

January 2, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Sass, Vermedahl, and Buch present. Vice-Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to appoint Edward E. Sass as the board chairman for 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Sass, to appoint David H. Vermedahl as the vice-chairman for 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the minutes of December 29, 2001. All members voting "aye" thereon. Motion carried.

The Board discussed information concerning the denial of family farm credit applied for by Roger Gilchrist. Information was submitted to the supervisors clarifying the status of the farming operation as being custom farmed and not rented as originally stated. Having fully discussed the matter, it was moved by Buch, seconded by Vermedahl, to rescind the denial and to approve the family farm credit application submitted by Roger Gilchrist. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint the Cedar Valley Times, the Belle Plaine Union, and the South Benton Star Press as the official newspapers of Benton County for 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the hire of the following persons in the sheriff's department:

LaDonna Fairbanks - part-time food service/custodial, effective January 2, 2001, at a wage of \$8.86 per hour

Andy Rich - full-time correctional officer, effective January 2, 2001, at a wage of \$11.82 per hour
All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set the fee for the medical examiner at \$150.00 per report, plus actual expenses. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the Auditor's Quarterly Report for the period ending December 31, 2000. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to appoint the following persons to the Benton County Eminent Domain for 2001. All members voting "aye" thereon. Motion carried.

EMINENT DOMAIN

Licensed Real Estate Sales Person or Real Estate Broker

Arlen Gerhold
Danny Kaestner
John Ohlsen
Burtwin Day
Lee Beneke
Marion Schminke
Judy Carter
Lee Bendull

Persons Having Knowledge of Property Values by Reason of Occupation

Roger Schlarbaum
Ross Wiley
Leon Werner
Dave Coulter
Mike McNamara
Eldon Zumbach
Jeff Akers
Duane Johnson

Owner-Operator Agricultural Property

Derold Happel
Wayne Newton
John Rhinehart
Richard Grieder
Craig Mahood
Wayne Riley
Merle Merritt

Owners of City or Town Property

Darold Sindt
Harold Knaack, Jr.
Verne Freie
Earlene Clausen
Dave Coots
Larry Weeda
Doris Meredith
Paul Schellhase

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-1. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-1

WHEREAS: Iowa Code §331.506 sets forth the auditor's duties relative to the issuance of warrants; and

WHEREAS: Iowa Code §331.506 allows the auditor to issue warrants under the authority of the Board of Supervisors without prior approval,

NOW BE IT RESOLVED that the Board of Supervisors hereby authorizes the auditor to issue warrants in accordance with Iowa Code Section 331.506.

Signed this 2nd day of January 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to appoint Dave Henkel to the Benton County Conservation Board for a five-year term. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to appoint Rosemary Schwartz and Duane Eldred to the Benton County Health Board for three-year terms. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint the following members to the respective boards for 2001. All members voting "aye" thereon. Motion carried.

North Benton Resource Center (HACAP) - Supervisor Buch
Federal Emergency Management Agency (FEMA) – Mary Williams
Emergency Management Commission - Supervisor Sass

Supervisor Vermedahl, Alternate

Resource Enhancement & Protection (REAP) - Supervisor Sass

North Benton Ambulance - Supervisor Sass

Solid Waste Disposal Commission Advisory Board - Supervisor Buch

Supervisor Vermedahl, Alternate

Supervisor Sass, Alternate

County Conference Board - Supervisor Sass

Supervisor Buch

Supervisor Vermedahl

DHS Decategorization Board – Nancy Farmer

Benton County Health Board – Supervisor Vermedahl, Ex-Officio

6th Judicial District Department of Corrections – Supervisor David Vermedahl

Workforce Development - Supervisor Sass

Eastern Iowa Tourism – Supervisor Sass

Supervisor Buch, Alternate

Moved by Vermedahl, seconded by Sass, to appoint Supervisor Buch to the Regional Child Support Recovery Agency Board. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-2. Voting "aye" were Sass, Brecht, and Hanson. "Nays" none. Motion carried.

RESOLUTION #01-2

BE IT RESOLVED by the Board of Supervisors of Benton County, Iowa that Myron L. Parizek, the County Engineer of Benton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm-to-Market and federal or state aid construction projects in this county.

Dated at Vinton, Iowa, this 2nd day of January 2001.

Board of Supervisors
Benton, Iowa

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST:

Jill Marlow, Auditor

All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint Myron Parizek as Benton County's ADA Coordinator. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to increase the number of members on the Benton County Zoning Commission from seven to nine. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to table appointment of members to the Benton County Zoning Commission until January 5, 2001, to allow time to contact prospective members. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to table appointment of members to the Benton Development Group Board of Directors until January 5, 2001, to allow time to contact prospective members. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint David Thompson as trustee to the Heartland Insurance Group and Jill Marlow as alternate. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to appoint Mary Williams to the Mental Health Citizen's Advisory Board. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint Supervisor Buch to the Iowa Valley Resource Conservation & Development Board. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to appoint the following persons to the respective East Central Iowa Council of Governments' Boards. All members voting "aye" thereon. Motion carried.

EAST CENTRAL IOWA COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS

Marc Greenlee – term ending 12-31-02

Don Magdefrau – term ending 12-31-03

David Vermedahl – term ending 12-31-02

Ed Sass, Alternate – term ending 12-31-01

REGION 10 TEA-21 TRANSPORTATION POLICY COMMITTEE

Don Martin – term ending 1-1-04

Mary Halstead – term ending 1-1-02
Ed Sass, Alternate – term ending 1-1-02

Moved by Vermedahl, seconded by Buch, to appoint Scott Pottorff and Roger Witt as Safety Coordinators. All members voting “aye: thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint the following members to the Region 10 TEA-21 Technical Advisory Committee. All members voting “aye” thereon. Motion carried.

REGION 10 TEA-21 TECHNICAL ADVISORY COMMITTEE

Scott Pottorff– term ending 1-1-04
Rick Erickson – term ending 1-1-02
Myron Parizek – term ending 1-1-03

Moved by Vermedahl, seconded by Buch, to appoint Supervisor Buch to the Benton County Empowerment Board. All members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set the board’s meetings on the third Tuesday after the first Monday of each month as an evening meeting to be held at various locations throughout Benton County. The time for the evening meeting is tentatively set at 7:00 p.m. but may be changed if needed. All members voting “aye” thereon. Motion carried.

The county auditor updated the Board on VALIC as a provider of services under the county’s 457 plan. As of this date, VALIC has failed to provide contracts, documents, and other necessary information to the county to become a provider. The auditor did not request action by the Board, but simply to update them.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting “aye” thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

January 5, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of January 2, 2001. All members voting “aye” thereon. Motion carried.

The county engineer reported that the balance in the bank account for the landfill is \$32,361.65 as of December 31, 2000.

The county engineer reported Ron Elwick had contacted him regarding the \$5.00 white good disposal fee implemented at the landfill on January 1, 2001. Elwick was unable to dispose of white goods he had collected through his business in 2000 before the date the disposal fee began due to the short notification. After discussing the matter, it was moved by Vermedahl, seconded by Buch, to allow a grace period until February 1, 2001, for implementing the \$5.00 disposal fee for white goods. All members voting “aye” thereon. Motion carried. Said fee will be charged on February 1, 2001.

The engineer presented construction plans which included bridge work south of Watkins, bridge work northeast of Garrison, and resurfacing from Garrison south to Van Horne, and continuing south to Highway 30 which also includes widening of the road.

The county attorney met with the Board to discuss pending litigation. Moved by Vermedahl, seconded by Buch, to enter into closed session pursuant to Iowa Code Section 21.5(c). All members voting “aye” thereon. Motion carried at 9:45 a.m.

Moved by Buch, seconded by Vermedahl, to return to open session. All members voting “aye” thereon. Motion carried at 10:45 a.m.

Moved by Vermedahl, seconded by Buch, to direct the county attorney and the board chairman to write a job description for the position of weed commissioner. All members voting “aye” thereon. Motion carried.

The county attorney updated the Board on the status of recodifying the county’s ordinances. The county attorney advised that he would like to develop the code of ordinances by subject matter rather than by ordinance number and that he should have the project completed sometime this month.

Moved by Buch, seconded by Vermedahl, to appoint Eldon Zumbach, Dell Hanson, Ron Buch, Richard Grovert, and Rod Kubicek to the Benton Development Group Board of Directors for one-year terms. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint Gary Marlow to the Vinton Airport Board of Adjustment for a five-year term. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to table appointment of members to the Vinton and Belle Plaine Airport Zoning Boards. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the sheriff's and veterans' quarterly reports for the period ending December 31, 2000. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint the following persons to the following benefited fire district boards. All members voting "aye" thereon. Motion carried.

Van Horne – Ronald Bossler

Keystone – Tom Harty

Newhall – Timothy Rathje

Ben-Linn – James Keiper

Moved by Vermedahl, seconded by Buch, to rescind the motion of January 2, 2001, appointing Dave Thompson as Trustee to the Heartland Insurance Board and Jill Marlow as Alternate. All members voting "aye" thereon. Motion carried. This action was taken due to the Heartland Insurance Group by-laws allowing only county supervisors and auditors to serve as trustees and alternates.

Moved by Buch, seconded by Vermedahl, to appoint Jill Marlow as Trustee to the Heartland Insurance Board, and Dave Vermedahl as alternate. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint Larry Beatty, Dave Wessling, and Dan Kaestner to the Benton County Zoning Commission, and to table the appointment of R. J. Meyer. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint Brent Patterson to the Vinton Library Board to fill the position vacated by Mary Markland. All members voting "aye" thereon

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

January 9, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to amend the minutes of January 2, 2001, to include the appointment of Scott Hansen as Alternate to the East Central Iowa Council of Governments TEA-21 Technical Advisory Board. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the minutes of January 5, 2001. All members voting "aye" thereon. Motion carried.

The county engineer discussed a Level B road adjacent to Garrison. A complaint from Northern Natural Gas was received by Supervisor Sass regarding the level of maintenance of the road. The engineer reported that he researched the minutes and the road may possibly be closed due to the language in the September 1991 minutes, but currently it is being maintained as a Level B that does not have snow removal.

Moved by Buch, seconded by Vermedahl, to approve a vacation carry-over of thirty hours for Myron Parizek. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the treasurer's semi-annual report for the period ending December 31, 2000. All members voting "aye" thereon. Motion carried.

Brian Gruhn met with the Board to discuss labor negotiations. Discussions were not open to the public pursuant to Iowa Code.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 22993 through 23192, and payroll numbered 9560 through 9698, for payment. All members voting "aye" thereon. Motion carried.

The Board proceeded with budget work on budgets of the county attorney, recorder, and sanitarian.

Chairman Sass left the meeting to attend another at approximately 12:25 p.m.

Moved by Vermedahl, seconded by Buch, to approve payment of ten dollars per hour to Rod Stueck for snow removal from the Governor Sherman performed on January 6, 2001. Both members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. Both members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

January 10, 2001

The Benton County Board of Supervisors met in special session with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

The Board proceeded with work on the following departmental budgets: Weed Commissioner, Veterans' Affairs, Data Processing, Treasurer, Transportation, and Maintenance.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

January 12, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of January 9, 2001, and January 10, 2001. All members voting "aye" thereon. Motion carried.

Mary Halstead discussed the need to advertise for a driver for her department due to an employee resignation.

The county engineer discussed the Department of Transportation's desire to turn roads over to the county. At this point, the county has not agreed to accept any of the roads due to additional costs to the county taxpayers. The DOT proposes an up front cost settlement with the counties, however the long term costs for maintenance would be passed on to the counties.

The Board proceeded with budget work with the sheriff and emergency management.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-3. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-3

WHEREAS: A correction was needed to the final plat of Beau Chene First Addition to Benton County, Iowa pursuant to Iowa Code 354.24, and

WHEREAS: An Affidavit was prepared and recorded for record pursuant to said section, and

WHEREAS: The Board of Supervisors of Benton County, Iowa has reviewed the Affidavit and the attached Exhibit A showing the correction,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the AFFIDAVIT and EXHIBIT A recorded at Book 298 Pages 18 & 19 in the records of the Benton County Recorder is hereby approved.

Signed this 12th day of January 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to appoint R. J. Meyer to the Benton County Zoning Commission. All members voting "aye" thereon. Motion carried.

Mike Beumer, Benton County Weed Commissioner, did not appear before Board to discuss chemical bids

Supervisor Buch left the meeting at 11:45 a.m.

Moved by Vermedahl, seconded by Sass, to adjourn. Both members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

January 15, 2001

The Benton County Board of Supervisors met in special session with Supervisors Sass and Vermedahl present. Supervisor Buch was absent. Chairman Sass called the meeting to order at 8:15 a.m.

The Board proceeded with touring the various city libraries within Benton County.

Supervisor Buch arrived at 9.15 a.m. in Van Horne and joined the tour.

Supervisor Vermedahl left the meeting shortly before adjournment.

Moved by Buch, seconded by Sass, to adjourn. Both members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Delane Dunkel, Deputy Auditor

January 16, 2001

The Benton County Board of Supervisors met in a work session with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 8:30 a.m.

The Board proceeded with work on the FY02 budgets hearing requests from rural addressing, the county engineer, and Benton County Conservation.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

January 16, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m. at Belle Plaine City Hall.

Moved by Buch, seconded by Vermedahl, to approve the minutes of January 12, 2001 and January 15, 2001. All members voting "aye" thereon. Motion carried.

Gary Ehrle met with the Board to discuss the proposal by the Department of Natural Resources (DNR) to ban burning. Ehrle questioned what the cities would be forced to do with tree limbs and other yard waste should the city be prohibited from burning it. Supervisor Sass stated the county would try to

work with the cities by possibly establishing a burning area at the county landfill. Supervisor Vermedahl suggested that the cities consider obtaining incinerators for disposal of leaves. No formal action has been taken on the DNR's proposal by the State as of this date and therefore the Board of Supervisors took no action

The Board proceeded with FY02 budget work by reviewing the budgets of the auditor including elections, the supervisors' departmental budget, and various miscellaneous budgets.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

January 19, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse, with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 8:15 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes the work session and the regular held on January 16, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to enter into Agreement #01-HBRR-012 BROS-006(51)8J-06 with the Iowa Department of Transportation for a bridge project east of the intersection of 59th Street and 18th Avenue on 59th Street between Vinton and Garrison. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-4. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-4

WHEREAS, the Benton County Secondary Roads Department has an Assistant Engineer that has been employed for eighteen months, and

WHEREAS, Benton County is staging a salary adjustment to place this employee in a more equitable area, **BE IT THEREFORE RESOLVED** by the Benton County Board of Supervisors that the salary for Scott Pottorff be increased to \$ 36,500 per year effective January 19, 2001.

Signed this 19th day of January 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____
Jill Marlow

Benton County Auditor

The engineer discussed his FY02 budget request with the Board for secondary roads and sanitary disposal.

Mayor Lloyd Benson, City of Urbana, met with the Board to discuss a billing error which resulted in an overpayment by Benton County to Urbana, and also the city's purchase of the Benton Commerce Village water and sewer system. Benson told the Board that the city had over billed the county for maintenance and operation of the water and sewer system in FY00 and that they had agreed to reimburse the county. Benson then submitted a claim for the maintenance and operation of the system for subsequent time periods with the overpayment deducted. The Board accepted the claim and forwarded it to the auditor for payment. Mayor Benson also spoke to the Board regarding the purchase of the water and sewer system in Benton Commerce Village by the City of Urbana. Benson asked if the Board would honor the prior Board's agreement to sell the system. The Board advised that they would proceed with the sale of the system. Benson advised that attorney Bob Josten would draft an agreement for consideration.

Judy Funk of Gallagher Benefit Services (GBS) met with the Board to discuss services she could provide to Benton County for various employee benefits. Funk explained how GBS could assist the county specifically with a self-funded health insurance program and her company's qualifications. The Board did not take any action.

Representatives of the Benton County Library Association met with the Board to request additional funding in FY02. Discussion was held on the formulas used by other counties for funding libraries and the current funding that Benton County provides. The librarians also discussed their revenue sources and the correlation between funding by governmental entities. Supervisor Buch advised that he would not be opposed to increasing funding. The Board did not take any formal action on the request.

Moved by Vermedahl, seconded by Buch, to direct the auditor to include \$5,000.00 in the FY02 budget for replacement of rural addressing signs. All members voting "aye" thereon. Motion carried.

The Board also discussed surveying the county to assess the number of rural addressing signs that need replacement. Steve Meyer, Vice-President of the Benton County Firemen's Association, was asked to discuss the possibility of having the fire departments conduct the survey at the organization's next meeting. The Board did not take any action on the ordinance governing rural addressing.

Mike Beumer, the Benton County weed commissioner, met with the Board to discuss chemical quotes for FY02. Beumer advised that he sent out six requests for quotes but only received a quote from Fisher's Feed & Fertilizer. Moved by Buch, seconded by Vermedahl, to purchase chemicals for weed and brush control for FY02 from Fisher's Feed & Fertilizer at a cost of \$39,657.50. All members voting "aye" thereon. Motion carried.

Representatives of Benton Development Group (BDG) met with the Board to seek additional funding in FY02. BDG is requesting funding from Benton County in the amount of \$49,734.85. Supervisor Vermedahl requested a list of businesses and projects that BDG has brought to Benton County since its inception. Katherine Ollendieck advised that she would compile a list and bring it back to the Board. The Board did not take any action on the funding request.

The Board did not take action on the payment of the Vinton special assessment.

Mary Williams, Benton County Social Services Director, presented her FY02 budget request to the Board. The Board did not take any action.

Sandra Teich, Director of Department of Human Services in Benton County also met with the Board to discuss her FY02 budget request. The Board did not take any action.

Moved by Vermedahl, seconded by Buch, to approve the Recorder's Quarterly Report for the period ending December 31, 2000. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to table action on an easement requested by Poweshiek Water Association to allow the engineer time to review the request. All members voting "aye" thereon. Motion carried.

Keith Mossman discussed the wages being presented to the Board of Supervisors stating that Benton County and the schools set the wage scale for private business also.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

January 22, 2000

The Benton County Board of Supervisors met in special session at the Benton County Courthouse with Supervisors Vermedahl and Buch present. Supervisor Sass was absent. Vice-Chairman Vermedahl called the meeting to order at 3:30 p.m.

Public notice for this special meeting was posted at 8:30 a.m. on this date due to the supervisors attending an out-of-town meeting on January 23, 2001 and that being the date that the county is required to pay claims.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 23193 through 23460, and payroll numbered 9699 through 9848, for payment. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. Both members voting "aye" thereon. Motion carried.

David H. Vermedahl, Vice-Chairman

ATTEST: _____
Delane Dunkel, Deputy Auditor

January 26, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of January 19, 2001, and January 22, 2001. All members voting "aye" thereon. Motion carried.

Myron Parizek, the county engineer met with the Board to discuss the county's nepotism policy. Parizek requested that the Board either modifies the county's policy or allows waivers to it. The engineer would like to be able to hire relatives of employees for part-time work and job shadowing opportunities. The Board requested that the matter be placed on the agenda for February 2, 2001, at 1:00 p.m. for discussion with all elected officials and department heads.

