00     | 1 |
| RingTel Communications         | Phone          | 93.99     | 1 |
| Rinker Materials               | Engineer Supp  | 8538.88   | 1 |
| RJ Kool Midwest                | Exp            | 419.00    | 1 |
| RoJohn Home Improvement Inc    | Engineer Supp  | 25308.00  | 1 |
| Schum Elev Co                  | Srvs           | 623.97    | 1 |
| Schumacher's Nursery           | Supp           | 12304.86  | 1 |
| SCS Engineers, AR Dept         | Exp            | 1650.00   | 1 |
| Shield Tech Corp               | Srvs           | 10403.75  | 1 |
| J. Smith                       | Exp            | 26.10     | 1 |
| SOAR                           | Supp           | 438.85    | 2 |
| Steier Ag                      | Supp           | 193.86    | 1 |
| Subsurface Inc                 | Engineer Suppl | 91232.00  | 1 |
| Sunset Law Enforcement         | Exp            | 20.00     | 1 |
| SC Herald Press                | Notices        | 147.10    | 1 |
| Swea City Sanitation           | Engineer Suppl | 110.00    | 1 |
| The Laurens House of Print     | Exp            | 483.50    | 2 |
| Water Conn                     | Srvs           | 208.50    | 5 |
| Thompson Sewer & Drain         | Supp           | 372.00    | 1 |
| Thomson Reuters West           | Supp           | 1888.11   | 2 |
| TimeClock Plus Data Management | Exp            | 2767.09   | 1 |
| Titonka Burt Comm              | Phone          | 1842.87   | 3 |
| Tom Eischen Sales              | Parts          | 63.48     | 1 |
| Harrison Truck Centers         | Supp           | 226.64    | 1 |
| Truck Country "OF IOWA"        | Engineer Suppl | 5648.76   | 1 |
| Truck Country "OF IOWA"        | Equipment Repa | 407.72    | 1 |
| Uline                          | Supp           | 185.60    | 1 |
| Up 'N Stitchz                  | Exp            | 261.15    | 1 |
| US Cellular                    | Srvs           | 450.83    | 1 |
| Veit, LLC                      | Exp            | 175.36    | 1 |
| Verizon Connect Fleet USA      | Engineer Suppl | 2228.80   | 1 |
| Verizon Connect Fleet USA      | Exp            | 279.20    | 1 |
| Verizon Wireless               | Exp            | 574.85    | 6 |
| Verus                          | Supp           | 5252.50   | 1 |
| Visual Edge IT                 | Supp           | 278.71    | 3 |
| Visual Edge IT                 | Suppl          | 37.61     | 1 |
| W & H Coop Oil Co              | Fuel           | 28533.90  | 1 |
| Waste Mgmt of WI-MN            | Srvs           | 49150.65  | 4 |
| Wellmark BCBS                  | Fees           | 230582.76 | 1 |
| White Tools LLC                | Engineer Supp  | 616.95    | 1 |

|                              |       |                   |   |
|------------------------------|-------|-------------------|---|
| Windstream                   | Srvs  | 327.16            | 3 |
| Winnebago Coop Telecom Assoc | Phone | 279.52            | 2 |
| Xerox IT Solutions           | Supp  | 5282.00           | 5 |
| Ziegler                      | Parts | 59243.08          | 3 |
| <b>Grand Total</b>           |       | <b>1064216.00</b> |   |