Discussion on the county's dust control program was discussed. Supervisor Buch asked what the actual cost to the county was to provide this service. The engineer advised that the cost is probably in the vicinity of \$.94 per foot while the county is only charging \$.78 per foot.

Steve Meyer, Vice-President of the Benton County Firemen's Association, reported that he had contacted the various fire departments in Benton County regarding the survey of the rural addressing system. Meyer advised that all fire departments are willing to help the county with the survey and will attempt to have it completed by the first part of May. The Board thanked Meyer and the fire departments for their assistance.

The county engineer discussed potential legislation affecting the State's Ground Protection Fund and the senate's action to take money from the fund to assist with heating bills.

Gordon Sevig presented a petition to the Board concerning the Linn-Benton road between Walford and Highway 30. The document petitioned "the Board of Supervisors for Benton County and Linn County, Iowa, to pave or asphalt the Linn-Benton County Road from Walford to Highway 30" and contained approximately 75 signatures. The road is approximately four to five miles long. Sevig told the Board that there would be more use by commuters to Amana if the road were paved. Supervisor Buch stated that he could understand the concern of the petitioners due to the traffic utilizing the road. Sevig advised that he has had applied dust control to the road for the last several years but really needs something more permanent. The engineer advised that the agreement between Benton County and Linn County on that road is a fifty-fifty construction cost, but Benton County is responsible for the total maintenance. Supervisor Vermedahl asked if seal coating would be appropriate on that particular road. Sevig stated that sealcoating on the portion of the road located in the City of Walford has held up well. Buch asked if this was a farm-to-market road and the engineer advised that it was and that classification will provide for additional funding options. Buch asked that the engineer contact Linn County to get their input stating that he believed something needed be done on the road due to the traffic. Sass questioned the need to replace structures on the road should it be upgraded. The engineer stated there was only one structure that would need to be replaced in a year or two, and the bridge would not need to be upgraded. Vermedahl asked Sevig about the amount of truck usage to determine if a sealcoated road would stand up to the traffic. Sevig responded that only his smaller trucks used the road and that he believed that sealcoating again would be adequate. Sass stated that due to the low traffic count on that road that there would be rural subdivisions with higher traffic counts wanting sealcoated roads also. The engineer echoed that comment. Buch stated that the road's proximity to 151 would generate more traffic if it were sealcoated. Vermedahl stated that the county's construction program should be reviewed before making any commitments to the project. Sevig asked if consideration could be given to an upgrade just between Walford and his warehouse. Sevig offered to assist with the project if necessary. The engineer spoke to the county's past direction on upgrades to gravel roads to subdivisions stating it was one hundred percent the subdivision's responsibility. The engineer also reported that the county's past position on upgrades from dirt to gravel was fifty-percent participation between the county and the requestor. The engineer questioned if this same

type of proposal would require participation from the petitioners. Buch advised Sevig that there was nothing in the construction plan for upgrading the road for the current year and may not be able to be included for several years dependent upon research by the Board.

Vermedahl moved that the engineer be directed to bring information back to the Board regarding the county's long range plan for the roads in Benton County in conjunction with the Iowa Department of Transportation Construction Program, the associated costs for improvement of roads, and the level of participation of other entities and individuals. Supervisor Buch seconded the motion. All members voting "aye" thereon. Motion carried.

Renae Tharp of Benton Development Group met with the Board to discuss producing a new map for Benton County. Tharp asked what the direction of the Board was relative to the project and funding. Moved by Vermedahl, seconded by Buch, to agree to fund the production of a Benton County map in an amount not to exceed \$1,500.00 and if Benton Development Group is unable to obtain funding from other sources for the remainder of the project, that the entire project be reconsidered by the Board of Supervisors before proceeding. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-5. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-5

SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2001 budget on March 12, 2000; and

WHEREAS, the Board now desires to amend said budget within service areas,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors the FY2001 county budget is hereby amended within service areas as follows:

SERVICE AREA 8

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 80100 (departmental amendment only)	Fund 0002 Function 80100	\$ 31.00

SERVICE AREA 5

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 54100	Fund 0002 Function 54000	\$ 75.00

SERVICE AREA 4

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0010 Function 42740	Fund 0010 Function 42720	\$ 250.00

SERVICE AREA 7

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0020 Function 72300	Fund 0020 Function 71300	\$25,000.00

Dated this 26th day of January 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to pay the entire special assessment levied by the City of Vinton within the thirty day time period, if possible without a budget amendment, otherwise within the current fiscal year. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

January 30, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of January 26, 2001. All members voting "aye" thereon. Motion carried.

Cloyce Hutton requested that the Board sign an application for a Department of Natural Resources permit allowing for extension of the water and sewer lines in his subdivision located in Benton Commerce Village. Moved by Vermedahl, seconded by Buch, to direct the chairman to sign the Department of Natural Resources Construction Permit application. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to allow an easement requested by Poweshiek Water Association in 15-83-9. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to appoint Harold Ritscher to the Belle Plaine Airport Zoning Board. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to table appointment of a member to the Eminent Domain Commission. All members voting "aye" thereon. Motion carried.

Merle Miller and Jim Kane of Hawkeye Brokerage Center met with the Board to discuss their company's services for a 457 plan and other financial services for Benton County employees. Miller presented information about the various investment opportunities under the 457 plan. Discussion was held on the company's ratings and the number of companies allowed by the county's 457 plan. Vermedahl recommended that rating information be provided to the county before any decisions be made. Vermedahl also suggested that the county look at current policies regarding the number of companies allowed and the basis for acceptance.

The board inspected the treasurer's office and discussed various issues relating to the physical aspects of the office with the treasurer. The Board also viewed the chairs at Vinton city hall for possible replacement of chairs in the boardroom.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

February 2, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of January 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set a public hearing on a land use change requested by Donald McKinney on February 23, 2001 at 9:45 a.m. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a utility permit for South Slope Telephone Company to place utility lines in the county's right-of-way in section 26 of St. Clair Township. All members voting "aye" thereon. Motion carried.

The engineer reported that Taylor Construction was awarded the bridge project south of Watkins and that contract and bond documents would be forthcoming.

Moved by Buch, seconded by Vermedahl, to authorize the county engineer to apply for a credit card in accordance with the Benton County Employee Handbook's. All members voting "aye" thereon. Motion carried.

Ron Hassenius of Hassenius Plumbing and Heating met with the Board to discuss the heating and cooling in the Department of Human Services building. Hassenius reported that the placement of the existing thermostat does not allow for uniform heating and cooling of the facility. He also reported that an inadequate number of registers contribute to the problem. The problem was created when remodeling was done and various walls installed which prohibit adequate circulation. Hassenius discussed adding an additional furnace and possible replacement of the air conditioning system due to its age. The Board requested that Hassenius prepare several proposals to correct the problem.

Katherine Ollendieck met with the Board to discuss Benton Development Group issues. Ollendieck reported that she has resigned from her position as director of Benton Development Group due to her desire to spend time with her young family. Ollendieck advised that her board would be returning to the supervisors with information regarding Benton Development Group. Supervisor Vermedahl requested that Ollendieck provide her thoughts about where Benton Development Group should be in the future. Ollendieck said she would provide a reply at a future date.

Steve Meyer reported on the EMS (emergency medical services) meeting held on January 31, 2001. He explained that the group would be applying for grant money, which would be passed through the county.

Mary Williams met with the Board to present her revised budget. The Board requested that Williams rework her budget and allocate salaries and related items between mental health and relief. Williams also discussed an increase in the fees allowed for the funeral directors and ministers.

Moved by Vermedahl, seconded by Buch, to approve the hire of Jason Schott as a part-time communications officer in the sheriff's department, effective this date, at a starting wage of \$8.00 per hour, and increasing to \$9.94 upon successful completion of training. All members voting "aye" thereon. Motion carried.

Supervisor Sass left the board meeting at 11:05 a.m. to meet with the county attorney.

The Board discussed budgeting for the remodeling of the brown metal building and the possible construction of a building. The Board discussed the structural condition of the brown metal building with the county engineer and the viability of converting the building to other uses. The county engineer was directed to meet with the transportation director and the sheriff and evaluate their facility needs and make a recommendation to the Board.

Moved by Buch, seconded by Vermedahl, to recess until 1:00 p.m.

The time of 1:00 p.m. having arrived, the Board reconvened to discuss the county's nepotism policy.

Myron Parizek, County Engineer requested that the county change its policy concerning the employment of relatives on a seasonal part-time basis. Parizek advised that there are two people currently seeking employment in secondary roads on a seasonal part-time basis who have relatives already employed in his department. The county's current policy would prohibit employing such persons. Parizek advised that there would be no supervisory role by the related employees. The Board discussed the matter with the other elected officials and appointed boards who unanimously rejected any modification to the current policy. Chairman Sass then asked for a motion to modify the existing policy and hearing none he declared the issue dead. No changes or modifications were made to the current policy on nepotism.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

February 6, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of February 2, 2001. All members voting "aye" thereon. Motion carried.

The county engineer had requested bids be submitted for the purchase of two tandem-axle trucks. Bids were received as follows:

Cedar Rapids Truck Center – Peterbuilt #357 - \$72,675.00 less \$2,000 = \$70,675 each

Cedar Valley Freightliner – Freightliner #112SD - \$67,306.00 less \$5,250 = \$63,056 each

Don's Truck Sales, Inc. – Sterling L95-13 - \$64,790.00 less \$3,800.00 = \$60,990.00 each

Hawkeye International Trucks – International 5600 - \$71,602.17 less \$6,000.00 = \$65,602.17 each

Mid-America Truck & Trailer – Sterling L95-13 - \$64,030 less \$3,500.00 = \$60,530.00 each

Truck Country of Cedar Rapids, Inc – Freightliner 112SD - \$68,250.00 less \$7,000 = \$61,250.00 each

Moved by Vermedahl, seconded by Buch, to table a decision on awarding the truck bid to allow time to review all specifications. All members voting "aye" thereon. Motion carried.

The county engineer reported the balance in the landfill account as of January 31, 2001 is \$33,081.61.

The county engineer reported that William Sanders had submitted his resignation. The matter was placed on Friday's agenda for formal action.

Scott Hansen, Emergency Management Director, and representatives of Duane Arnold Energy Center met with the board to provide information about their business and various programs. Discussion was held on the funding for emergency management and the county's involvement. Hansen reported that his funding comes from Benton County, Alliant Energy, and FEMA. Discussion on possible legislation affecting the county's ability to tax was also discussed and the affect it may have on the county's ability to increase funding.

Dean Beckman and Jim Lighty with the juvenile probation office met with the board to discuss detention services. Discussion was held on the various facilities offering juvenile detention services and the probation officers' concerns on juvenile probation issues. They asked that the board consider all options for detention services before contracting with any specific entity.

The board received a draft agreement for the sale of Benton Commerce Village water and sewer system to the City of Urbana. The board did not act on the agreement.

The board received a preliminary FY02 county budget for review. The board will review the figures and take up the matter at future meetings.

The county attorney discussed matters relating to pending litigation.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Brenda Sutton, Deputy Auditor

February 9, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass and Vermedahl present. Supervisor Buch was absent. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Sass, to approve the minutes of February 9, 2001. Both members voting "aye" thereon. Motion carried

Moved by Vermedahl, seconded by Sass, to set public hearings on land use changes as follows:

Matt Schminke – March 2, 2001 at 9:30 a.m.

George Bessman – March 2, 2001 at 10:00 a.m.

Both members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to authorize the data processing department to hire Hendryx Electric to replace the fluorescent lights in their office at a cost of \$1,463.00. Both members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to accept the resignation of William Sanders from the secondary roads department, effective April 6, 2001. Both members voting “aye” thereon. Motion carried.

The county engineer discussed the truck bids received on February 6, 2001. The engineer advised that he was still looking at the specifications and was not ready to make a recommendation at this time. The matter was placed on the agenda for February 13, 2001.

Supervisor Buch arrived at 9:30 a.m.

Central Iowa Juvenile Detention Center rescheduled their presentation to February 13, 2001, due to the weather.

Gary Fordice updated the Board on issues being addressed by the Benton County Conservation Board. Discussion was held about AmeriCorp grants for conservation departments. Fordice also reported on the district conservation meeting held in Vinton.

Moved by Buch, seconded by Vermedahl, to enter into closed session pursuant to Iowa Code 21.5(i). All members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to return to open session. All members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to deny Hawkeye Brokerage Center as a provider through Benton County’s 457 Plan until a written request is received from a county employee requesting that specific firm. Further, the company will not be allowed to use payroll inserts or county facilities to promote their services until such time as the county approves them as a provider. All members voting “aye” thereon. Motion carried.

Representatives of Benton Development Group rescheduled their presentation to February 13, 2001, due to the weather.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting “aye” thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

February 13, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of February 9, 2001. All members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to appoint Mike Beumer as Benton County Weed Commissioner for 2001, and Bruce Anderson as Assistant Weed Commissioner for the same period. All members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-6. Voting “aye” were Sass, Vermedahl, and Buch. Motion carried.

RESOLUTION #01-6

ADOPTING JOB DESCRIPTION FOR BENTON COUNTY WEED COMMISSIONER/BRUSH CONTROL

WHEREAS, Benton County has appointed a weed commissioner; and

WHEREAS, the weed commissioner position includes duties for brush and weed control; and

WHEREAS, the board of supervisors and the weed commissioner desire to adopt a job description for the position of weed commissioner,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the following job description be adopted:

JOB DESCRIPTION FOR THE POSITION OF WEED COMMISSIONER

I. JOB DESCRIPTION OF WEED COMMISSIONER

A. REQUIREMENTS FOR THE POSITION:

An individual appointed by the Board of Supervisors who passes the minimum standards established by the Iowa Department of Agriculture and Land Stewardship. See Iowa Code Section 317.3.

B. DUTIES OF THE WEED COMMISSIONER

1. The weed commissioner is appointed annually by the Benton County Board of Supervisors; the appointment is effective March 1st. As an appointed Department Head, the Weed Commissioner fulfills the Commissioner's duties as set forth in Iowa Code Chapter 317, subject to the direction and control of the Board. Iowa Code Section 317.4 states that the Weed Commissioner, shall, subject to the direction and control of the Board, "supervise the control and destruction of all noxious weeds in the County, including those growing within the limits of cities, within the confines of abandoned cemeteries, and along the streets and highways unless otherwise provided." Section 317.4 also specifically provides that the Weed Commissioner shall notify the Director of Public Safety or other appropriate law enforcement agency of the location of any Marijuana plants found growing on public or private property. Section 317.4 also authorizes that the Commissioner may enter upon any land in the County at any time for the performance of the Commissioner's duties, and shall hire the labor and purchase the equipment necessary, subject to the approval of the Board, to accomplish the Commissioner's duties.

The Commissioner shall attend all continuing educational programs required to keep the Commissioner's commercial applicator's license current and shall ensure that all employees under the Commissioner's direction or control maintain their educational requirements so that their certifications are current.

The Commissioner shall perform the duties contained in Iowa Code Section 317.6 regarding the investigation of noxious weed complaints including sending the appropriate notices as required by Iowa law. The Commissioner shall prepare an annual report to the Board on or before November 1st of each year, in writing, as required by Iowa Code Section 317.7.

2. In addition to the statutory duties of the Weed Commission to control noxious weeds, the Weed Commissioner in Benton County is required by the Board of Supervisors to perform the following duties:
 - a. Control all brush growing in the County's right-of-way along all roads maintained by Benton County, Iowa, unless prohibited by law.
 - b. Shall report quarterly to the Board on the Department's activities and progress in controlling noxious weeds and brush control in the County.
 - c. Shall be the Department Head, and as such, shall be responsible for supervising all employees under the Commissioner's direction and control. It is the Commissioner's further responsibility as a Department Head to administer all applicable policies as set forth by the Benton County Employee Handbook.
 - d. As a Department Head, the Commissioner shall be responsible for preparing his annual budget.
 - e. The Commissioner shall be responsible for maintaining the equipment under the Department's control and making sure that all appropriate maintenance of same is completed.
 - f. Shall advise the Board of any emergency situations which require immediate response when the Commissioner believes the Commissioner's Department lacks the necessary personnel and/or equipment to perform the duties of said Department.

- g. Shall coordinate with the County Engineer in all matters requiring the joint cooperation of Secondary Roads and the Weed Department.
- h. Shall comply with the work schedule as set forth by the Board.

Further, said position is to be classified as a non-exempt department head for purposes of the federal Fair Labor Standards Act.

Dated this 13th day of February 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, that the following directives be made to the weed commissioner:

1. The work hours for the weed commissioner and his department remain as previously established.
2. The weed commissioner is to submit a work schedule to the board of supervisors bi-weekly setting out his work schedule for the following two weeks.
3. The normal workday for the weed department is to begin at the county shop and end at the county shop, any exceptions are to be specifically noted and submitted to the board of supervisors.

All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint Marty Ternus to the 2001 Benton County Eminent Domain Commission as an owner-operator of agricultural property. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the claims numbered 23461 through 23820, and payroll numbered 9849 through 9997, and 9998 through 10154, for payment. All members voting "aye" thereon. Motion carried.

The county engineer discussed the truck bids with the board. The engineer questioned if the board would be willing to sell the dump trucks to the conservation department versus trading in the vehicles. The matter was placed back on the February 16 agenda for action.

Moved by Vermedahl, seconded by Buch, to approve the contract and bond with Taylor Construction, Inc. for a bridge replacement project south of Watkins. All members voting "aye" thereon. Motion carried.

Tony Reed of Central Iowa Juvenile Detention Center met with the Board to discuss detention services provided by his organization. Reed told the Board that his organization could save Benton County housing and transportation costs associated with juvenile detention placements. Supervisor Vermedahl requested that other detention facilities be researched before making any decisions.

Representatives of Benton Development Group (BDG) met with the Board to discuss organizational issues. Dave Coulter explained that the organization is currently at a crossroads in their organization due to the resignation of the executive director. Coulter reported that there are five communities presently participating in the organization. Coulter explained that economic development is hard to sell to communities and the affect economic development has on them. Coulter explained that replacement of the executive director could be quite costly and asked that the Benton Development Group be solely funded by Benton County. Coulter stated that although the organization is asking for considerable more money from Benton County, the county has already received a large benefit from the organization. Dell Hanson commented that many people believe BDG is a realtor and don't realize that BDG is just an information center. Hanson further commented that users of the service "dropped the ball"

not BDG in past activities. Hanson echoed that more money would be needed if BDG were to survive. Marty Junge commented that the board and the director spend a considerable amount of time going back to the cities year after year to explain what had been done for them and asking for their continued financial support. Junge said that the process of obtaining funding is time consuming and taking time away from other matters. Junge also added that non-member communities are getting the benefit of BDG even though they don't belong. BDG requested that the county fund the organization in an amount of \$100,000.00 for the next fiscal year. Katherine Ollendieck stated that amount would cover the services currently being provided but did not include additional funding for education, marketing, etc. Supervisor Sass commented that many of the concerns he had heard were that communities were not getting their money's worth. Vermedahl questioned what the vision of BDG was or would be if the county were the sole sponsor. Vermedahl asked what BDG was going to do for marketing. Vermedahl stated that if the county is to spend \$100,000 we should have some very specific ideas on what things are going to happen. No decisions were made by the board of supervisors regarding the request.

Moved by Vermedahl, seconded by Buch, to appoint Marty Ternus to the 2001 Eminent Domain Commission as an owner/operator of agricultural land. All members voting "aye" thereon. Motion carried.

The board worked on budget matters at various times during the meeting.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

February 13, 2001

The Benton County Board of Supervisors met in special session at the Farm Bureau office in Vinton, Iowa with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 6:00 p.m.

The purpose of the special session was to discuss various budget issues with members of the Benton County Farm Bureau. Farm Bureau members discussed their concerns over rising property taxes and legislation currently being proposed to control the rise of taxes.

The Board listened to the comments and advised that they would consider their comments when working on the county budget.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

February 15, 2001

The Benton County Board of Supervisors met in special session at the Benton County Courthouse with Supervisors Vermedahl, and Buch present. Vice-chairman Vermedahl called the meeting to order at 1:00 p.m.

Moved by Buch, seconded by Vermedahl, to set March 9, 2001, at 9:30 a.m. as the time and date for a public hearing on a land use change requested by David Birch located in section 26 of Leroy Township. Both members voting "aye" thereon. Motion carried.

Supervisor Sass arrived at 1:15 p.m.

Rick Bramow and Dennis Thompson, maintenance personnel, met with the board to discuss the outside lighting of the courthouse and new lawn and snow removal equipment. Bramow reported that the lawn and snow removal equipment needed to be replaced. Bramow also reported on concerns with the outside lighting of the courthouse. No action was taken on either matter.

Moved by Vermedahl, seconded by Buch, to purchase two Freightliner Model FD112SD cab and chassis from Cedar Valley Freightliner at a cost of \$67,306.00 each with no trade-in. All members voting "aye" thereon. Motion carried.

The board continued with work on the county's FY02 budget.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

February 20, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to table approval of the minutes until the meeting this evening. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to accept the resignation of Justin Simmons from the Benton County Sheriff's Department effective February 28, 2001. All members voting "aye" thereon. Motion carried.

The board proceeded with work on the county's FY02 budget.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

February 20, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Garrison Fire Station, Garrison, Iowa with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of February 13, 2001, February 15, 2001, and February 20, 2001 (morning meeting). All members voting "aye" thereon. Motion carried.

Paul Kruse met with the Board to discuss the Iowa Public Agency Investment Trust (IPAIT). IPAIT is an investment pool for county funds sponsored by the Iowa State Association of Counties, the Iowa League of Cities and the Iowa Association of Municipal Utilities. The organization also provides various investment services to public entities. Kruse advised that there was no cost to Benton County to join the organization and that there was no requirement that the county use the services. The organization provides for an alternative investment option to the treasurer if needed. Kelly Geater, Benton County Treasurer, requested that the board consider joining the organization. The board advised that they would take the matter under consideration.

Ed McGivern and representatives of the Benton County American Legion met with the board to discuss various issues affecting veterans. The group wanted to inform the board about veterans and request that the board considers their needs when budgeting for the county. They asked that the county continue to fund the Veterans Affairs Commission in Benton County and continue to provide for a director. They asked that the county continue to fund assistance for needy veterans as in the past. They asked that the office of the veterans' affairs director be larger, more accessible, and more visible than it is currently if possible. The board listened to their requests and concerns and advised that they would consider those requests while working on the county's budget.

Moved by Buch, seconded by Vermedahl, to accept the resignation of Don Burmeister as a part-time driver with Benton County Transportation effective February 19, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the hire of Dana Burmeister as a part-time driver with the Benton County Transportation Department, effective February 19, 2001, at a wage of \$8.40 per hour. All members voting "aye" thereon. Motion carried.

Al Schafbuch met with the board to discuss Farm Bureau's legislative proposal on property taxation. Schafbuch explained his understanding of the proposal and answered various questions. The board proceeded with work on the FY02 county budget. Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

February 23, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of February 20, 2001 (evening meeting). All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the vacation carry-over for Michael Buemer in the amount of 20.5 hours, to be used by June 30, 2001

Moved by Buch, seconded by Vermedahl, to direct the chairman to sign the Iowa Department of Transportation Universal Payment Vouchers for funds totaling \$1,475.99 from the state farm-to-market fund. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the following utility permits:

Iowa Telecommunication Service, Inc. – Section 7/18 of Iowa Township

South Slope Telephone Cooperative Telephone Co. – Section 9/16 St. Clair Township

South Slope Telephone Cooperative Telephone Co. - Section 22 of St. Clair Township

All members voting "aye" thereon. Motion carried.

The time of 9:45 having arrived, and this being the time and date set for a public hearing on a land use change requested by Donald McKinney, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on a parcel located in a Part of the SW1/4 of the NE1/4 of 17-82-12 (Iowa Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Charles Patten met with the Board to request a variance to the requirements of the county's subdivision ordinance which sets out that a final plat must be submitted for board approval within one year after the approval of the preliminary plat. Patten had submitted a preliminary plat for Patten's Cedar River Access, which consisted of over one hundred and ninety acres. Patten advised that the project was to be completed through the submission of three final plats representing different parts of the preliminary plat. Patten has received approval of Patten's Cedar River Access 1st Addition and 2nd Addition. The portion of the preliminary plat that a variance is being sought is that which will be the 3rd addition. The Board discussed the matter stating their concern over setting precedence yet complying with past actions. Having fully discussed the matter, it was moved by Buch, seconded by Vermedahl, that resolution #01-7 be adopted. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-7

GRANTING VARIANCE TO BENTON COUNTY SUBDIVISION ORDINANCE

WHEREAS: Benton County adopted an ordinance regulation the subdivision of land; and

WHEREAS: Said ordinance provides that the Board of Supervisors may grant a variance if an undue hardship would result if strict adherence to the requirements of the ordinance are adhered to; and

WHEREAS: the developer has filed final plats for a portion of the preliminary plat known as Patten's Cedar River Access 1st and 2nd Addition; and

WHEREAS: the developer has

WHEREAS: Charles Patten has requested a variance to the requirement that a final plat be filed within one year after approval of a preliminary plat with respect to the remainder of the property; and

WHEREAS: The Board finds that strict adherence to the ordinance would cause an undue hardship and a variance would allow for substantial justice and secure the public trust,
THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirement of Benton County Ordinance #26 as amended and revised, be waived as follows:

With respect to the preliminary plat for Patten's Cedar River Access, the requirement of Benton County Amended and Revised Ordinance #26, Article 6.05(e), is hereby waived for a period of time ending February 23, 2004 as strict compliance would result in an undue hardship.

Dated this 23rd day of February 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow

Benton County Auditor

Hank Werhman and Christine Taliga met with the Board to discuss the services provided by the Iowa Valley Resource Conservation and Development (R C&D) organization. They educated the board on projects that have been completed by the R C&D, and projects that are currently being undertaken. The purpose of the meeting was to make the board aware of the organization and their function in Benton County.

Lloyd Schaufenbuel a partner with Group Specialists Inc. met with the board to discuss the services his company could provide for health insurance coverage for Benton County employees. Schaufenbuel requested the opportunity to quote on the county's health insurance coverage.

Moved by Vermedahl, seconded by Buch, to enter into closed session pursuant to Iowa Code 21.5(a) to discuss a client appeal. All members voting "aye" thereon. Motion carried at 11:25 a.m.

Moved by Buch, seconded by Vermedahl, to return to open session. All members voting "aye" thereon. Motion carried at 12:05 p.m.

Mary Williams, Social Services Director, advised that she was withdrawing her decision to deny services to a client on February 8, 2001, until further information could be obtained.

Moved by Buch, seconded by Sass, to recess until 1:00 p.m. All members voting "aye" thereon. Motion carried.

The Board reconvened at 1:00 p.m. to continue with FY02 budget work and related issues.

Moved by Vermedahl, seconded by Buch, to table setting the date for a public hearing on the FY02 budget until Monday, February 26, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

February 26, 2001

The Benton County Board of Supervisors met in special session at the Benton County Courthouse, Vinton, Iowa with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 4:00 p.m.

Moved by Vermedahl, seconded by Buch, to approve a four and one-half (4 ½ %) percent increase in wages/salaries of full-time employees not classified as elected or deputy for FY02. Vermedahl voted "aye". Sass and Buch voting "nay". Motion failed.

Moved by Buch, seconded by Vermedahl, to approve a four (4%) percent increase in wages/salaries of full-time employees for FY02. Said wage/salary increase does not apply to elected

officials or those persons whose salary is computed as a percentage of elected officials. Further, the salaries of the following positions will be established separately to provide a salary more comparable to their responsibilities: transportation director, maintenance personnel, and treasurer's clerks. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set the salary of the transportation director for FY02 at \$30,000.00 per year. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set the salary of the maintenance personnel for FY02 as follows: Maintenance I - \$28,000.00 per year and Maintenance II - \$26,500.00 per year. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set the salary the salary of the clerks in the treasurer's office for FY02 at \$18,250.00 per year. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Sass, to approve a four (4%) percent increase in the hourly rate of part-time employees except wages of those part-time employees of the sheriff's department which are established by separate action of the board. Sass and Buch voting "aye" thereon. Vermedahl abstained due to a conflict of interest. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the FY02 budget for publication with changes made for the preceding wage adjustments. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set March 13, 2001, at 9:30 a.m. as the time and date for a public hearing on the FY02 budget. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

February 27, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 8:35 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of February 23, 2001 and February 26, 2001. All members voting "aye" thereon. Motion carried.

Dave Coulter and Marty Junge met with the Board to discuss organizational and funding issues for Benton Development Group. Coulter advised that the Group is trying to maintain services by retaining the office secretary on a full-time basis. Coulter also stated that Katherine Ollendieck would be retained on an as-needed basis to troubleshoot and do grant writing. Supervisor Sass questioned if Ollendieck would be given a \$10,000.00 retainer as reported in a recent news article. Coulter and Junge advised that it was not the intent to have Ollendieck on a retainer but rather to hire her on an hourly basis when needed. Junge stated that the current office staff would have to assume more responsibilities for the next year and at the completion of a year BDG would have to re-evaluate the program and its needs. Supervisor Sass questioned if the figure reported in the news article on the salary for the office staff was accurate. Coulter responded that the figure included the health insurance costs. Coulter stated that he believes the organization contributes to the county and would not like to see Benton Development Group dissolve, stating that the enthusiasm to start another organization may not be there in the future. Vermedahl voiced his concern over the \$10,000 retainer also; stating that it was not his desire to see a retainer paid to Ollendieck. The other board members echoed Vermedahl's comment. Having fully discussed the matter, it was moved by Buch, seconded by Vermedahl, to fund Benton Development Group in the amount of \$50,000.00 for FY02. All members voting "aye" thereon. Motion carried.

Mike Raue met with the Board to request an abatement of tax and penalty on mobile home #800047 in the amount of \$49.00. Raue advised that the mobile home had been removed for several years. Moved by , seconded by , to adopt Resolution #01-8. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

**RESOLUTION #01-8
ABATEMENT OF TAX AND PENALTY**

BE IT RESOLVED by the Benton County Board of Supervisors that all tax and penalty be abated on mobile home #800047.

Dated this 27th day of February 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-9. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

**RESOLUTION #01-9
SPEED LIMITS BY BELLE PLAINE**

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285 subsection 5 of the Code of Iowa to determine upon the basis of an engineering and traffic investigation that the speed limit on any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS: Such investigation has been completed and the county engineer has made his recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that speed limits be established and appropriate signs erected at the locations described as follows:

1. Secondary road from the south ¼ corner of section 17, T82N, R12W, north 500 feet, 35 MPH. (11th Ave Dr north of 77th St)
2. Secondary road from that point 500 feet north of the south ¼ corner of section 17, T82N, R12W, north approximately 1 mile to a point 300 feet north of the south ¼ corner of section 8, T82N, R12W, 45 MPH. (11th Ave Dr north of 77th St and 76th St)

Passed and approved this 27th day of February 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to approve claims numbered 23821 through 24007, and payroll numbered 10155 through 10322, for payment. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-10. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

**RESOLUTION #01-10
SERVICE AREA BUDGET AMENDMENT**

WHEREAS, the Benton County Board of Supervisors adopted the FY2001 budget on March 10, 2000; and

WHEREAS, the Board now desires to amend said budget within service areas,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors the FY2001 county budget is hereby amended within service areas as follows:

SERVICE AREA 2

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 21400	Fund 0002 Function 20000	\$ 50.00
Fund 0002 Function 21400	Fund 0002 Function 20100	\$ 38.42

SERVICE AREA 4

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0010 Function 42740	Fund 0010 Function 42720	\$ 33.00

SERVICE AREA 5

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 52100	Fund 0002 Function 52000	\$ 1,386.29
Fund 0002 Function 54100	Fund 0002 Function 54000	\$ 717.00

SERVICE AREA 8

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 80100	Fund 0002 Function 80100	\$ 31.00 (depart change)

Signed this 27th day of February, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-11. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

**RESOLUTION #01-11
ABATEMENT OF PENALTY**

BE IT RESOLVED by the Benton County Board of Supervisors that penalty in the amount of \$66.00 is hereby abated on parcel #660-20100 in full.

Dated this 27th day of February 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow

Benton County Auditor

Bob Moen spoke to the Board concerning the county's health insurance. Moen discussed the viability of self-funding, partial self-funding, and fully insured plans based on the county's claim rate. Moen advised that he was currently obtaining quotes on health insurance and would provide that information at a later date. The Board took no action.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

March 2, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Vermedahl and Buch present. Supervisor Sass was absent. Vice-Chairman Vermedahl called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of February 27, 2001. All members voting "aye" thereon. Motion carried.

Myron Parizek discussed dust control issues with the board. Supervisor Buch commented that if the county were to stop providing the service he was concerned that the county would lose some control over the roads. Parizek advised that the problem wasn't with dust control but with MC-70 applications and residents thinking that it is a blacktop and that MC-70 has to be torn up or the road will lose its base. Parizek stated that those counties use calcium chloride don't seem to have any problem with private contractors applying the material. Parizek was seeking direction from the board as to the county's direction with the dust control program. Parizek stated he would like to see the county discontinue the dust control program since it was available from private businesses allowing him to utilize the county employees on projects that benefit the whole county. Parizek also told the board that many times employees work overtime on dust control and not just within regular hours directly affecting the cost of the program. Supervisor Vermedahl requested that Parizek return with three cost alternatives. One alternative is to consist of the county continuing the dust control program with employees working overtime and another alternative without overtime. The third alternative is to use a private contractor to apply the dust control with the program being coordinated through engineer.

Parizek updated the board on the Watkins bridge project. Parizek has spoke with the contractor who plans to begin work at the end of April with a completion date possibly in mid-August.

Parizek requested that the board accept bids for a motorgrader on March 13, 2001. The matter was placed on the board's agenda.

The time of 9:30 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Matt Schminke, the board took up the matter for consideration. Marc Greenlee requested that the Board table consideration and action on the request until further investigation can be done by the land use administrator. Moved by Buch, seconded by Vermedahl, to table action on a land use change requested by Matt Schminke until rescheduled by the land use administrator. Both members voting "aye" thereon. Motion carried.

Parizek continued to discuss matters of concern with the board. The engineer commented about the need to replace the communications/radio system at secondary roads. Parizek advised that the Federal Communications Commission is changing rules, which will eliminate the type of system currently being used. Parizek discussed an "800" communication system that he was researching. Vermedahl requested that before any major changes are done to the system, that the county departments meet and discuss their communication needs with the possibility that overall communication needs be improved.

The time of 10:00 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by George Bessman, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on a parcel located in a Part of the SW1/4 of the SW1/4 of 30-83-12 (Kane Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a vacation carry-over of ten hours requested by Bruce Anderson in accordance with the Benton County Employee Handbook. The carry-over is to be used no later than June 30, 2001. Both members voting "aye" thereon. Motion carried.

Dave Thompson, Benton County Attorney, met with the Board to discuss issues of concerning him. The county attorney spoke to the board about extradition expenses being cut in his FY02 budget. The county attorney also requested that the wage increase for Ashlyn Kremenak be reconsidered but due to Supervisor Sass being absent, the matter was placed on the March 13th agenda along with further discussion on the attorney's FY02 budget.

The county attorney spoke to the board about his concerns over the posting and holding of board meetings outside of the regular Tuesday and Friday meetings. Thompson was not aware, as were other departments not aware, of the February 26th meeting when the board took action on employee wages for FY02. Thompson advised that he spoke with the sheriff, health/land use, and data processing departments who were also unaware of the meeting. Thompson stated that the board meeting was in accordance with law, but believed that notice should have been given to each department individually. Vermedahl stated that the agendas were published and posted in the same manner as in the past and did not want to make any deviation from that procedure but appreciated the county attorney's comments.

Moved by Buch, seconded by Vermedahl, to adjourn. Both members voting "aye" thereon. Motion carried.

David Vermedahl, Vice-Chairman

ATTEST: _____
Jill Marlow, Auditor

March 6, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of March 2, 2001. All members voting "aye" thereon. Motion carried.

The county engineer reported the landfill bank balance was at \$34,401.53 as of February 28, 2001.

Moved by Vermedahl, seconded by Buch, to join Iowa Public Agency Investment Trust (IPAIT) and directed the treasurer to draft the required resolution for adoption by the board. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to authorize the county auditor, as plan administrator, to sign the necessary documents allowing VALIC to provide a 457-investment option to county employees. All members voting "aye" thereon. Motion carried.

The Board discussed landscaping the southeast corner of the courthouse yard. John Fischer has offered to pay for all materials and provide labor for the project. Fischer had requested that the county also provide labor with the cement work. The Board spoke with the county engineer regarding the proposal and providing labor from secondary roads. The engineer was directed to coordinate and work with Fischer on the landscaping project.

Moved by Buch, seconded by Vermedahl, to approve the Liquor License and Sunday Sales Permit for Benton Golf Club, Inc. All members voting "aye" thereon. Motion carried.

The county attorney met with the Board to request a larger wage increase in FY02 for his part-time secretaries. The attorney stated that currently Ashlyn Kremenak is earning \$7.50 per hour and requested that her FY02 wage be set at \$9.00 per hour. The attorney also requested that Betty Stone's wage be set at \$14.00 per hour in FY02 which would be an increase of \$1.00 per hour. Supervisor Vermedahl abstained from all comment due to a conflict of interest.

Moved by Buch, seconded by Sass, to set the wage of Ashlyn Kremenak for FY02 at \$8.00 per hour. Buch and Sass voting "aye" thereon. Vermedahl abstained. Motion carried.

Moved by Buch, seconded by Sass, to leave the FY02 wage increase for Betty Stone at four percent. Buch and Sass voting "aye" thereon. Vermedahl abstained. Motion carried.