#### Drainage

|                               |                           |                 |    |
|-------------------------------|---------------------------|-----------------|----|
| Anderson Tiling               | DD 4 Lat 53               | 363             | 1  |
| Anderson Tiling               | DD4 SUB 10 Rep Req 2026-  | 1209            | 2  |
| B & W Control Specialists     | Drain HK 2-36 Weed Contro | 804.94          | 1  |
| Bolton & Menk                 | DD 129 Professional Servi | 3680            | 1  |
| Bolton & Menk                 | DD 4 Lat 11 Professional  | 8969.86         | 2  |
| Bolton & Menk                 | DD 4 Lat 40 Professional  | 1517.9          | 1  |
| Bolton & Menk                 | DD 4 Lat 42 Professional  | 247.1           | 1  |
| Brandt Farm Drainage          | DD WK 35-89 Lat 6         | 1061.54         | 2  |
| Engineered Farm Drainage, LLC | Repair Req 2026-04        | 1025            | 1  |
| Goodwin Law Office, P.C.      | DD 4 Lat 11 Professional  | 4458            | 1  |
| Goodwin Law Office, P.C.      | DD 4 Professional Service | 3995.01         | 1  |
| Goodwin Law Office, P.C.      | DD 80 Professional Servic | 3128            | 1  |
| Goodwin Law Office, P.C.      | DD4 Lat 4 Professional Se | 3995.01         | 1  |
| Jacobson Westergard Assoc     | JDD#1 Project E23114      | 6353.6          | 2  |
| Larson Brother Drainage       | DD HUK JDD 1 LAT A        | 256.63          | 2  |
| Zachary Laubenthal Excavating | DD 108 Repair Req 2025-87 | 7506.25         | 2  |
| Morrow, Kimberly- 1/2 Int     | DD4 Lat42 Crop Damages    | 5845.03         | 3  |
| Reding's Gravel & Excavating  | DD 51 Lat A Repair        | 4620            | 2  |
| Reutzel Excavating Inc        | DD 4 Lat 63 Rep Req 2026- | 4895            | 2  |
| Reutzel Excavating Inc        | DD 86 Rep Req 2025-102    | 280             | 1  |
| Reutzel Excavating Inc        | JDD PAK#1 Project E23114  | 76971.52        | 16 |
| <b>Grand total</b>            |                           | <b>141182.4</b> |    |

The board acknowledged the Budget Status Report.

A monthly update was given by the Veteran's Affairs Director, Dan Green.

Motion by Garman and 2<sup>nd</sup> by Haas to approve the EMS distribution of funds designated for the volunteer services support in the amount of \$5,000 each for the cities of Bancroft, Fenton, Lone Rock, Titonka, and Wesley and \$7,500 each for the cities of Lakota and Whittemore. Motion carried unanimously.

Motion by Haas and 2<sup>nd</sup> by Waechter to approve the purchase of a 2026 Chevrolet Tahoe from Karl Chevrolet for an EMS response vehicle in the amount of \$53,740.20. Motion carried unanimously.

Motion by Garman and 2<sup>nd</sup> by Waechter to approve the purchase of an I-Series replacement server from Solutions in the amount of \$74,853.82 which will be paid for in FY 2027. Motion carried unanimously.

Motion by Waechter and 2<sup>nd</sup> by Haas to appoint T.J. Sestak as the Kossuth County interim IT Director. Motion carried unanimously.

Motion by Haas and 2<sup>nd</sup> by Garman to appoint T.J. Sestak as the Kossuth County interim 911 Coordinator. Motion carried unanimously.

FY 2025-2026 Budget Amendment Public Hearing

Motion by Waechter and 2<sup>nd</sup> by Haas to open the Public Hearing for the FY 2025-2026 Budget Amendment. Chairman Nath called for a roll call vote: Waechter: yes, Garman: yes, Haas: yes, Nath: yes. Motion carried.

Chairman, Carter Nath read the Budget Amendment for FY 2025 - 2026. No comments were received in person or in writing.

Motion by Haas and 2<sup>nd</sup> by Garman to close the public hearing. Chairman Nath called for a roll call vote: Waechter: yes, Garman: yes, Haas: yes, Nath: yes. Motion carried.

Motion by Waechter and 2<sup>nd</sup> by Garman to approve Resolution #05-19-26-01 for the FY 2025-2026 budget amendment. Chairman Nath called for a roll call vote: Waechter: yes, Garman: yes, Haas: yes, Nath: yes. Motion carried.

**Resolution #: 05-19-26-01**

**Notice of Public Hearing**

**Amendment #1 of Current Budget FY 2025-2026**

The Board of Supervisors met this date for the purpose of amending the current budget.