The county attorney, sheriff, and Pete Wright, detective, discussed extradition costs being cut from the county attorney's budget. Detective Wright advised that it was necessary to show that money was being budgeted for extradition for federal reporting purposes. The sheriff told the board that recent

extradition costs had been paid from his budget and requested that the funding be placed in his budget instead of the county attorney's budget. Moved by Vermedahl, seconded by Buch, to transfer \$1900.00 from the county attorney's FY02 budget to the sheriff's budget for extradition purposes. All members voting "aye" thereon. Motion carried.

Gary Fordice met with the Board to update them on conservation activities. Fordice reported on construction of a ranger residence and the affect of proposed budget cut to conservation. The Board indicated that the project might need to be planned over several years versus one or two years.

Brian Gruhn presented the agreement reached between Benton County and the secondary roads employees' union. The Union has ratified the agreement and Gruhn was requesting Board approval. The agreement is for one year and provides for a 3.5% increase in hourly wage rates and allows eight hours of an employee's sick leave to be used for illness of spouse or child, and other language changes. Moved by Buch, seconded by Vermedahl, to approve the agreement between Benton County Secondary Roads and Public, Professional & Maintenance Employees Local Union 2003 International Brotherhood of Painters & Allied Trades, AFL-CIO.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Delane Dunkel, Deputy Auditor

March 9, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Vermedahl and Buch present. Vice-Chairman Vermedahl called the meeting to order at 9:00 a.m.

Supervisor Sass arrived at 9:10 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of March 6, 2001. All members voting "aye" thereon. Motion carried.

Discussion was held on the placement of lighting on the south side of the courthouse. Concerns were made about the lack of lighting on the flag and potential hazards with the current spotlight's placement. The Board decided to research the matter further by trying different placements of the light.

The county engineer met with the board and discussed landfill issues and the scrap tire amnesty program. The engineer recommended that the tire amnesty be held on April 3rd and 4th. Vermedahl commented about the program not being offered on a Saturday when more people could participate. The engineer also discussed a tire education program being organized by the East Central Iowa Council of Governments (ECICOG) on May 5th. ECICOG has selected John's Tire in Vinton, Iowa to participate in the program.

The engineer spoke to permitting regulations at the landfill and that the Department of Natural Resources has banned burning of any yard waste at the landfill, including tree limbs.

The time of 9:30 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by David Birch, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on a parcel located in a Part of the NE1/4 of the SW1/4 of 26-82-11 (Leroy Township) for a single residential use. All members voting "aye" thereon. Motion carried.

The engineer continued discussion on landfill regulations and prohibitions. Recycling and various communities' plans were also discussed.

Marc Greenlee presented information on a request for a farm exemption by Kurt Rich. Moved by Vermedahl, seconded by Buch, to approve a farm exemption requested by Kurt Rich on a parcel located in 33-86-9 (Polk Township) as authorized and in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The applicant is actively engaged in farming and the request is to construct a farm residence. All members voting "aye" thereon. Motion carried.

Heidi Pearson met with the Board to request an office space in the Benton Development Group's office. Vermedahl stated that two other offices had requested additional office space and that he would like to review the current office space and needs before making a decision.

Kathy Jordan with the Iowa Department of Human Services Case Management met with the Board to discuss renewal of the existing lease agreement for office space. The Board indicated that they would approve an agreement increasing the rent to \$450.36 per year. Jordan is to draft a revised agreement for formal approval by the supervisors.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-12. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION APPROVING PLAT #01-12

WHEREAS, a plat of Ferguson First Addition to Benton County, Iowa, containing three lots has been presented to the Benton County Board of Supervisors consisting of the following described real estate:
See Attached Final Plat

And

WHEREAS, after consideration, the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa and the Ordinances of Benton County, Iowa, and

WHEREAS, the Benton County Board of Supervisors find that the plat would be advantageous to Benton County, Iowa,

NOW, THEREFORE, BE IT RESOLVED BY THE Benton County Board of Supervisors that said plat of Ferguson First Addition to Benton County, Iowa, will be the same and is hereby acknowledged and approved and accepted on the part of Benton County, Iowa.

The Benton County Auditor is hereby directed to certify this resolution approving plat and affix the same to said plat as provided by law.

This resolution passed and approved on the 9th day of March 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

ATTACHMENT

DESCRIPTION OF FERGUSON FIRST ADDITION

That part of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section No. 10, Township No. 85 North, Range No. 10 West of the Fifth Principal Meridian, Benton County, Iowa, described as follows:

Beginning at the Northeast corner of said Northwest Quarter of the Southeast Quarter, point being a found 1/2" rebar with license #5898;

thence South 00°01'15" West (recorded as South 00°01'16" West) along the East line of said Northwest Quarter of the Southeast Quarter a distance of 996.92 feet to the Northeast corner of Parcel "A" as recorded in Book 9 Page 239 of the Benton County Recorder's Office, point being a found 1/2" rebar with license #6505;

thence South 85°53'15" West (recorded as South 85°53'14" West) along the Northerly line of said Parcel "A" a distance of 343.74 feet to the Northwest corner of said Parcel "A", point being a set "Mag" nail;

thence South 03°35'30" East (recorded as South 03°35'30" East) along the Westerly line of said Parcel "A" a distance of 195.98 feet to the Northerly right-of-way line of 58th Street, point being a set "Mag" nail;

thence Northwesterly 26.08 feet along a curve concave Northeasterly having a radius of 1,428.00 feet and a long chord of North 78°59' West 26.08 feet to the Easterly line of Parcel "B" as recorded in Book 10 Page 195 of the Benton County Recorder's Office;

thence North 04°20'50" West (recorded as North 04°20'47" West) along the Easterly line of said Parcel "B" a distance of 295.28 feet to a found 1/2" rebar with license #11809;

thence North 50°08'15" West along the Northerly line of said Parcel "B" a distance of 205.5 feet (recorded as North 50°09'16" West 205.47 feet) to a found 1/2" rebar with license #11809;

thence North 71°57' West along the Northerly line of said Parcel "B" a distance of 181.87 feet (recorded as North 71°56'10" West 181.84 feet) to a found 1/2" rebar with license #11809;

thence North 36°52'30" West along the Northerly line of said Parcel "B" a distance of 194.0 feet (recorded as North 36°52'21" West 193.99 feet) to a found 1/2" rebar with license #11809;

thence North 04°42' West a distance of 105.0 feet to a set 1/2" rebar with license #6505;

thence North 54°44' East a distance of 155.71 feet to a set 1/2" rebar with license #6505;

thence North 00°05' West a distance of 378.68 feet to the North line of said Northwest Quarter of the Southeast Quarter, point being a set 1/2" rebar with license #6505;

thence North 89°53'50" East (recorded as North 89°53'48" East) along said North line a distance of 708.0 feet to the point of beginning. Contains 15.58 acres. Note: The East line of said Northwest Quarter of the Southeast Quarter is assumed to bear South 00°01'15" West for this description.

Ron Hessenius of Hessenius Plumbing and Heating met with the Board to discuss heating and air conditioning in the Department of Human Services building. The Board is to meet with Hessenius on March 16, 2001 and tour the facility.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

March 13, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of March 9, 2001. All members voting "aye" thereon. Motion carried.

Myron Parizek, County Engineer discussed landfill issues and the history of the landfill board. Parizek also spoke about the landfill testing required by the Department of Natural Resources currently being performed by Howard R. Green. Howard R. Green quoted \$14,200.00 for calendar year 2001 to continue the testing. Moved by Buch, seconded by Vermedahl, to contract with Howard R. Green Co. to perform testing requirements at the landfill for 2001. All members voting "aye" thereon. Motion carried.

The time of 9:00 a.m. having arrived, and this being the time and date set for a public hearing on the county's 2001-2002 budget, the Board took up the matter for consideration. Warren Richart, Chairman of the Benton County Compensation Board, presented the compensation board's recommendation for elected county officials' salaries. Recommendations were presented as follows:

County Auditor, Treasurer, Recorder - \$43,500.00 annually

County Sheriff - \$56,000.00 annually

County Attorney - \$63,000.00 annually

County Supervisors - \$30,000.00 annually

Richart explained that the people of Benton County vote elected officials into office and historically the elected officials have received the least amount of salary increase. Richart stated that citizens want the best people in the elected positions and the county should compensate the elected officials accordingly.

Supervisor Buch commented that the elected officials received a large increase last year. Richart responded that the elected officials were significantly behind in their salaries and the compensation board has been attempting to rectify the matter. Richart stated that past budget cuts were accomplished by reducing the salaries of the elected officials and consequently the elected officials have fallen behind. Richart thanked the board for considering the compensation board's recommendations. Supervisor Vermedahl stated that he attended the compensation board's meeting and listened to the compensation

board deliberate. Vermedahl said he appreciated the thought and understood the compensation board's philosophy but that he would not expect the other county employees to accept an increase that he as an elected official was not willing to accept.

Moved by Vermedahl, seconded by Buch, to decrease the compensation board's recommended increases by 34.4% for the elected officials in FY02. All members voting "aye" thereon. Motion carried.

The board then continued with the budget hearing.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-13. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-13

BE IT REMEMBERED that on this, the 13th day of March 2001, the Board of Supervisors of Benton County, Iowa, met in session for the purpose of holding a public hearing on the proposed budget for fiscal year 2001-02 as filed with the Board. There was present a quorum as required by law. The notice and place of hearing had, according to law and as directed by the Board, been published in the Belle Plaine Union, South Benton Star Press, and Cedar Valley Times, official newspapers published in Benton County.

The budget was then taken up and considered. There were two members of the public and one member of the news media present. The county attorney, county treasurer, and county engineer were also present. No objectors were present.

The County Compensation Board recommended salary increases as follows:

Auditor	\$2,500.00
Recorder	\$2,500.00
Treasurer	\$2,500.00
Sheriff	\$4,000.00
County Attorney	\$4,000.00
Supervisors	\$2,000.00

The Board had by previous action reduced the compensation board's recommendations by 34.4% for elected county officials.

IT IS THEREFORE RESOLVED, by the Benton County Board of Supervisors that final adoption of the budget is approved as published with the following adjustments:

County Attorney – reduced to reflect salaries

County Auditor – reduced to reflect salaries

County Recorder – reduced to reflect salaries

County Supervisors – reduced to reflect salaries

County Treasurer – no adjustment as current budget reflects approved salaries

County Sheriff – increase administrative budget by \$1,900.00 and reduce medical examiner's budget by the same amount for extradition expenses; no adjustments for salaries

Service Area 7 – shift expenditures in road clearing from Secondary Roads Fund to Rural Services Fund

The budget as adopted will approve the following taxes for fiscal year 2001-02.

General Basic	\$3,058,175
General Supplemental	\$ 200,000
Mental Health Services	\$ 300,000
Rural Services Basic	\$2,000,000
Debt Service	\$ 87,873

Dated this 13th day of March 2001.

"Ayes" – Sass, Vermedahl, Buch

"Nays" - none

Benton County Board of Supervisors

Edward E. Sass, Chairman

David Vermedahl

Ronald Buch

ATTEST: _____

Jill Marlow, Auditor

Moved by Buch, seconded by Vermedahl, to approve claims numbered 24008 through 24274, and payroll numbered 10323 through 10495, for payment. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, that the request to abate penalty assessed on parcels #770-02000 and #770-01700 be denied. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-14. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-14

WHEREAS, the Benton County Treasurer has recommended that the tax and penalty on parcel #030-00027 be abated as it is impractical to pursue collection; and

WHEREAS, Iowa Code 445.16 provides for abatement of said tax and penalty upon recommendation of the treasurer,

BE IT RESOLVED by the Benton County Board of Supervisors that tax and penalty on parcel #030-00027 be abated in full.

Dated this 13th day of March 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow

Benton County Auditor

Supervisor Buch left the meeting at 10:35 a.m.

Moved by Vermedahl, seconded by Sass, to adopt Resolution #01-15. Voting "aye" were Sass and Vermedahl. "Nays" none. Motion carried.

RESOLUTION #01-15

WHEREAS, the Benton County Treasurer has recommended that the tax and penalty on parcel #070-00560 be abated as it is impractical to pursue collection; and

WHEREAS, Iowa Code 445.16 provides for abatement of said tax and penalty upon recommendation of the treasurer,

BE IT RESOLVED by the Benton County Board of Supervisors that tax and penalty on parcel #070-00560 be abated in full.

Dated this 13th day of March 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

ATTEST: _____

Jill Marlow

Benton County Auditor

Moved by Vermedahl, seconded by Sass, to adopt Resolution #01-17. Voting "aye" were Sass and Vermedahl. "Nays" none. Motion carried.

RESOLUTION #01-17

WHEREAS, the Benton County Treasurer has recommended that the tax and penalty on parcel 270-12921 be abated as it is impractical to pursue collection; and

WHEREAS, Iowa Code 445.16 provides for abatement of said tax and penalty upon recommendation of the treasurer,
BE IT RESOLVED by the Benton County Board of Supervisors that tax and penalty on parcel #270-12921 be abated in full.

Dated this 13th day of March 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

ATTEST: _____

Jill Marlow
Benton County Auditor

Supervisor Buch returned at 10:40 a.m.

The treasurer discussed her attempts to collect on parcel #370-01262 however she did not recommend abatement of the tax and penalty on this date.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

March 16, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of March 13, 2001. All members voting "aye" thereon. Motion carried.

The time of 9:00 a.m. having arrived, and this being the time and date set for a bid letting on a motor grader, the Board proceeded with the matter. The motor grader is to replace the unit being used in the Norway area. Bids were received from Altorfer Machinery on a 140H Caterpillar and Martin Equipment on a 770CH John Deere.

Purchase price less trade-in:

Caterpillar 140H - \$140,017.00

John Deere 770CH - \$126,000.00

The Board requested the opportunity to look at the equipment prior to making a decision.

Moved by Vermedahl, seconded by Buch, to set a public hearing on a land use change requested by Laura Haack for April 10, 2001, at 9:30 a.m. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a farm exemption requested by Chris and Rose Sackett located in the NE1/4 of South 4-85-9 (Polk Township) as authorized and in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The applicant is actively engaged in farming and the request is to construct a farm residence. All members voting "aye" thereon. Motion carried.

The county engineer discussed the county's dust control program. It was the county engineer's opinion that Benton County no longer provides a dust control program but rather have individuals purchase dust control from private businesses. Supervisor Buch recommended that the county charge \$1.25 per foot if Benton County continues the dust control program so that it is self-sustaining financially. The county engineer recommended a charge of \$1.00 per foot for the first 400 feet of dust control and \$.70 per foot for anything over 400 feet. The engineer reported that last year the cost to individuals for dust control was \$312.00 for 400 feet or less and \$.78 per foot for anything over 400 feet.

The Board toured the Governor Sherman Building to review available office space. The Board also visited the Department of Human Services building to view needed remodeling projects.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

March 20, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Urbana City Hall with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:04 p.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of March 16, 2001. All members voting "aye" thereon. Motion carried.

Bob Moen and representatives of John Deere Health Insurance met with the Board and presented three proposals for health insurance for county employees. The Board did not take any action but will research the information provided.

Nickie Peterman met with the Board to discuss the requirements of Benton County's Agricultural Land Use Preservation Ordinance and Subdivision and how those requirements would apply to a parcel of real estate that he hopes to purchase. After explaining how the requirements affected Peterman, the Board directed him to meet with the county auditor and land use administrator for further direction.

The Board discussed Urbana's future annexation plans as well as zoning control on buildings located between the city and BECCA Industrial Park. The area is currently unincorporated and under the jurisdiction of the county with respect to building codes and zoning regulations.

Moved by Vermedahl, seconded by Buch, to enter into the following agreement with the City of Urbana. Voting "aye" were Sass, Vermedahl, and Buch. Motion carried.

UTILITY AGREEMENT

This Agreement is entered into between the City of Urbana, Iowa (the "City"), and Benton County (the "County"), as of the 20th day of March, 2001.

WHEREAS, the City has established the Urbana Urban Renewal Area (the "City Urban Renewal Area") and has made provisions for incurring debt payable from incremental property taxes, and

WHEREAS, the County has established the Benton Commerce Village Urban Renewal Area (the "County Urban Renewal Area"); and

WHEREAS, the County has constructed various water and sanitary sewer lines within the County Urban Renewal Area (the "Urban Renewal Utilities"), has issued general obligation bonds (the "GO Bonds") and tax increment revenue promissory notes (the "TIF Notes") in order to finance such construction (the "County Debt"), and has pledged future incremental property tax revenues generated within the County Urban Renewal Area to the payment of the TIF Notes, and

WHEREAS, the City and the County entered into an agreement dated October 13, 1995 (the "1995 Agreement"), with respect to the County Urban Renewal Area and the Urban Renewal Utilities, which addressed the subject of incremental property tax revenues generated within the County Urban Renewal Area; and

WHEREAS, the County has contracted with the City to operate and maintain the Urban Renewal Utilities; and

WHEREAS, the City intends to annex the property located within the County Urban Renewal Area; and

WHEREAS, it is the intent of the parties that the City would ultimately own and become fully responsible for the Urban Renewal Utilities, and that, to the extent possible, the City would be able to generate revenues from users of the Urban Renewal Utilities which could be paid to the County and applied against the County Debt;

Now, Therefore, in consideration of the mutual obligations contained in this Agreement, the parties hereto agree as follows:

1. It is the intent of the parties that this Agreement shall supercede and replace the 1995 Agreement.
2. The County will continue to collect and receive all incremental tax revenues generated from properties located within the County Urban Renewal Area, including

those properties which are also located within the overlapping portion of the City Urban Renewal Area, and will use such revenues, first, to make payments on the TIF Notes, and second, to make payments of principal and interest on the GO Bonds or to reimburse the County for such payments. The City agrees that it will have no claim on any incremental tax revenues generated within the County Urban Renewal Area, including those properties which are also located within the overlapping portion of the City Urban Renewal Area, until such time as all outstanding principal of and interest on both the GO Bonds and the TIF Notes have been repaid.

3. The parties agree to enter into a Contract of Sale with respect to the Urban Renewal Utilities as soon as possible, pursuant to which the City will pay the County \$1.00 and other proper consideration on the effective date of such Contract and another \$1.00 on the date that the County Debt is retired, with the understanding that the County will not transfer title to the Urban Renewal Utilities to the City until the County Debt has been retired and payment of the second \$1.00 had been made. The Contract of Sale will state that the City will accept full responsibility for the Urban Renewal Utilities on the effective date of such Contract and that the County will not be responsible for any costs of operation, maintenance or repairs with respect to the Urban Renewal Utilities after that date.
4. After the effective date of the Contract of Sale, the City will be responsible for obtaining all necessary governmental permits, which are required in order to be authorized to operate the Urban Renewal Utilities. The City will operate and maintain the Urban Renewal Utilities as part of the City's municipal water and sewer utility systems, and will set and collect user fees which will be sufficient to cover operation and maintenance costs and to pay principal of and interest on existing and future revenue debt and to maintain necessary reserves therefor. To the extent possible, the City will maintain records which reflect the revenues and costs of operation and maintenance related to the users of the Urban Renewal Utilities. In addition, at the end of each fiscal year, the City will pay to the County a proportionate share of any surplus revenues from the City's municipal water and sewer utility systems, calculated by dividing the amount of revenue produced from users of the Urban Renewal Utilities by the total amount of revenue produced from users of the municipal water and sewer utility systems. Surplus revenues shall mean those amounts remaining after the payment of all operation and maintenance expenses, principal of and interest on any City water or sewer revenue debt and establishment or maintenance of necessary or required reserves.
5. The City agrees, as part of its annexation process, that it will not offer or approve any form of general property tax abatement, pursuant to Chapters 404 or 427B of the Code of Iowa, with respect to any property which is located within the County Urban Renewal Area, but that it may include as part of an annexation agreement, a phasing in of the City portion of the consolidated property tax levy.
6. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.
7. This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with the laws of the State of Iowa.