BE IT RESOLVED: That the Board of Supervisors of Kossuth County, Iowa approve the Budget Amendments and Appropriation of Funds for FY 25-26 on this 19th day of May, 2026.

**Appropriation Summary by Department - Expenditures**

|    | <b>Department</b>    | <b>Original Appropriation</b> | <b>Appropriation Changes</b> | <b>Amended Appropriation</b> |
|----|----------------------|-------------------------------|------------------------------|------------------------------|
| 1  | Board of Supervisors | \$602,084.00                  | \$20,000.00                  | \$622,084.00                 |
| 2  | Auditor              | \$561,277.00                  | \$0.00                       | \$561,277.00                 |
| 3  | Treasurer            | \$953,172.00                  | \$0.00                       | \$953,172.00                 |
| 4  | Attorney             | \$609,190.00                  | \$0.00                       | \$609,190.00                 |
| 5  | Sheriff              | \$3,875,110.00                | \$0.00                       | \$3,875,110.00               |
| 7  | Recorder             | \$418,986.00                  | \$0.00                       | \$418,986.00                 |
| 8  | Custodian            | \$299,127.00                  | \$0.00                       | \$299,127.00                 |
| 11 | Election Expense     | \$136,400.00                  | \$0.00                       | \$136,400.00                 |
| 20 | Engineer             | \$12,214,405.00               | \$0.00                       | \$12,214,405.00              |
| 21 | Veteran Affairs      | \$99,496.00                   | \$0.00                       | \$99,496.00                  |

|    |                                  |                        |                     |                        |
|----|----------------------------------|------------------------|---------------------|------------------------|
| 22 | Conservation                     | \$946,778.00           | \$12,000.00         | \$958,778.00           |
| 24 | Weed<br>Eradication              | \$5,700.00             | \$0.00              | \$5,700.00             |
| 25 | Human Services                   | \$1,800.00             | \$0.00              | \$1,800.00             |
| 27 | Medical Death<br>Invest          | \$53,655.00            | \$0.00              | \$53,655.00            |
| 28 | Medical<br>Examiner              | \$40,000.00            | \$20,000.00         | \$60,000.00            |
| 31 | District Court                   | \$70,385.00            | \$0.00              | \$70,385.00            |
| 33 | Library                          | \$273,245.00           | \$0.00              | \$273,245.00           |
| 34 | Historical<br>Society            | \$7,000.00             | \$0.00              | \$7,000.00             |
| 36 | Ambulance                        | \$2,312,203.00         | \$20,000.00         | \$2,332,203.00         |
| 39 | Relief for the<br>Poor           | \$96,232.00            | \$0.00              | \$96,232.00            |
| 40 | Sanitarian                       | \$125,273.00           | \$0.00              | \$125,273.00           |
| 41 | Fair/4-H                         | \$80,000.00            | \$25,000.00         | \$105,000.00           |
| 48 | Miscellaneous                    | \$75,178.00            | \$20,000.00         | \$95,178.00            |
| 51 | Courthouse                       | \$1,014,090.00         | \$0.00              | \$1,014,090.00         |
| 52 | IT                               | \$769,694.00           | \$0.00              | \$769,694.00           |
| 60 | Mental Health                    | \$41,120.00            | \$0.00              | \$41,120.00            |
| 66 | Annex Building                   | \$14,100.00            | \$0.00              | \$14,100.00            |
| 73 | Safety<br>Coordinator            | \$2,500.00             | \$0.00              | \$2,500.00             |
| 75 | Nature Center                    | \$38,800.00            | \$0.00              | \$38,800.00            |
| 76 | Sheriff Special<br>Funds         | \$0.00                 | \$0.00              | \$0.00                 |
| 78 | Planning &<br>Zoning             | \$17,178.00            | \$0.00              | \$17,178.00            |
| 79 | Human<br>Resource                | \$63,239.00            | \$0.00              | \$63,239.00            |
| 91 | Election Center                  | \$25,800.00            | \$0.00              | \$25,800.00            |
| 92 | GIS                              | \$160,133.00           | \$0.00              | \$160,133.00           |
| 93 | Emergency<br>Response<br>Complex | \$13,500.00            | \$0.00              | \$13,500.00            |
| 99 | Non<br>Departmental              | \$6,021,063.00         | \$33,452.00         | \$6,054,515.00         |
|    | <b>Final Totals</b>              | <b>\$32,037,913.00</b> | <b>\$150,452.00</b> | <b>\$32,188,365.00</b> |

**Appropriation by Service Area - Expenditures**

|   | <b>Service Area</b>               | <b>Original Appropriation</b> | <b>Appropriation Change</b> | <b>Budget After Amended Appropriation</b> |
|---|-----------------------------------|-------------------------------|-----------------------------|---|
| 1 | Public Safety & Legal Services    | \$7,139,830.00                | \$40,000.00                 | \$7,179,830.00                            |
| 3 | Physical Health & Social Services | \$347,754.00                  | \$33,452.00                 | \$381,206.00                              |
| 4 | Mental Health, ID & DD            | \$0.00                        | \$0.00                      | \$0.00                                    |
| 6 | County Environ & Education        | \$1,741,490.00                | \$25,000.00                 | \$1,766,490.00                            |
| 7 | Roads & Transportation            | \$11,214,405.00               | \$0.00                      | \$11,214,405.00                           |
| 8 | Government Services to Residents  | \$1,109,726.00                | \$0.00                      | \$1,109,726.00                            |
| 9 | Administration                    | \$3,909,174.00                | \$40,000.00                 | \$3,949,174.00                            |
| 0 | Nonprogram Exp.                   | \$74,597.00                   | \$0.00                      | \$74,597.00                               |
|   | Debt Service                      | \$0.00                        | \$0.00                      | \$0.00                                    |
|   | Capital Projects                  | \$2,614,000.00                | \$12,000.00                 | \$2,626,000.00                            |
|   | Operating Transfers Out           | \$3,886,937.00                | \$0.00                      | \$3,886,937.00                            |
|   | <b>Final Totals</b>               | <b>\$32,037,913.00</b>        | <b>\$150,452.00</b>         | <b>\$32,188,365.00</b>                    |

**Revenue**

|  | <b>Revenue Type</b> | <b>Original Appropriation</b> | <b>Appropriation Change</b> | <b>Budget After Amended Appropriation</b> |
|--|---------------------|-------------------------------|-----------------------------|---|
|  |                     | \$0.00                        | \$0.00                      | \$0.00                                    |

Resolution declared adopted this 19th day of May, 2026.

\_\_\_\_\_  
Chairman  
Kossuth County Board of  
Supervisors

Attest:

\_\_\_\_\_  
Tammy Eden, Kossuth County Auditor

Motion by Haas and 2<sup>nd</sup> by Garman to go into Closed Session per Iowa Code 21.5(1)(i) for employee performance evaluation with the Planning & Zoning Administrator. Chairman Nath called for a roll call vote: Waechter: yes, Garman: yes, Haas: yes, Nath: yes. Motion carried

No decision was made during or after Closed Session.

Motion by Haas and 2<sup>nd</sup> by Garman to approve Resolution #05-19-26-02 which sets the date and time for the Public Hearing and 1<sup>st</sup> Reading of Repealing Ordinance 300A for June 9, 2026 at 10:00 A.M. Chairman Nath called for a roll call vote: Waechter: yes, Garman: yes, Haas: yes, Nath: yes. Motion carried.

Board Member Haas introduced the following Resolution entitled: "RESOLUTION FIXING THE DATE FOR A PUBLIC HEARING ON THE PROPOSITION TO REPEAL ORDINANCE # 300 A (AN ORDINANCE AMENDING VARIOUS PROVISIONS OF KOSSUTH COUNTY ZONING ORDINANCE # 300 FOR THE PURPOSE OF REGULATING AND RESTRICTING THE USE OF LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID THROUGH A HAZARDOUS LIQUID PIPELINE) FOLLOWING A FINAL COURT RULING FINDING SIMILAR ORDINANCES TO BE PREEMPTED BY FEDERAL AND STATE LAW, AND PROVIDING FOR THE PUBLICATION OF NOTICE THEREOF." and moved that the same be adopted. Board Member Garman seconded the motion to adopt. Chairman Nath called for a roll call vote: Waechter: yes, Garman: yes, Haas: yes, Nath: yes. Motion carried.