The City and County have caused this Agreement to be signed, and their respective seals to be affixed, in its name and on its behalf by its duly authorized officers, all as of the day and date written above.

CITY OF URBANA, IOWA

By _____
Mayor

Attest:

City Clerk

BENTON COUNTY, IOWA

By _____
Chairperson, Board of Supervisors

Attest:

County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-18. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-18

Proposing to sell real property and setting date for hearing on such proposal

WHEREAS, Benton County, Iowa (the "County") is the owner of certain property which is described as follows:

Water and sanitary sewer lines located within the Benton Commerce Village Urban Renewal Area, more particularly described as follows:

Area 4, Section 27, Block 476, Parcel 013; and
Area 4, Section 27, Block 200, Parcel 005; and
Area 4, Section 27, Block 426, Parcel 001; and
Area 4, Section 27, Block 300, Parcel 006; and
Area 4, Section 27, Block 100, Parcel 002; and
Area 4, Section 27, Block 300, Parcel 008; and
Area 4, Section 27, Block 300, Parcel 002; and
Area 4, Section 22, Block 300, Parcel 007; and
Area 4, Section 27, Block 100, Parcel 001; and
Area 4, Section 27, Block 100, Parcel 003; and
Area 4, Section 27, Block 100, Parcel 004; and
Area 4, Section 27, Block 200, Parcel 007; and
Area 4, Section 27, Block 300, Parcel 009; and
Area 4, Section 27, Block 451, Parcel 002; and
Area 4, Section 27, Block 401, Parcel 001; and
Area 4, Section 27, Block 300, Parcel 007; and

All that part of the South One-half (S1/2) of the Southwest Quarter (SW1/4) of Section Twenty-two (22), and the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-seven (27), all in Township Eighty-six (86) North, Range Nine (9), West of the 5th P.M., Benton County, Iowa, described as: Beginning at a point North 88°32' East, 1805.1 feet from the Northwest corner of said Section 27, said point being on the North line of the said NE1/4 NW1/4, thence North 43°17' West 638.4 feet, thence North 37°52'-1/2' West, 260.9 feet, to a point on the North line of the South 42 acres of the said S1/2 SW1/4 of said Section 22, thence North 88°35' East 1478.5 feet, along said North line, to the East line of said South 42 acres, thence South 0°22'-1/2' West 1605.7 feet, along the East line of said South 42 acres, and the East line of the said NE1/4 NW1/4 of said Section 27, thence Northwesterly 624.9 feet along a 11309.2 feet radius curve, concave Northeasterly and tangent to the following course, thence North 43°17' West 625.7 feet to the point of beginning.

and

The North one-half (N1/2) of the Southwest Quarter (SW1/4) and the North 38 acres of the South one-half (S1/2) of the Southwest Quarter (SW1/4) of Section Twenty-two (22), Township Eighty-six (86) North, Range Nine (9), West of the 5th P.M., Benton County, Iowa, except beginning at the West Quarter corner of said Section 22, thence North 88°27' East 84.7 feet, thence South 0°11'-1/2' West 127.7 feet, thence

South 11°30' East 237.5 feet, thence South 56°31' East 262.0 feet, thence South 43°17' East 175.0 feet, thence South 21°28-1/2' East 646.2 feet, thence South 30°08-1/2' East 308.1 feet, thence South 38°31' East 542.3 feet to the South line of the North 38 acres of the said S1/2 SW1/4 of said Section 22, thence South 88°30-1/2' West along said South line 1205.4 feet to the West line of said Section 22, thence North 0° 10-1/2' East along the said West line 1953.5 feet to the point of beginning.

and

A parcel of land in the NE1/4 of Section 33-86-9W of the Fifth P.M., Benton County, Iowa, more particularly described as beginning at the N1/4 Corner Of Section 33-86-9W; thence due East along the North line of the NE1/4 of said Section 33 a distance Of 2659.86' to the NE Corner Of said Section 33; thence S 1°44'10"W 68.64' to the South R.O.W. line of Iowa Primary No. 150; thence N 89° 59'W 1332.38'; thence due South 30.00'; thence N89°59'W 963.60'; thence 89° 44'W 363.63' (Easement has 361.7') to the West line of NE 1/4 of said Section 33; thence N 1°05'35"E 96.20' to the point of beginning. Being the R.O.W. of Iowa Primary No. 150.

and

A parcel of land in NW 1/4 of Sec. 34-86-9W of the 5th P.M., Benton Co., Iowa, more particularly described as beginning at the NW Corner of Sec. 34-86-9W, thence due East along the North line of the NW 1/4 of said Sec. 34 a distance of 2656.58' to the N 1/4 Corner of said Sec. 34; thence S 1°02'W 50.0'; thence due West 1234.36' to the South R.O.W. line of Iowa Primary No. 363; thence S 89°15'W along said R.O.W. line 1422.57' to the West line of the NW1/4 of said Sec. 34; thence N 0°56'E 68.64' to the point of beginning. and

The Northwest Quarter (NW1/4) of Section Thirty-three (33) Township Eighty-six (86) North, Range Nine (9), West of the Fifth P.M., including a portion of the R.O.W. of Iowa Primary No. 150. (City of Urbana BECCA Industrial Park)

(the "Utility Property"); and

WHEREAS, the County has issued general obligation bonds and tax increment revenue promissory notes (the "County Debt"), in order to finance the construction of the Utility Property; and

WHEREAS, it has been determined that it would be more appropriate for the Utility Property to be owned and maintained by the City of Urbana (the "City"); and

WHEREAS, the County now proposes to enter into a Contract of Sale with the City, which calls for the payment by the City of \$1.00 on the effective date of the Contract and another \$1.00 on the date that the County Debt is retired, and which also calls for the City to accept full responsibility for the Utility Property on the effective date of the Contract; and

WHEREAS, Section 331.361 of the Code of Iowa requires that, before a county may dispose of an interest in real property by sale, the county must set forth its proposal in a resolution and publish notice as provided in Section 331.305 of the Code of Iowa, of a date, time and place of a public hearing on the proposal;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. This Board of Supervisors will hold a public hearing on the proposal set out in the preamble hereof at 10:30 o'clock a.m., on the 6th day of April, 2001, at the Benton County Courthouse, Boardroom, in Vinton, Iowa.

Section 2. The County Auditor is hereby authorized and directed to give notice of the public hearing on the proposal to dispose of the Utility Property, by publication, at least once, not less than four nor more than twenty days before the date of the hearing, in a newspaper of general circulation in the County. Such notice shall be substantially in the form which is attached to this Resolution.

Section 3. Subject to holding the public hearing set out in Section 1, it is the intent of the Board of Supervisors to approve the Contract of Sale with the City, under the terms set out above, and, following the public hearing, the Board of Supervisors will make a final determination on such proposal by resolution.

Section 4. All resolutions or parts thereof which are in conflict herewith are hereby repealed.
Passed and approved this 20th day of March, 2001.

Chairperson, Board of Supervisors

Attest:

County Auditor

NOTICE OF HEARING ON RESOLUTION AND PROPOSAL TO DISPOSE OF PROPERTY
The Board of Supervisors of Benton County, Iowa, will meet on the 6th day of April, 2001, at the Benton County Courthouse, Boardroom, Vinton, Iowa, at 10:30 o'clock a.m., for the purpose of holding a public hearing on the a proposal to enter into a Contract of Sale with the City of Urbana, with respect to certain water and sanitary sewer lines located within the Benton Commerce Village Urban Renewal Area, more particularly described as follows:

Area 4, Section 27, Block 476, Parcel 013; and
Area 4, Section 27, Block 200, Parcel 005; and
Area 4, Section 27, Block 426, Parcel 001; and
Area 4, Section 27, Block 300, Parcel 006; and
Area 4, Section 27, Block 100, Parcel 002; and
Area 4, Section 27, Block 300, Parcel 008; and
Area 4, Section 27, Block 300, Parcel 002; and
Area 4, Section 22, Block 300, Parcel 007; and
Area 4, Section 27, Block 100, Parcel 001; and
Area 4, Section 27, Block 100, Parcel 003; and
Area 4, Section 27, Block 100, Parcel 004; and
Area 4, Section 27, Block 200, Parcel 007; and
Area 4, Section 27, Block 300, Parcel 009; and
Area 4, Section 27, Block 451, Parcel 002; and
Area 4, Section 27, Block 401, Parcel 001; and
Area 4, Section 27, Block 300, Parcel 007; and

All that part of the South One-half (S1/2) of the Southwest Quarter (SW1/4) of Section Twenty-two (22), and the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-seven (27), all in Township Eighty-six (86) North, Range Nine (9), West of the 5th P.M., Benton County, Iowa, described as: Beginning at a point North 88°32' East, 1805.1 feet from the Northwest corner of said Section 27, said point being on the North line of the said NE1/4 NW1/4, thence North 43°17' West 638.4 feet, thence North 37°52'-1/2' West, 260.9 feet, to a point on the North line of the South 42 acres of the said S1/2 SW1/4 of said Section 22, thence North 88°35' East 1478.5 feet, along said North line, to the East line of said South 42 acres, thence South 0°22'-1/2' West 1605.7 feet, along the East line of said South 42 acres, and the East line of the said NE1/4 NW1/4 of said Section 27, thence Northwesterly 624.9 feet along a 11309.2 feet radius curve, concave Northeasterly and tangent to the following course, thence North 43°17' West 625.7 feet to the point of beginning.

and

The North one-half (N1/2) of the Southwest Quarter (SW1/4) and the North 38 acres of the South one-half (S1/2) of the Southwest Quarter (SW1/4) of Section Twenty-two (22), Township Eighty-six (86) North,

Range Nine (9), West of the 5th P.M., Benton County, Iowa, except beginning at the West Quarter corner of said Section 22, thence North 88°27' East 84.7 feet, thence South 0°11-1/2' West 127.7 feet, thence South 11°30' East 237.5 feet, thence South 56°31' East 262.0 feet, thence South 43°17' East 175.0 feet, thence South 21°28-1/2' East 646.2 feet, thence South 30°08-1/2' East 308.1 feet, thence South 38°31' East 542.3 feet to the South line of the North 38 acres of the said S1/2 SW1/4 of said Section 22, thence South 88°30-1/2' West along said South line 1205.4 feet to the West line of said Section 22, thence North 0° 10-1/2' East along the said West line 1953.5 feet to the point of beginning.

and

A parcel of land in the NE1/4 of Section 33-86-9W of the Fifth P.M., Benton County, Iowa, more particularly described as beginning at the N1/4 Corner Of Section 33-86-9W; thence due East along the North line of the NE1/4 of said Section 33 a distance Of 2659.86' to the NE Corner Of said Section 33; thence S 1°44'10"W 68.64' to the South R.O.W. line of Iowa Primary No. 150; thence N 89° 59'W 1332.38'; thence due South 30.00'; thence N89°59'W 963.60'; thence 89° 44'W 363.63' (Easement has 361.7') to the West line of NE 1/4 of said Section 33; thence N 1°05'35"E 96.20' to the point of beginning. Being the R.O.W. of Iowa Primary No. 150.

and

A parcel of land in NW 1/4 of Sec. 34-86-9W of the 5th P.M., Benton Co., Iowa, more particularly described as beginning at the NW Corner of Sec. 34-86-9W, thence due East along the North line of the NW 1/4 of said Sec. 34 a distance of 2656.58' to the N 1/4 Corner of said Sec. 34; thence S 1°02'W 50.0'; thence due West 1234.36' to the South R.O.W. line of Iowa Primary No. 363; thence S 89°15'W along said R.O.W. line 1422.57' to the West line of the NW1/4 of said Sec. 34; thence N 0°56'E 68.64' to the point of beginning. and

The Northwest Quarter (NW1/4) of Section Thirty-three (33) Township Eighty-six (86) North, Range Nine (9), West of the Fifth P.M., including a portion of the R.O.W. of Iowa Primary No. 150. (City of Urbana BECCA Industrial Park)

Under the Contract of Sale, the City would pay the County \$1.00 on the effective date of the Contract and another \$1.00 on the date that certain debt incurred by the County has been retired, and the City would accept full responsibility for the water and sanitary sewer lines on the effective date of the Contract of Sale.

Oral or written comments or objections may be filed or made, and, following the hearing, the Board of Supervisors will, at that meeting or a later meeting, make a final determination on the proposal, in accordance with Section 331.361 of the Code of Iowa.

By order of the Board of Supervisors, Benton County, Iowa

Jill Marlow
County Auditor

Moved by Buch, seconded by Vermedahl, to appoint Scott Hansen as a Rural Addressing Coordinator for Benton County. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, directing the chairman to sign the three-year lease agreement between Benton County and the Iowa Department of Human Services Case Management allowing case management to lease office space in the Governor Sherman Building, effective July 2, 2001, at \$450.36 per month. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a utility permit for Poweshiek Water Association to place utility lines in Monroe Township between sections 30 and 31. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the hire of Brian Happel, as a part-time seasonal employee in the secondary roads department, effective March 26, 2001, at a wage of \$8.00 per hour. All members voting "aye" thereon. Motion carried.

The Board discussed the remodeling projects requested by the Department of Human Services. The Board had toured the facility on March 16th and discussed projects including remodeling of an employee's restroom, hallway and office remodeling in the reception area, and heating and cooling concerns. It was suggested that the Board speak with the county engineer for assistance with plans and labor.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

March 27, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of March 20, 2001. All members voting "aye" thereon. Motion carried.

Mary Halstead, Transportation Director, told the Board about a new bus that her department would be receiving. Halstead also advised that she would be advertising for additional part-time drivers.

Moved by Vermedahl, seconded by Buch, to approve the hire of Bob Beyers, effective April 23, 2001, and Ken Erickson, effective April 16, 2001, as seasonal part-time employees in the weed department at a wage of \$8.00 per hour. All members voting "aye" thereon. Motion carried.

Mike Beumer, Weed Commissioner, discussed the noxious weed control program for 2001. Beumer also spoke about an integrated roadside vegetation management program.

John Suchomel met with the Board to discuss improvements to 56th Street Trail south of Urbana. Suchomel requested that the county improve the gravel road to a paved road. The Board advised that improving 56th Street Trail was not in the county's road plan.

Mary Williams discussed the formation of a statewide rate setting board for mental health services being established through 28E agreements between counties. The rate setting board would negotiate the rates providers could charge member counties. Williams asked if the Board of Supervisors would be interested in entering into a 28E agreement to join the organization. No action was taken on the matter.

Larry Schmitz discussed the county's health insurance plan and requested the opportunity to quote on a self-insured plan. The Board allowed Schmitz to submit a quote as requested.

Moved by Vermedahl, seconded by Buch, to approve claims numbered 24275 through 24472, and payroll numbered 10496 through 10647, for payment. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to table amendment of the county budget until Friday, March 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the hire of Jeff Butler as a part-time correctional officer in the sheriff's department, effective March 23, 2001, at a training wage of \$8.00 per hour. Upon successful completion of training the wage is to increase to \$9.94 per hour. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve vacation carry-over in the amount of fifteen hours for Penny Applegarth. The vacation carry-over is to be used by June 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

March 30, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of March 27, 2001. All members voting "aye" thereon. Motion carried.

Marc Greenlee spoke to the Board about relinquishing building and land use control to the City of Urbana over the area lying east of the corporate line of BECCA and the west corporate line of the main part of the Urbana. Greenlee recommended a 28E agreement be implemented between Benton County and Urbana addressing zoning control. Greenlee requested that the Board develop a policy regarding development around cities to provide consistency with decisions. The Board directed Greenlee to speak with Urbana about the agreement. No further action was taken.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-19. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-19

SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2001 budget on March 10, 2000; and

WHEREAS, the Board now desires to amend said budget within service areas,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors the FY2001 county budget is hereby amended within service areas as follows:

SERVICE AREA 1

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0001 Function 10100	Fund 0001 Function 10300	\$ 2,500.00
Fund 0001 Function 10100	Fund 0001 Function 10600	\$20,731.00
Fund 0001 Function 10100	Fund 0001 Function 12500	\$ 7,000.00
Fund 0001 Function 10100	Fund 0001 Function 10500	\$ 1,500.00

SERVICE AREA 2

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 21400	Fund 0002 Function 20100	\$ 346.00

SERVICE AREA 4

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0010 Function 41210	Fund 0010 Function 41110	\$ 175.00
Fund 0010 Function 41650	Fund 0010 Function 41640	\$ 10,000.00
Fund 0010 Function 41650	Fund 0010 Function 41630	\$ 6,000.00

SERVICE AREA 5

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 54100	Fund 0002 Function 54000	\$ 100.00
Fund 0002 Function 52100	Fund 0002 Function 52000	\$ 7,000.00

SERVICE AREA 6

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0001 Function 63000	Fund 0061 Function 60200	\$ 3,410.00

SERVICE AREA 8

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0011 Function 80200	Fund 0002 Function 80100	\$1,400.00

Signed this 30th day of March, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Delane Dunkel, Deputy
Benton County Auditor

Moved by Vermedahl, seconded by Buch, adopt Resolution #01-20. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-20

DESTRUCTION OF NOXIOUS WEEDS

Be It Resolved by the Board of Supervisors of Benton County, Iowa that pursuant to the provisions of Chapter 317, Code of Iowa, 2000, it is hereby ordered:

1. That each owner and each person in the possession or control of any lands in Benton County shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in this chapter, at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed on or before the following dates and as often thereafter as is necessary to prevent seed production:

Group 1. May 20, 2001 to June 5, 2001, for Leafy Spurge, Perennial Peppergrass, Sour Dock, Smooth Dock and Sheep Sorrel.

Group 2. By June 1, 2001 for Canadian Thistle, Russian Knapweed, Buckhorn, Wild Mustard and Buckthorn.

Group 3. July 1, 2001 to July 15, 2001, for Field Bindweed, Wild Carrot, Poison Hemlock, Multiflora Rose, Horse Nettle, Perennial Sow Thistle, Quack Grass, Butterprint' Puncture Vine, Cocklebur, Bull Thistle, Musk Thistle, Wild Sunflower and Teasel.

2. That each owner and each person in the possession or control of any lands in Benton County infested with any of the following noxious weeds shall adopt a program of weed destruction described by the Weed Commissioner, which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.

(a) Primary Noxious Weeds: Quack Grass, Perennial Sow Thistle, Canada Thistle, Bull Thistle, European Morning Glory or Field Bindweed, Horse Nettle, Leafy spurge, Perennial Peppergrass, Russian Knapweed, and Buckthorn.

(b) Secondary Noxious Weeds: Butterprint, Cocklebur, Wild Mustard, Puncture Vine, Teasel, Wild Carrot, Buckhorn, Sheep Sorrel, Sour Dock, Smooth Dock, Poison Hemlock, Wild Sunflower, Multiflora Rose and Shattercane.

3. That if the owners or persons in possession or control of any land in Benton County fails to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including costs of serving notice and other costs, if any, shall be assessed against the real estate.

4. That the County Auditor is hereby directed to cause notice of the making and entering of the foregoing order by one publication in each of the official newspapers of the County.

Dated this 30th day of March 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Delane Dunkel, Deputy Auditor

Moved by Vermedahl, seconded by Buch, to approve the hire of Charlie Lough as a part-time seasonal employee with the Benton County Weed Department, on an as-scheduled basis, at a wage of \$8.00 per hour. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Delane Dunkel, Deputy Auditor

April 3, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of March 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a claim from the Iowa Department of Transportation's Farm to Market fund for \$407.87. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for Poweshiek Water Association to place utility lines in section 8 of Iowa Township. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a utility permit for South Slope Telephone to place utility lines in Sections 12 and 13 of Eldorado Township and Section 7 of Fremont Township. All members voting "aye" thereon. Motion carried.

The county engineer presented his five-year construction program for secondary roads. The plan contains paving projects including but is not limited to the Oak Grove to Linn County road, re-paving the road north of Keystone and re-paving the Atkins/ Shellsburg road. The engineer also discussed the various bridge replacement projects contained in the five-year plan.

Discussion was also held on the request to hard surface the road north of Walford on the Linn-Benton line. The engineer reported the traffic count conducted by the Department of Transportation in 1997 on that road did not support a hard surface when the county had many other gravel roads with higher traffic counts. The improvement to the road was not included in the county's five-year plan.

Moved by Vermedahl, seconded by Sass, to approve the Iowa Department of Transportation's Secondary Road Construction Program for Benton County. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the Iowa Department of Transportation's Secondary Road FY02 Budget for Benton County. All members voting "aye" thereon. Motion carried.

Rick Osterkamp and Dan Johnson met with the Board to discuss sealcoating the gravel road leading to Beau Chene 1st & 2nd Additions to Benton County located east of Shellsburg. The cost of sealcoating the road and the difference in maintenance costs was discussed. Parizek recommended that the county require 100% of the construction cost be assessed to Osterkamp, noting that precedence would be set for future requests. Vermedahl commented that Benton County should develop a policy that would apply to anyone wanting to upgrade his or her road. The Board directed the county engineer to calculate the cost of improving gravel roads by sealcoating and the cost of future maintenance on those roads so that a policy could be developed to address the issue. No decision was made on Osterkamp's request.

Gary Fordice updated the Board on activities in the conservation department. The conservation department is purchasing a new office computer. The conservation board has recalculated their FY02 budget due to the reduction in funding and will be submitting the revised budget to the county auditor. The department hopes to open the county parks around April 15th dependent upon the roads.

Representatives of Benton Development Group (BDG) met with the Board to request a budget amendment for the current fiscal year. BDG had requested \$47,081.25 for FY02. However the request was made on April 7, 2000 which was after the county's budget had been set at a funding level of \$44,712.00 for BDG. The Board recommended that BDG approach the member communities about additional funding for the fiscal year.

Moved by Buch, seconded by Vermedahl, to approve the auditor's and sheriff's quarterly reports for the period ending March 31, 2001. All members voting "aye" thereon. Motion carried.

Mary Williams met with the Board to discuss the 28E Agreement to join the County Rate Information System (CRIS) and recommended that Benton County join the organization. Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-21. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-21

WHEREAS, Benton County desires to cooperate, one with another, for the purpose of establishing a state-wide methodology; and

WHEREAS, each County is a public agency within the meaning of Iowa Code Chapter 28E (2001) and the Iowa State Association of Counties ("ISAC") is a private agency within the meaning of Iowa Code Chapter 28E (2001):

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY that this County does hereby enter into the County Rate Information System 28E Agreement with the Iowa State Association of Counties and with other Counties, to form a separate legal entity known as County Rate Information System, to provide state-wide rate setting methodology, and the Chairperson of the Board of Supervisors is hereby empowered and directed to execute the County Rate Information System 28E Agreement on behalf of this County.

Dated this 3rd day of April 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

The Board discussed the county's dust control program with the county engineer. The engineer advised that he had spoken with four different private dust control companies and all expressed an interest in providing dust control services in Benton County. Supervisor Buch commented that he would prefer that the county continue offering the dust control program for at least one more year to allow the two new supervisors an opportunity to assess the program. Vermedahl agreed with Buch's comment and added that he preferred the county adopt the engineer's proposal that utilized twelve-hour days. The Board also stressed the need for education and will re-evaluate the program next year. Moved by Vermedahl, seconded by Buch, that Benton County continue to offer the dust control program for 2001. The cost is set at \$1.00 per foot and a minimum of four hundred dollars, for Benton County to apply two applications of MC-70 and rock chips. Residents may contract with a private firm to apply dust control in accordance with the permits obtained from the Benton County Engineer. Benton County will not be responsible for removal of MC-70 from vehicles traveling through dust control areas. Vermedahl and Buch voting "aye" thereon. Sass voting "nay". Motion carried.

John Suchomel asked about improving 56th St. Trail to a paved surface. The Board advised Suchomel that the county would not be paving that segment of the secondary road system.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

April 6, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of April 3, 2001. All members voting "aye" thereon. Motion carried.

Randy Forsyth, Chief Sheriff's Deputy, met with the Board to discuss building needs of the sheriff's department. Forsyth told the Board that the sheriff's department needed storage space, a larger evidence locker, and garage space. Vermedahl stated that the if the county builds a facility it should be large enough to accommodate future space requirements as well as current needs.

Carmen Krantz of EideBailly, L.L.P. discussed the county's FY00 audit report. Krantz reviewed the financial statements, recommendations, and the management letter issued to the county.

The time of 10:30 a.m. having arrived, and this being the time and date set for a public hearing on disposal of interest in real property, the Board took up the matter for consideration. The Board found that publication of the hearing had been made in accordance with Iowa law. Chairman Sass opened the public hearing. There were two members of the media present and the county engineer. No comments had been filed with the auditor or received by the Board prior to the public hearing. There was no one present to object or support the proposal. Hearing no comment, it was moved by Vermedahl, seconded by Buch, to adopt Resolution #01-22. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-22

APPROVING SALE OF REAL PROPERTY TO CITY OF URBANA

WHEREAS, Benton County, Iowa (the "County") is the owner of certain property which is described as follows:

Water and sanitary sewer lines located within the Benton Commerce Village Urban Renewal Area, more particularly described as follows:

Area 4, Section 27, Block 476, Parcel 013; and
Area 4, Section 27, Block 200, Parcel 005; and
Area 4, Section 27, Block 426, Parcel 001; and
Area 4, Section 27, Block 300, Parcel 006; and
Area 4, Section 27, Block 100, Parcel 002; and
Area 4, Section 27, Block 300, Parcel 008; and
Area 4, Section 27, Block 300, Parcel 002; and
Area 4, Section 22, Block 300, Parcel 007; and
Area 4, Section 27, Block 100, Parcel 001; and
Area 4, Section 27, Block 100, Parcel 003; and
Area 4, Section 27, Block 100, Parcel 004; and
Area 4, Section 27, Block 200, Parcel 007; and
Area 4, Section 27, Block 300, Parcel 009; and
Area 4, Section 27, Block 451, Parcel 002; and
Area 4, Section 27, Block 401, Parcel 001; and
Area 4, Section 27, Block 300, Parcel 007; and

and

All that part of the South One-half (S1/2) of the Southwest Quarter (SW1/4) of Section Twenty-two (22), and the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-seven

(27), all in Township Eighty-six (86) North, Range Nine (9), West of the 5th P.M., Benton County, Iowa, described as: Beginning at a point North 88°32' East, 1805.1 feet from the Northwest corner of said

Section 27, said point being on the North line of the said NE1/4 NW1/4, thence North 43°17' West 638.4 feet, thence North 37°52'-1/2' West, 260.9 feet, to a point on the North line of the South 42 acres of

the said S1/2 SW1/4 of said Section 22, thence North 88°35' East 1478.5 feet, along said North line, to the East line of said South 42 acres, thence South 0°22'-1/2' West 1605.7 feet, along the East line of

said South 42 acres, and the East line of the said NE1/4 NW1/4 of said Section 27, thence Northwesterly 624.9 feet along a 11309.2 feet radius curve, concave Northeasterly and tangent to the following course, thence North 43°17' West 625.7 feet to the point of beginning.

and

The North one-half (N1/2) of the Southwest Quarter (SW1/4) and the North 38 acres of the South one-half (S1/2) of the Southwest Quarter (SW1/4) of Section Twenty-two (22), Township Eighty-six (86) North,

Range Nine (9), West of the 5th P.M., Benton County, Iowa, except beginning at the West Quarter corner of said Section 22, thence North 88°27' East 84.7 feet, thence South 0°11-1/2' West 127.7 feet, thence South 11°30' East 237.5 feet, thence South 56°31' East 262.0 feet, thence South 43°17' East 175.0 feet, thence South 21°28-1/2' East 646.2 feet, thence South 30°08-1/2' East 308.1 feet, thence South 38°31' East 542.3 feet to the South line of the North 38 acres of the said S1/2 SW1/4 of said Section 22, thence South 88°30-1/2' West along said South line 1205.4 feet to the West line of said Section 22, thence North 0° 10-1/2' East along the said West line 1953.5 feet to the point of beginning.

and

A parcel of land in the NE1/4 of Section 33-86-9W of the Fifth P.M., Benton County, Iowa, more particularly described as beginning at the N1/4 Corner Of Section 33-86-9W; thence due East along the North line of the NE1/4 of said Section 33 a distance Of 2659.86' to the NE Corner Of said Section 33; thence S 1°44'10"W 68.64' to the South R.O.W. line of Iowa Primary No. 150; thence N 89° 59'W 1332.38'; thence due South 30.00'; thence N89°59'W 963.60'; thence 89° 44'W 363.63' (Easement has 361.7') to the West line of NE 1/4 of said Section 33; thence N 1°05'35"E 96.20' to the point of beginning. Being the R.O.W. of Iowa Primary No. 150.

and

A parcel of land in NW 1/4 of Sec. 34-86-9W of the 5th P.M., Benton Co., Iowa, more particularly described as beginning at the NW Corner of Sec. 34-86-9W, thence due East along the North line of the NW 1/4 of said Sec. 34 a distance of 2656.58' to the N 1/4 Corner of said Sec. 34; thence S 1°02'W 50.0'; thence due West 1234.36' to the South R.O.W. line of Iowa Primary No. 363; thence S 89°15'W along said R.O.W. line 1422.57' to the West line of the NW1/4 of said Sec. 34; thence N 0°56'E 68.64' to the point of beginning. and

The Northwest Quarter (NW1/4) of Section Thirty-three (33) Township Eighty-six (86) North, Range Nine (9), West of the Fifth P.M., including a portion of the R.O.W. of Iowa Primary No. 150. (City of Urbana BECCA Industrial Park)

(the "Utility Property"); and

WHEREAS, the County has issued general obligation bonds and tax increment revenue promissory notes (the "County Debt"), in order to finance the construction of the Utility Property; and

WHEREAS, it has been determined that it would be more appropriate for the Utility Property to be owned and maintained by the City of Urbana (the "City"); and

WHEREAS, the County has proposed to enter into a Contract of Sale with the City, which calls for the payment by the City of \$1.00 on the effective date of the Contract and another \$1.00 on the date that the County Debt is retired, and which also calls for the City to accept full responsibility for the Utility Property on the effective date of the Contract; and

WHEREAS, pursuant to Section 331.361 of the Code of Iowa, the County set forth its proposal in a resolution and published notice as provided in Section 331.305 of the Code of Iowa, of a date, time and place of a public hearing on the proposal;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. The sale of the Utility Property to the City of Urbana, under the terms set out above, is hereby approved, and bond counsel for the County is hereby directed to prepare and present to this Board for approval a Contract of Sale which reflects those terms.

Section 2. All resolutions or parts thereof which are in conflict herewith are hereby repealed.
Passed and approved this 6th day of April, 2001.

Chairperson, Board of Supervisors

Attest:

County Auditor

Moved by Buch, seconded by Vermedahl, to approve the Veterans Affairs Quarterly Report for the period ending March 31, 2001. All members voting "aye" thereon. Motion carried.

Roger Witt met with the Board to discuss selling surplus county property. The Board directed Witt to contact local consignment auctioneers to see if the county could dispose of the property through those individuals. Witt was also instructed to dispose of any property that was broken or of no resale value.

Mary Williams, Social Services Director, met with the Board to discuss various issues relating to collection of relief payments, substance abuse payments, and legislation affecting state mental health funding.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

April 10, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of April 6, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to allow the Cedar Valley Times to use the courthouse lawn on May 10th and 11th for a "Spring Fling" to celebrate the arrival of spring. All members voting "aye" thereon. Motion carried.

The county engineer met with the board to discuss various activities in secondary roads.

The time of 9:30 having arrived, and this being the time and date set for a public hearing on a land use change requested by Gerry and Laura Haack, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Vermedahl, seconded by Buch, to approve a land use change on a parcel located in a Part of the SE1/4 of the SE1/4 of 27-82-12 (Iowa Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a farm exemption requested by John Harder located in the NE1/4 of the SE1/4 of 35-82-11 (Leroy Township) as authorized and in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The applicant is actively engaged in farming and the request is to place a mobile home on an existing building site for a farm residence for a farm employee. All members voting "aye" thereon. Motion carried.

The sheriff met with the Board to discuss an amendment to the union contract due to the addition of two positions to the bargaining unit. The agreement sets the wage of the office administrator at \$28,000.00 effective April 1, 2001, and at \$23,367.00 for the secretary effective April 1, 2001. The agreement further sets the July 1, 2001 salaries for the same positions at \$28,500.00 and \$23,967.00 respectively. All other union benefits will be applied to these positions on July 1, 2001. The agreement

also address compensation time issues. Moved by Vermedahl, seconded by Buch, to approve the tentative amendment to the Teamsters to provide for wages for the positions of office administrator and secretary and also compensation time issues. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve claims numbered 24473 through 24703, and payroll numbered 10648 through 10795, for payment. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, directing the chairman to sign a letter of support for the waste tire management program for FY02 through the Iowa Department of Natural Resources. All members voting "aye" thereon. Motion carried.

Renaë Tharp of Benton Development Group discussed the Benton County map project. Tharp reported on the financing of the project. Tharp reported that the project was still \$662.00 short in funding and asked that Benton County increase their contribution from \$1,500.00 to \$2,162.00. The total cost of the project is \$8,462.05 for 15,000 maps. Moved by Buch, seconded by Vermedahl, to increase the amount of funding from Benton County to \$2,162.00 for the Benton County map project. All members voting "aye" thereon. Motion carried.

Representatives of Benton Development Group and Benton County Empowerment met with the Board to discuss office space in the Governor Sherman Building. The Empowerment Board is requesting an office cubicle in with Benton Development Group. Benton Development representatives commented that she believed the Empowerment Board would be a good partnership. Nancy Farmer of the Empowerment Board commented that she felt the move would provide for a stronger connection with the county. Buch questioned if the Empowerment Board would be willing to pay rent. Farmer commented that rent had been budgeted but if the county would allow for rent-free facilities the amount budgeted would free up funds for actual services. Moved by Vermedahl, seconded by Buch, to allow the Empowerment Board to utilize office space with Benton Development Group in the Governor Sherman Building at no additional cost to the Empowerment Board or Benton Development Group. All members voting "aye" thereon. Motion carried.

Ron Hassenius of Hassenius Plumbing and Heating discussed heating and cooling of the building occupied by the Department of Human Services. The Board had viewed the facility on an earlier date with Hassenius and requested the Hassenius return with an estimate for installing additional ductwork to an existing furnace versus installing a third system. Hassenius suggested that at the very least the county install a new air conditioning system on the new furnace installed last year. The heating issue could be addressed later in the year. Moved by Buch, seconded by Vermedahl, to approve Hassenius Plumbing and Heating to install an air conditioning unit on the new furnace at a cost of \$2,000.00. All members voting "aye" thereon. Motion carried.

The Board discussed the organizational structure of Benton Development Group with Renaë Tharp and Dave Coulter. The supervisors expressed concern over the past director's involvement and responsibilities in the new organizational structure. The supervisors commented on recent news coverage on the organizational structure and fliers being distributed by Benton Development Group. Coulter explained that Benton Development Group knew who best could perform various duties and if the ex-director were best at that specific task then she would be utilized. Coulter advised that the individual or organization best suited to fulfill the task would be hired and paid out of the \$15,000.00 portion of the county funding. Coulter asked that Benton Development Group is allowed to continue to work with the organizational structure they now have in place and requested that the county to re-assess the organization after it has had the opportunity to provide services under the new direction.

Moved by Buch, seconded by Vermedahl, modify the cold air returns on the east side of the building occupied by the Department of Human Services at a cost not to exceed \$1,300.00. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

April 13, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of April 10, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-23. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-23

WHEREAS: Benton County Secondary Road Department has an employee that has been employed at his present job classification for a sufficient length of time to change his respective job classification **THEREFORE BE IT RESOLVED** By the Benton County Board of Supervisors that the Labor Grade classification of Marvin Andrews will be VG (telescope operator with two years working with the machine.) VG base wage for Marvin Andrews will be \$13.43 per hour. Marvin Andrews rate change will be effective April 10th, 2001.

Dated this 13th day of April 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-24. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-24

WHEREAS: The Benton County Secondary Road Department has an employee that has been employed for a year, and

WHEREAS: This employee as part of the original hire is eligible for a wage increase, and **THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the Labor Grade classification of Kenneth Bahr will be IVD (Maintainer Operator). IVD base wage for Kenneth Bahr will be \$13.32 per hour. Kenneth Bahr rate change will be effective April 24, 2001.

Dated this 13th day of April 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to approve a utility permit for Poweshiek Water Association to bore under the county's road in Section 27 of Iowa Township. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-25. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-25

WHEREAS: The Benton County Secondary Roads Department has a secretarial position that the engineer has requested be re-evaluated, and

WHEREAS: This position's responsibilities have increased considerably requiring additional knowledge and understanding of the Secondary Road Department, and

WHEREAS: This position warrants a salary more comparable with those positions within other counties,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the salary for the secretarial position in the engineer's department be increased to \$18,875 per year effective April 7, 2001, and

BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that the salary for this position be evaluated again in March 2002.

Dated this 13th day of April 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

The county engineer reviewed the bids submitted by Altorfer Machinery and Martin Equipment for a new motorgrader. The engineer recommended that the Board accept the bid from Altorfer Machinery for the Caterpillar 140H stating that he had viewed both machines, considered the resale value of the equipment, and taken the operator's opinion into account in making the recommendation. Moved by Buch, seconded by Vermedahl, to accept the bid submitted by Altorfer Machinery Co. for a Caterpillar 140H motorgrader at a cost of \$140,017.00 with trade-in. All members voting "aye" thereon. Motion carried.