**RESOLUTION FIXING THE DATE FOR A PUBLIC HEARING ON THE PROPOSITION TO REPEAL ORDINANCE # 300 A (AN ORDINANCE AMENDING VARIOUS PROVISIONS OF KOSSUTH COUNTY ZONING ORDINANCE # 300 FOR THE PURPOSE OF REGULATING AND RESTRICTING THE USE OF LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID THROUGH A HAZARDOUS LIQUID PIPELINE) FOLLOWING A FINAL COURT RULING FINDING SIMILAR ORDINANCES TO BE PREEMPTED BY FEDERAL AND STATE LAW, AND PROVIDING FOR THE PUBLICATION OF NOTICE THEREOF.**

WHEREAS, on December 26, 2023, the Kossuth County Board of Supervisors adopted Kossuth County Ordinance # 300 A, An Ordinance Amending Various Provisions of the Kossuth County Zoning Ordinance # 300 for the Purpose of Regulating and Restricting the Use of Land for the Transport of Hazardous Liquid through a Hazardous Liquid Pipeline; and

WHEREAS, various other Iowa counties enacted their own ordinances regulating hazardous liquid pipelines in or around this same time, including Shelby County, Iowa, and Story County, Iowa; and

WHEREAS, a company endeavoring to install a hazardous liquid pipeline within Kossuth County challenged Kossuth County's Ordinance # 300 A in the U.S. District Court for the Northern District of Iowa, by filing a lawsuit against the County, the Board of Supervisors, and the Supervisors in their official capacities; and

WHEREAS, at the time, ordinances enacted by Shelby County, Iowa, and Story County, Iowa, were already being challenged on similar grounds in separate legal actions brought before the U.S. District Court for the Southern District of Iowa; and

WHEREAS, the U.S. District Court for the Southern District of Iowa heard the two cases challenging Shelby County and Story County's ordinances together and found the ordinances were preempted by both federal and state law; and

WHEREAS, Shelby County and Story County appealed the District Court's decisions to the United States Court of Appeals for the Eighth Circuit; and

WHEREAS, the case against Kossuth County in the U.S. District Court for the Northern District of Iowa was stayed (paused) pending the outcome of Shelby County and Story County's appeal; and

WHEREAS, a three-judge panel of the Eighth Circuit Court of Appeals upheld the District Court's finding of federal and state preemption of Shelby County and Story County's ordinances in the case entitled *Couser v. Shelby County, Iowa*, 139 F.4<sup>th</sup> 664 (8<sup>th</sup> Cir. 2025); and

WHEREAS, all appellate options have now been exhausted by Shelby County and Story County; and

WHEREAS, Kossuth County's Ordinance # 300 A contains provisions substantially similar to the ordinances held to be preempted in the federal court's ruling; and

WHEREAS, the County recognizes the decision is likely dispositive as to any outstanding questions on the validity and legality of its own Ordinance # 300 A, and, as a result and in the interests of good governance, now wishes to repeal Ordinance # 300 A; and

WHEREAS, on May 11, 2026, the Planning and Zoning Commission met and held a public hearing on the proposal to repeal Ordinance # 300 A; and

WHEREAS, on the Planning and Zoning Commission has reviewed and recommended approval of the proposed repeal of Ordinance # 300 A; and

WHEREAS, Iowa Code chapter 335 requires notice of the time and place of a public hearing on the proposal to repeal the County's Ordinance # 300 A, a zoning ordinance, to be published as provided in section 331.305.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY, STATE OF IOWA:

1. That this Board shall meet in the Board of Supervisors Meeting Room, Kossuth County Courthouse, 114 W. State St., Algona, Iowa 50511, at 10:00 A.M., on June 9, 2026, for the purpose of hearing public comment on and for considering and voting on the passage of the proposed ordinance.
2. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meetings, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the proposed amendment.
3. That the notice of the proposed action shall be in substantially the following form:

(To be published on May 29, 2026)

NOTICE OF A PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY, STATE OF IOWA, ON THE PROPOSITION TO REPEAL ORDINANCE # 300 A (AN ORDINANCE AMENDING VARIOUS PROVISIONS OF KOSSUTH COUNTY ZONING ORDINANCE # 300 FOR THE PURPOSE OF REGULATING AND RESTRICTING THE USE OF LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID THROUGH A HAZARDOUS LIQUID PIPELINE) FOLLOWING A FINAL COURT RULING FINDING SIMILAR ORDINANCES TO BE PREEMPTED BY FEDERAL AND STATE LAW

PUBLIC NOTICE is hereby given that the Board of Supervisors of Kossuth County, State of Iowa, will meet in the Board of Supervisors Meeting Room, Kossuth County Courthouse, 114 W. State St., Algona, Iowa 50511, at 10:00 A.M., on June 9, 2026, for the purpose of hearing public comment on and for considering and voting on the passage of a proposed ordinance repealing Kossuth County Ordinance # 300 A, An Ordinance Amending Various Provisions of Kossuth County Zoning Ordinance # 300 for the Purpose of Regulating and Restricting the Use of Land for the Transport of Hazardous Liquid Through a Hazardous Liquid Pipeline, following a final court ruling finding similar ordinances to be preempted by federal and state law.

At the above meeting the Board shall receive oral or written comments or objections from any resident or property owner of the County to the above action. After all comments and objections have been received and considered, the Board will at the meeting or at any adjournment thereof, consider and vote on the passage of the proposed repeal.

This notice is given by order of the Board of Supervisors of Kossuth County, State of Iowa, as provided by chapters 335 and 331 of the Code of Iowa.

Dated this 19th day of May, 2026.

\_\_\_\_\_  
County Auditor, Kossuth County, State of Iowa

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
County Auditor

Motion by Garman and 2<sup>nd</sup> by Waechter to approve the low 2026 gravel crushing and stockpiling quote from Reding’s Gravel and Excavating for the following unit prices: \$3.18 per ton for gravel crushing and stockpiling and \$0.70 per ton for pumping water. Motion carried unanimously.

There wasn't any construction in ROW.

Motion by Haas and 2<sup>nd</sup> by Garman to approve the new Kossuth County Engineer's Contract effective July 1, 2026 changing paragraph 10 A. to 4/5ths vote of the board to terminate the contract and striking the word association in paragraph 7 after Secondary Road and Transfer Station employees. Motion carried unanimously.

Discussion was held with the Kossuth County Engineer.

Motion by Haas and 2<sup>nd</sup> by Garman to accept the low bid of \$13,900 from B & W Control Specialists for 2026 tree and brush control in open drainage ditches in Kossuth County. Motion carried unanimously.

Motion by Nath and 2<sup>nd</sup> by Garman to set the date and time for the informational meeting for DD 116 Laterals 12 & 14 for June 2, 2026 at 8:30 A.M. Motion carried unanimously.

Motion by Waechter and 2<sup>nd</sup> by Haas to accept the Engineer's Report for DD 82 Lat 33B and Lat 40B and set the date and time for the public hearing as June 30, 2026 at 10:00 A.M. Motion carried unanimously.

Motion by Waechter and 2<sup>nd</sup> by Haas to have the Supervisors handle their requests as follows:  
Supervisor Nath: Request 2026-037 DD 9 EXT Main OD and Supervisor Garman: Request 2026-038 DD TRI 84 Main OD. Motion carried unanimously.

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

Motion by Waechter and 2<sup>nd</sup> by Garman to adjourn at 12:01 P.M. Motion carried unanimously.

Attest:

---

Tammy Eden  
Kossuth County Auditor

---

Carter Nath, Chairman  
Kossuth County Board of Supervisors