Sandy Tiech with the Department of Human Services and Mary Williams, Benton County Social Services Director, met with the Board to discuss the interim assistance reimbursement agreement between Benton County and the Department of Human Services. Tiech advised that the current agreement is expiring and if the county wants to continue with the program a new agreement must be entered into. Moved by Vermedahl, seconded by Buch, to enter into the Interim Assistance Reimbursement Agreement between Benton County and the Iowa Department of Human Services, effective May 15, 2001. All members voting "aye" thereon. Motion carried.

Pastor Steve Mathews requested that he be allowed use of the courthouse lawn for a prayer event on May 3rd. The county attorney advised that current law require that religious groups be treated in the same manner as other organizations. Moved by Buch, seconded by Vermedahl, to allow Pastor Steve Mathew and the Open Bible Christian Center to use the courthouse lawn on May 3rd, 2001 in observance of National Prayer Day at approximately 12:00 p.m. All members voting "aye" thereon. Motion carried.

Mary Williams, Social Services Director, met with the Board to discuss janitorial services at the Governor Sherman Building and burial fees for funeral directors under the county's relief program.

Moved by Buch, seconded by Vermedahl, to renew the agreement between Benton County and John Delaney setting forth janitorial and snow removal services and setting payment for said services at \$6.76 per hour for janitorial services and \$10.00 per snow removal occurrence. Said agreement is effective July 1, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-26. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-26

WHEREAS, Benton County adopted Ordinance #3 on October 1, 1982, providing for relief and burial assistance; and

WHEREAS, Benton County amended Ordinance #3 by the adoption of Ordinance #7; and

WHEREAS, Ordinance #3 and #7, through their amendments, sets forth that the Benton County Board of Supervisors, "...may pay the Funeral Director an amount to be agreed upon by the Board..."; and

WHEREAS, the Board of Supervisors desires to set the amount to be paid to the funeral directors at \$700.00 for each qualifying burial,
NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the fee allowed the funeral directors under Ordinance #3 and its amendments is set at \$700.00 per county burial. Said fee is to be effective immediately. All resolutions or parts thereof which are in conflict herewith are hereby repealed.

Dated this 13th day of 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Kenneth Rosenbaum met with the Board to discuss land use issues. Rosenbaum advised that he would like to split off an acre of his property for his son's residence. Rosenbaum advised that his son is not a part of the farming operation. Rosenbaum spoke with the land use administrator who indicated that the CSR is above 70 and the request would not comply with the county's land use ordinance. The Board indicated that land with a CSR of 70 or above is generally not considered for land use changes except when the new use remains a part of the farming operation. Rosenbaum asked if there was any chance the Board would look favorably on this type of a request. The Board advised that they could not state whether or not the request would be denied, but that the board must adhere to the land use ordinance and apply the regulations consistently throughout the county. The Board recommended that Rosenbaum discuss possible alternatives with the land use administrator.

Moved by Vermedahl, seconded by Buch, to approve a Liquor License and Class "B" Beer Permit for Doc's Bar & Grill. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to enter into closed session to discuss client appeal #04-13-01. All members voting "aye" thereon. Motion carried at 11:40 a.m.

Moved by Vermedahl, seconded by Buch, to return to open session. All members voting "aye" thereon. Motion carried at 11:55 a.m.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

April 17, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Blairstown City with Supervisors Sass and Buch present. Supervisor Vermedahl was absent. Chairman Sass called the meeting to order at 7:00 p.m.

Moved by Buch, seconded by Sass, to approve the minutes of April 13, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Sass, to acknowledge the hire of Lori Spicher as a seasonal part-time employee with the Benton County Conservation Department, effective April 16, 2001, at a wage of \$7.50 per hour. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Sass, to appoint Dave Culbertson of Shellsburg to the Vinton Airport Zoning Board. Both members voting "aye" thereon. Motion carried.

The Board reviewed the specifications and prices on various equipment for lawn care and snow removal at the courthouse. Moved by Buch, seconded by Sass, to table action on the purchase of the

equipment until Tuesday, April 24, 2001, so that a full board is present. Both members voting “aye” thereon. Motion carried.

The county auditor discussed amending the FY01 county budget. Moved by Buch, seconded by Sass, to set May 15, 2001 at 10:00 a.m. as the time and date for a public hearing on amending the county’s FY01 budget. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Sass, to adjourn. All members voting “aye” thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

April 20, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass and Buch present. Supervisor Vermedahl was absent. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Sass, to approve the minutes of April 17, 2001. All members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Sass, to set readings on a new ordinance regulating On-Site Waste Water Treatment and Disposal Systems for May 8, 2001, May 11, 2001, and May 15, 2001 at 10:45 a.m. on each date. The auditor is directed to publish notice of the considerations in accordance with law and to include the necessary language allowing the Board to waive considerations if so decided. Both members voting “aye” thereon. Motion carried.

Jim and Mary Kahle and other interested persons met with the Board to discuss the future maintenance and improvements on the “shingle road” (79th Street by Norway). The group reported that the sealcoat on the road eliminated the nail program although potholes were beginning to develop. Kahle spoke to comments that the road may be dug up and asked what about future plans. Myron Parizek, County Engineer stated that tearing up the road was always an option, but not an option he was considering. Parizek advised that he is currently researching ways to address the pothole problem and a new sealcoating product is available that may hold up better. Parizek told the group that sealcoating is still the direction that he is going to utilize to maintain that road.

Moved by Buch, seconded by Sass, to set hearings on requested land use hearings as follows: Break Pointe Stores, Inc. – May 11, 2001 at 9:30 a.m. and Ted Walton – May 11, 2001 at 10:15 a.m. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Sass, to acknowledge the hire of Clint Mass as a seasonal part-time employee of the conservation department, effective April 23, 2001, at \$8.00 per hour. Both members voting “aye” thereon. Motion carried.

Harry Horak met with the Board to discuss the county’s dust control procedures. Horak reported that he had been in contact with the engineer’s office about signing up for dust control but was told that by signing the application he was agreeing to have his dust control area torn up. Horak further stated that the engineer’s office informed him that the policy to tear up the dust control areas was implemented by the Board of Supervisors. Supervisor Buch told Horak that the county’s biggest problem is that it must administer the program consistently across the county. Horak questioned if the other dust control areas were rough requiring them to be torn up. The county attorney told the Board that he did not believe that all dust control areas had to be torn up annually unless the engineer determined the need to tear them up based on the individual condition of each. The county attorney stated that consistently was not an issue. The county engineer responded that the need to remove the dust control areas annually was to allow the road base to be maintained and that dust control was never meant to be permanent paving. Horak stated that the reason for tearing up the area should not be based on his past position as a county supervisor, adding that if there was a legitimate reason then it was all right. Horak then asked what the reason was for tearing up his dust control area. Horak requested that the Board view his dust control area and then make a determination as to the need to tear it up. Horak asked if there was anything in the minutes of the Board of Supervisors that established the policy of tearing up the dust control areas. The Board responded that the minutes would have to be researched for numerous years since the program has been in effect as early as the 1970’s. Supervisor Buch stated that if Horak’s dust control area did not need any maintenance then the county

would not do anything to it, however Horak would not be able to apply any more dust control to the area unless the area is annually torn up.

John Stiegelmeier met with the Board to discuss the Class B road that runs by his property in Cedar Township. Stiegelmeier asked about the procedure for improving a Class B road to a Class A road. The engineer reported that the county estimates the cost of upgrading the road and the interested party is responsible for one-half of the costs of the upgrade. The engineer reported that the road could be upgraded in segments.

Don Deklotz, a representative of Raetz Cemetery, met with the Board to discuss damage to a fence around the cemetery by snow being bladed onto it. Deklotz asked if the county would have funds available to pay for the damage. The county engineer commented that the damage was not caused by a machine actually striking the fence and therefore didn't believe there was any county liability. Supervisor Buch advised that there weren't any options available to the county to repair the cemetery's fence.

Moved by Buch, seconded by Sass, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

April 24, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass and Vermedahl present. Supervisor Buch was attending a Highway 131 meeting. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Sass, to approve the minutes of April 24, 2001. Both members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to approve the contract and bond for Manatt's Inc. for the V66 paving project # FM-CO06(52)—55-06. Both members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to approve the contract and bond for Taylor Construction Inc. for the bridge replacement project on 59th Street by Garrison project #BROS-CO06(51)—8J-06. Both members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to adopt Resolution #01-27. Voting "aye" were Sass and Vermedahl. "Nays" none. Motion carried.

RESOLUTION #01-27

WHEREAS: A posting for the position of Equipment Operator II (scoop operator) has been completed, and

WHEREAS: The present employees have had five (5) days to sign the posting, and

WHEREAS: Three present employees have signed the posting, and

WHEREAS: All three employees are qualified for the position, but one of these employees is more qualified than the others,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that Lyle Bolton be the Equipment Operator II (scoop operator) with a Labor Grade Classification of LG IVC. The base wage will be \$13.26. The effective date will be May 7, 2001.

Signed this 24th day of April 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

ATTEST: _____
Jill Marlow

Benton County Auditor

Moved by Vermedahl, seconded by Sass, to adopt Resolution #01-28. Voting "aye" were Sass and Vermedahl. "Nays" none. Motion carried.

RESOLUTION #01-28

BE IT RESOLVED by the Benton County Board of Supervisors that \$55,000.00 be transferred from the Sanitary Disposal Fund to the Closure Post-closure Fund.

Dated this 24th day of April 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

ATTEST: _____

Jill Marlow
Benton County Auditor

Supervisor Buch arrived at 9:30 a.m.

The time of 9:45 having arrived, and this being the time and date set for a public hearing on a land use change requested by Matt Schminke, the board took up the matter for consideration. The land use change had been tabled from March 2, 2001. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Sass, to approve a land use change on a parcel located in a Part of the SE1/4 of the NW1/4 of 33-85-9 (Benton Township) for a single residential use. Sass and Buch voting "aye". Vermedahl abstained due to a business relationship with the applicant and property owner. Motion carried.

Moved by Vermedahl, seconded by Sass, to approve claims numbered 24704 through 24956, and payroll numbered 10796 through 10934, for payment. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to uphold the decision of the Benton County Relief Director denying funding on client appeal #04-13-01. All members voting "aye" thereon. Motion carried.

Ruth Wagner of Poweshiek Water Association, Tracey Mulcahey of East Central Iowa Council of Governments, and Marc Greenlee, Benton County Sanitarian, met with the Board to discuss the wastewater treatment needs in the Watkins area. Greenlee reported that currently there are private sewage disposal systems in Watkins that are quite old and in need of upgrading but due to the layout of Watkins it is difficult to install code conforming systems. Greenlee advised that last summer the Board of Supervisors agreed to sponsor a CDBG application for Poweshiek Water Association to install and operate a wastewater treatment facility in Watkins, however it was not possible to include the project in last year's CDBG application. Kevin Coffland, a property owner in the Watkins area told the Board about sewage draining onto his property from septic systems in Watkins. Moved by Buch, seconded by Vermedahl, to write a letter of support for Poweshiek Water Association to construct and maintain a sanitary sewer system in the unincorporated area known as Watkins and to apply for CDBG funds to assist Poweshiek Water Association with the project. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to purchase a Cub Cadet Model #3235 with mower, blade and snow blower at a price of \$9,252.00 from Davis Implement for lawn maintenance and snow removal at the courthouse. All members voting "aye" thereon. Motion carried. The Simplicity lawn tractor and equipment is to be disposed of at auction.

Moved by Vermedahl, seconded by Buch, to table action on the bathroom-remodeling project at the Department of Human Services building and outside lighting until May 4, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

April 27, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Sass, to approve the minutes of April 24, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the hire of Jim Rich as a reserve deputy with the sheriff's department, effective May 5, 2001. All members voting "aye" thereon. Motion carried.

To adopt resolution #01-29. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

**RESOLUTION #01-29
SERVICE AREA BUDGET AMENDMENT**

WHEREAS, the Benton County Board of Supervisors adopted the FY2001 budget on March 10, 2000; and

WHEREAS, the Board now desires to amend said budget within service areas,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors the FY2001 county budget is hereby amended within service areas as follows:

SERVICE AREA 1

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0011 Function 12500	Fund 0001 Function 11100	\$ 400.00

SERVICE AREA 2

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 21400	Fund 0002 Function 20100	\$ 100.00

SERVICE AREA 4

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0010 Function 41210	Fund 0010 Function 41110	\$ 30.00
Fund 0010 Function 41650	Fund 0010 Function 41710	\$ 20,121.00
Fund 0010 Function 43650	Fund 0010 Function 43630	\$ 1,000.00

SERVICE AREA 5

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 54100	Fund 0002 Function 54000	\$ 1,000.00
Fund 0002 Function 52100	Fund 0002 Function 52000	\$ 2,000.00

SERVICE AREA 8

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0011 Function 80200	Fund 0002 Function 80100	\$2,000.00

Signed this 27th day of April, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, that the health insurance costs for FY02 be distributed as follows:

Family Plan: County Share - \$723.94
Employee Share - \$113.76

Single Plan: County Share - \$382.66
Employee - \$0

Retirees and COBRA:
Single Plan - \$382.66
Family Plan - \$837.70

All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to acknowledge the hire of Philip Brecht, effective April 28, 2001 at a wage of \$7.50 per hour. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to direct the chairman to sign the following documents relative to the \$600,000.00 Community Development and Betterment Grant for rural water received by Benton County:

Subrecipient Agreement

Contract for Administrative Services with East Central Iowa Council of Governments,
Signature Authorization Form,

Request for waiver of the Davis-Bacon Act

All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

May 1, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of April 27, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve utility permits for La Porte City Telephone to place utility lines in the county's right-of-way in Section 2 of Cedar Township and Section 30 of Harrison Township. All members voting "aye" thereon. Motion carried.

In accordance with Iowa Code Section 331.210A the Board proceeded with the appointment of a temporary county redistricting commission. Moved by Buch, seconded by Vermedahl, that the size of the commission be set at three members. All members voting "aye" thereon. Motion carried.

The three-member temporary redistricting commission is to be comprised of two appointments made by the majority party of the Board of Supervisors and one appointment made by the minority party. The Benton County Board of Supervisors consists of two Republicans and one Democrat. Supervisors Vermedahl and Buch, Republicans, appointed Brenda Sutton of Vinton and Ron Buch of Belle Plaine. Supervisor Sass, Democrat, appointed Bob Smith of Urban. Moved by Vermedahl, seconded by Buch, to certify the names of the temporary redistricting commission to the Benton County Commissioner of Elections. All members voting "aye" thereon. Motion carried.

The Board reviewed the existing supervisor districts with the 2000 census data. The existing district populations are District #1 – 9089, District #2 – 7704, and District #3 – 8515. Based on current law and the maximum allowable variation, the Board agreed that the supervisors districts would have to be redrawn.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

May 4, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of May 1, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the quote submitted by Nature's Corner to apply lawn fertilizer and weed control for the courthouse at a cost of \$200.00. All members voting "aye" thereon. Motion carried. A verbal quote was received from O'Grady Chemical at \$400.00.

Moved by Buch, seconded by Vermedahl, to approve the purchase of Christmas tree lights through the City of Vinton for the courthouse lawn at a cost of \$476.00. All members voting "aye" thereon. Motion carried.

Don Schoeberl met with the Board to request rock be placed on 33rd Avenue near Urbana. The classification of the road is currently a Class B that receives minimum maintenance. Schoeberl had placed a residence on the road after the Class B classification. Vermedahl asked if Schoeberl would split the cost of applying gravel. Schoeberl asked what the cost would be and agreed if the cost was approximately \$300 to \$400 dollars. It was questioned if the county would maintain the road after the gravel is applied. Vermedahl responded that the road is still a Class B road. Moved by Vermedahl, seconded by Buch, that Benton County apply rock on 33rd Avenue up to 950 feet from 55th Street Trail on a 50/50 cost share basis with Don Schoeberl, and that future rock costs be shared on the same basis with Don Schoeberl, with no change in road classification. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to set the per diem rate for the Supervisor Redistricting Commission at \$30.00 per day. Vermedahl and Sass voting "aye". Buch abstained due to being a member of the Commission. Motion carried.

Moved by Vermedahl, seconded by Buch, to acknowledge the hire of Jason Jacobsen as a temporary seasonal employee with Benton County Conservation at a rate of \$8.00 per hour. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to grant an easement to Poweshiek Water Association for a parcel of property in the Section 13 of Fremont Township

Moved by Buch, seconded by Vermedahl, to authorize the chair to sign two Iowa Department of Transportation Farm-to-Market construction vouchers. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a utility permit for Qwest to place utility lines in the county's right-of-way in Section 22 of Jackson Township. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for Qwest to place utility lines in the county's right-of-way in Section 32 of Benton Township. All members voting "aye" thereon. Motion carried.

The county engineer reported that the balance in the landfill account is \$41,778.06. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

May 8, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of May 4, 2001. All members voting "aye" thereon. Motion carried.

Clarence Kubicek met with the Board to discuss problems with garbage blowing from the county landfill onto his property. Kubicek suggested that a fifteen-foot barrier be constructed to catch the blowing sacks and paper. Kubicek also suggested that the county utilize the woven wire being brought to the landfill and obtain used poles to construct the barrier. The Board relayed the concerns to the county engineer for consideration.

Moved by Vermedahl, seconded by Buch, to hire Hessenius Plumbing and Heating to install vents for air conditioning in the third floor southeast office at cost not to exceed \$500.00. All members voting "aye" thereon. Motion carried.

The Board discussed construction of a facility for use by the sheriff's department and the transportation department. The county engineer advised that he would be able to provide labor from his department for interior work during the winter.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-30. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-30

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from May 7, 2001, through the completion of the project.

From the NW corner of Section 30-T86N-R11W thence east approximately 1.0 mile to the NE corner of Section 30-T86N-R11W along 54th Street in Cedar Township.

Signed this 8th day of May, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-31. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-31

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from May 1, 2001, through the completion of the project.

From the NW corner of Section 22-T85N-R11W thence east approximately 3.0 miles to the NE corner of Section 24-T85N-R11W along 59th Street in Jackson Township.

Signed this 8th day of May, 2001

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow

Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-32. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-32

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from April 19, 2001, through the completion of the project.

From the NW corner of Section 26-T82N-R10W thence north approximately 0.9 miles to St. Clair Street in Section 26-T82N-R10W along 26th Avenue in St. Clair Township.

Signed this 8th day of May, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

The county attorney met with the Board to present a proposed recodification ordinance and a proposed ordinance setting penalties for infractions of certain county ordinances. The matter was placed on the May 11th agenda to set dates and times for consideration on the proposals.

Moved by Buch, seconded by Vermedahl, to approve payment of claims numbered 24957 through 25177, and payroll numbered 10935 through 11077. All members voting "aye" thereon. Motion carried.

The time of 10:45 a.m. having arrived, and this being the time and date set for the first consideration of a proposed ordinance regulating On-Site Waste Water Treatment and Disposal Systems, the Board took up the matter for consideration. Notice of this public hearing had been made in accordance with Iowa law. Notice had included the necessary language to allow the Board to waive future considerations if so desired and copies were available in the office of the county auditor. The auditor reported that no comments had been received prior to this hearing. Chairman Sass opened the public hearing at 10:45 a.m. There were no members of the public present. The county sanitarian explained the contents of the proposed ordinance. Hearing no comment either for or against the proposed ordinance, the Chairman declared the hearing closed. Moved by Vermedahl, seconded by Buch, to approve the first consideration of Ordinance #38, On-Site Waste Water Treatment and Disposal Systems as presented. Voting "aye" were Sass, Vermedahl, and Buch. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

May 11, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of May 8, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to amend the minutes of February 13, 2001, to include the following:

“Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-6A. Voting “aye” were Sass, Vermedahl, and Buch. “Nays” none. Motion carried.

RESOLUTION #01-6A

AMENDING RESOLUTION #00-59 & 00-93

WHEREAS, it is necessary to amend the depository amounts approved for banks as listed below, **NOW THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that Resolution #00-59 & #00-93 be amended to reflect the maximum deposit amounts for the following:

Benton County State Bank	\$2,000,000.00
Blairstown	
Bank Iowa	\$2,000,000.00
Norway	

All other aspects of the original resolution adopted on June 30, 2000 and amended on October 31, 2000 remain in full force and effect.

Signed this 13th day of February, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor”

All members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to hire Johnson Auction Sales & Real Estate, Inc. to dispose of county equipment at auction. The fees for said service are as follows:

Auctioneer	per item	0-\$50 = 25%
		\$50 - \$100 = 20%
		\$100 - \$500 = 15%
		\$550 & over = 10%

Clerking	5%
Advertising	pro-rated share

All members voting “aye” thereon. Motion carried.

The engineer withdrew his request for action on a utility permit.

Moved by Vermedahl, seconded by Buch, to approve the Agreement #01-CSTEP 24 with the Iowa Department of Transportation (IDOT) on Project #CST-30-6 (132)-4C-06 for lighting at the Watkins corner on Highway 30. The cost of the lighting is approximately \$41,000.00 with the IDOT providing a 55% reimbursement. All members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-33. Voting “aye” were Sass, Vermedahl, and Buch. “Nays” none. Motion carried.

RESOLUTION #01-33

WHEREAS: A posting for the position Equipment Operator II (Maintainer Operator for the southern Vinton area) has been completed, and

WHEREAS: Two people signed the posting, and

WHEREAS: The following person is recommended for the position.

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that Roger Calvert be the Maintainer Operator for the southern Vinton area with a labor grade classification of LG IVD. The base wage will be \$13.32. The effective date will be May 14, 2001.

Signed this 11th day of May, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Supervisor Vermedahl temporarily left the meeting.

Moved by Buch, seconded by Sass, to adopt Resolution #01-34. Voting "aye" were Sass and Buch. "Nays" none. Motion carried.

RESOLUTION #01-34

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from May 7, 2001, through the completion of the project.

From the NW corner of the NE ¼ NE ¼ of Section 12-T86N-R12W thence east approximately 1.25 miles to the NE corner of Section 7-T86N-R11W along 51st Street in Bruce & Cedar Township.

Signed this 11th day of May, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Supervisor Vermedahl returned to the meeting.

The time of 9:30 a.m. having arrived and this being the time and date set for a public hearing on a land use change requested by Break Point Stores, Inc., the board took up the matter for consideration. Due to the large number of people in attendance, this portion of the board's meeting was held in the third floor courtroom. The proposed change is for the purpose of constructing a convenience store/gas station. The location of the proposed site is at the intersection of Highway 30 and County Road 201. Marc Greenlee, Land Use Administrator presented the technical review in accordance with the county's Agricultural Land Use Preservation Ordinance. Secondary Roads indicated that the sight distance and 10% rule were met but a culvert would be needed for the driveway and the entire three hundred foot ditch would have to be cleaned. Secondary Roads also noted that snow removal is not available to that area twenty-four hours a day/seven days a week. Greenlee reported that the Department of Transportation had not received an actual application and therefore could not specifically address the issue but some concerns included paving the county road, turning lanes on Highway 30, and potential drainage problems. The proposed use would utilize rural water. Greenlee reported that the amount of wastewater per day did not meet the requirements for the Department of Natural Resources to regulate it and that a septic tank with a sand filter and trench absorption system was proposed but there may be a need for septic tanks with no discharge. Greenlee added that if there were discharge a DNR permit would be required. The current use of land in the area is predominately agricultural with some rural residential. There are approximately thirty homes in a rural subdivision south of the intersection where the land use change is being sought. The corn suitability rating (CSR) for the actual site is approximately a 65. Greenlee continued to advise that the Benton County, Iowa Land Preservation and Use Plan speaks to compatibility of uses and rates residential use in agricultural areas as medium compatibility, however commercial use in agricultural and/or residential areas is low

compatibility. Greenlee reported that ten adjacent property owners were notified with responses being received by various individuals.

The applicants were given the opportunity to speak about the project. Steve Adams of Break Pointe Stores, Inc. explained that a consulting firm was hired to determine the best location for the site. Adams spoke to the size of the facility and the number of fueling stations being planned. Adams advised that there would not be a lounge or hang-out for drivers. He explained that Break Pointe would comply with all directives from the Department of Transportation and Benton County Engineer. Adams spoke to the need for a convenience store and gas station on Highway 30 noting that there was none between Tama and Cedar Rapids. Adams continued to state that there was no where for people to get gas, go to for emergency needs, or restroom facilities. Adams advised that if complying with the regulations set forth by the Department of Transportation and Benton County became too expensive, or if the Department of Transportation found that the location would not be safe, then the project would be dropped. Adams noted that Break Pointe, Inc. is concerned about safety also.

Supervisor Sass questioned if additional land would be needed for landscaping and noted that it would be difficult to farm the high CSR ground immediately adjacent to the proposed project. The applicants indicated that no additional ground would be needed. Sass also voiced his concern about approving land use changes prior to resolving any safety concerns such as turning traffic on Highway 30 and that he would prefer to see a report from the Department of Transportation first.

Supervisor Vermedahl questioned the applicants as to the viability of the project being located that far off the roadway and was concerned about the business failing and an empty building remaining. Vermedahl also asked who would pay for the improvements to Highway 30 and the county roads if they were needed. The applicants advised they would be responsible for payment of any portion that was determined to be their expense. Vermedahl also commented about granting a land use change when not all issues had been addressed. Vermedahl voiced concern over the distance off the roadway, the CSR of the area, and the project's proximity to residential sites and its impact on the quality of life. The applicants commented that they would not be able to proceed with the project until all government requirements were met and that it was up to the county and the state as to what those requirements would be.

Supervisor Buch questioned the location of the project stating that it was too close to Cedar Rapids if the intent was to provide a store halfway between Tama and Cedar Rapids and that he would prefer to see a more centralized location. Buch also commented that the Board was there to represent the people and that the Board has an obligation to those people. Buch further commented that he believed the applicants constructed good facilities but he had to consider the number of people opposing the project's location and reiterated that he believed the project was located too close to Cedar Rapids and that he was concerned about the impact on the intersection.

Oral and written comments opposing the project were received. Comments included safety concerns with increased traffic, congestion of exiting and entering vehicles, environmental concerns, storage of petroleum products, the detrimental affect of light, air, and noise pollution, potential use that is away from immediate emergency services, potential for increased crime and non-compatibility with surrounding uses. A petition containing numerous signatures opposing the proposal was presented. The applicants responded that all infrastructure and safety issues would strictly comply with Department of Transportation and Benton County requirements.

Hearing all comments, it was moved by Vermedahl to deny the request for a land use change to nonagricultural on approximately 3.77 acres located in a Part of the SE1/4 of the SE1/4 of 29-83-9 (Fremont Township) for a convenience store/gas station. The denial is due to the proposed use not meeting all of the necessary criteria established in the Benton County, Iowa Agricultural Land Preservation Ordinance (the "Ordinance") specifically:

The purpose and objectives of the Ordinance includes to preserve the availability of agricultural land, encourage efficient urban development patterns, and to secure safety from other dangers such as the intersection. Further, section 2.5 of the Ordinance provides that the County Board must find that the use does not interfere seriously with farm operations in the area (2.52) and the use does not materially alter the stability of the overall land use pattern in the area (2.53).

Supervisor Buch seconded the motion. All members voting "aye" thereon. Motion carried denying the land use change.

The Board returned to the second floor boardroom for the remainder of the meeting.

The time of 10:15 having arrived, and this being the time and date set for a public hearing on a land use change requested by Ted and Luanna Walton, the board took up the matter for consideration.

Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on approximately one acre located in a Part of the NE1/4 of the NE1/4 of 34-82-12 (Iowa Township) for a single residential use. All members voting "aye" thereon. Motion carried.

The time of 10:45 a.m. having arrived, and this being the time and date set for the second consideration of a proposed ordinance regulating On-Site Waste Water Treatment and Disposal Systems, the Board took up the matter for its second consideration. Notice of this public hearing had been made in accordance with Iowa law. Notice had included the necessary language to allow the Board to waive future considerations if so desired and copies were available in the office of the county auditor. The auditor reported that no comments had been received prior to this hearing. Chairman Sass opened the public hearing. There were no members of the public present. Hearing no comment either for or against the proposed ordinance, the Chairman declared the hearing closed. Moved by Vermedahl, seconded by Buch, to approve the second consideration of Ordinance #38, On-Site Waste Water Treatment and Disposal Systems as presented. Vermedahl further moved, and Buch seconded, that due to no public interest being heard either at the first consideration or the second consideration, that the third consideration be waived. Voting "aye" were Sass, Vermedahl, and Buch. Motion carried.

Moved by Vermedahl, seconded by Buch, that Ordinance #38, On-Site Waste Water Treatment and Disposal Systems be adopted in full as presented and the auditor is directed to make the necessary publications in accordance with law. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

Mary Williams met with the Board to discuss the rate setting proposal that Benton County entered into and a meeting scheduled with the Cedar Valley Ranch to discuss the requirements that the Ranch must comply with. Williams requested that a board member attend the meeting to answer questions that may arise concerning the contract between Benton County and the Cedar Valley Ranch.

Gary Fordice and Dave Henkel, Conservation Board Chairman, updated the Board on conservation activities. Fordice advised that the Iowa Association of County Conservation Boards would be drafting proposed legislation to make rangers the same as other peace officers under Iowa Public Employers Retirement. Discussion also was held as to conservation department's FY02 budget. The Board of Supervisors budgeted \$85,690.00 in administration and \$344,502.00 for operations for FY02. The new budget presented by conservation shifted funding to \$96,990.00 in administration and \$333,202.00 for operations. Supervisor Buch questioned why the shift in funding was needed. Fordice advised that it was mainly to meet increases in wages in the administration portion of the budget. Buch questioned how the money was found in the operations budget to allow for the shift. Fordice answered that he purchased two used dump trucks from secondary roads instead of purchasing two new trucks. Buch commented that he did not like the large wage increases being given to conservation employees. Fordice responded that salaries needed to be increased to keep employees. Buch asked if the other counties offered the same benefits such as housing. Fordice advised that Linn County starts their rangers at \$29,000.00 and provides housing but charges rent. Iowa and Buchanan Counties provide housing and all utilities to their rangers. Vermedahl commented that he did not like the amount of wage increases. The Board advised that the shift in funding would require a budget amendment by the supervisors at a later date.

Chris Taliga and Kirk Henderson discussed the Integrated Roadside Vegetation Management Program and associated inventory. Henderson told the Board about the assistance available to counties with roadside vegetation management through the Roadside Management Program, Iowa Department of Transportation and the Iowa Living Roadway Trust Fund. The Board indicated that they were interested in the program and would begin the steps necessary to utilize the assistance offered.

Moved by Buch, seconded by Vermedahl, to approve a Beer Permit for the Watkins Athletic Club. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set the following dates and times for consideration on Ordinance #39 Establishing the Penalty for County Infractions and Ordinance #40 Readopting the Existing Benton County Code of Ordinances and /or Repealing Certain Portions Therein: June 5, 2001, June 8, 2001, and June 12, 2001 at 10:00 a.m. for Ordinance #39 and 10:15 a.m. for Ordinance #40. The auditor is directed to make the necessary publications. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

May 15, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of May 11, 2001. All members voting "aye" thereon. Motion carried.

Lolita Kaump met with the Board to discuss adding a driveway entrance to her property at 1758 78th Street, Blairstown. Kaump told the Board that she has an existing drive but would like to construct a U-shaped driveway to eliminate backing onto the traveled portion of the roadway. The county engineer reported that the site distance was tight and that currently there are eight existing driveways within an approximate one-mile distance. Kaump stated that she would pay for the additional entrance. Moved by Buch, seconded by Vermedahl, that a second entrance be constructed to the residence at 1758 78th Street, Blairstown to allow for a u-shaped driveway at the request and expense of Lolita Kaump. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a utility permit for Van Horne Telephone Cooperative to place utility lines in the county's right-of-way in Sections 13, 14, 23, 24, 25, and 26 of Union Township. All members voting "aye" thereon. Motion carried.

The county engineer discussed the purchase of additional right-of-way along County Road V66 south of Van Horne. The engineer reported on different methods of valuing the property, including a straight per acre cost and a cost per acre based on corn suitability ratings. The Board commented that value based on corn suitability rating was the fairest approach.

The engineer discussed the need for temporary speed limits on the detour roads around Belle Plaine. The Board directed the engineer to draft the necessary documents to impose the speed regulation.

The time of 10:00 a.m. having arrived, and this being the time and date set for a public hearing on amending the FY01 county budget, the Board took up the matter for consideration. There were no members of the public present. Hearing no comment either for or against the proposed amendment, it was moved by Vermedahl, seconded by Buch, to adopt Resolution #01-35 Amending the FY01 County Budget. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-35

AMENDING THE FY01 COUNTY BUDGET

BE IT REMEMBERED on this, the 15th day of May, 2001, the Board of Supervisors of Benton County, Iowa, met in session for the purpose of hearing on an amendment to the current operating budget adopted on March 10, 2000. There was a quorum present as required by law. Thereupon, the Board found that the notice of time and place of the hearing had been published on the 2nd day of May 2001.

Thereafter, and on said date the amendment was taken up and considered and taxpayers heard for and against the amendment as follows: No taxpayers were present. Thereafter, the Board took up the amendment to the budget for final consideration and determined that said budget be amended as follows:

<u>Expenditures</u>	<u>Amendment</u>
Public Safety	+50,000
Court Services	+ 1,800
Physical Health & Education	+5,000
Social Services	+14,000
County Environment	+232,810
Roads & Transportation	+250,000
Capital Projects	-210,000
<u>REVENUES</u>	<u>Amount</u>
Intergovernmental	\$200,000
Use of Money & Property	\$170,000

Transfers in/out : \$109,488

All line items shall be amended where necessary within each department budget. All departmental appropriations are amended to reflect the above increases/decreases in expenditures.

It is also noted that \$287,992 reflected in Benton County’s fund balance is reserved in accordance with Benton County Resolution #97-25,as amended, for the financial assurance of closure and postclosure costs for the Benton County sanitary landfill. The amount is reduced from the published notice due to interest income not yet being received.

BE IT FURTHER RESOLVED that an unreserved fund balance designation for the purpose of election equipment replacement be established and that an initial amount of \$75,000 be designated for said purpose. The designation of unreserved fund balances indicates that Benton County prefers to use available financial resources for the specific purpose of election equipment replacement, and although designated, the funds remain an integral part of the spendable or appropriable resources of Benton County.

There will be no tax increase for FY01.
This resolution adopted on the 15th day of May 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Delane Dunkel, Deputy
Benton County Auditor

Chief Judge David Remley and Dave Thompson, County Attorney, met with the Board to discuss issues surrounding the use of the southeast office on the third floor. Currently, the county attorney has board approval to use the office for storage. Judge Remley advised that it was necessary for the clerk to have access to the office to retrieve court files that are transported to the third floor via a dumbwaiter located in the southeast office. The county attorney advised that it would be necessary for him to lock the office for security purposes, as he is the custodian for the records in his office and that the dumbwaiter could be accessed from another room with some renovation. Discussion was also held on the possibility of moving the current office for the court reporters to the southeast office and allowing the county attorney to then utilize that space. Judge Remley stated concern on that proposal due to restroom facilities. Discussion also was held as to the viability of using the southeast room as a jury room and allowing the county attorney use of the southwest office. It was decided that the southeast office was too small for the jurors. After discussing the matter, it was moved by Buch, seconded by Vermedahl, to continue with allowing the county attorney to utilize the office space in the southeast corner, but that the clerk of court is to be provided a key to the room for access to the dumbwaiter. The county attorney is to be notified that the clerk is to have a key. All members voting “aye” thereon. Motion carried.

Mary Halstead, Transportation Director, informed the Board that she had a successful applicant for the position of part-time driver and would be returning at a later date for official approval of the board. Moved by Vermedahl, seconded by Buch, to adjourn. All members voting “aye” thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Delane Dunkel, Deputy Auditor

May 18, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 12:30 p.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of May 18, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for Cedar Rapids Water Department to place utility lines in the county's right-of-way in Section 24 and 25 of Fremont Township. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-36. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-36

WHEREAS: Characteristics of 78th Street Trail from the intersection of 11th Avenue Drive southeast approximately 2.5 miles to the intersection of 13th Avenue Drive and characteristics of 13th Avenue Drive from the intersection of 78th Street Trail north approximately 1.5 miles to the intersection of 77th Street Drive warrants a temporary change of speed limit, and

WHEREAS: The traffic on these Benton County Secondary Roads have increased due to the construction project in Belle Plaine, and

WHEREAS: A speed limit on this secondary road will greatly increase the safety for the traveling public.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the temporary speed limits on these roads be set as follows:

"35 mph on 78th Street Trail from 11th Avenue Drive southeast 2.5 miles to the intersection of 13th Avenue Drive and 35 mph on 13th Avenue Drive from the intersection of 78th Street Trail north approximately 1.5 miles to the intersection of 77th Street Drive," and

BE IT FURTHER RESOLVED that upon completion of this construction project in Belle Plaine, the temporary speed limit be removed.

Signed this 18th day of May, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____
Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-37. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-37

WHEREAS: Characteristics of 32nd Avenue from the intersection of 73rd Street (US Highway 30) south 2 miles to the intersection of 75th Street warrants a change of speed limit, and

WHEREAS: The traffic on this Benton County Secondary Road has increased considerably due to housing developments, and

WHEREAS: A speed limit on this secondary road will more closely reflect the design speed of this road.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the speed limits on this road be set as follows:

“40 mph on 32nd Avenue from 73rd Street south 2 miles to the intersection of 75th Street.”

Signed this 18th day of May, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to approve the hire of Jeff Whitson as a part-time seasonal employee for secondary roads, effective May 21, 2001, at \$7.50 per hour and the hire of Travis Neuhaus, as a part-time seasonal employee for sanitary disposal, effective May 16, 2001 at \$7.50 per hour. Also an increase in wage for Pam Schultz to \$7.50 per hour effective May 16, 2001. All members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the hire of James Fuller as a part-time driver for the transportation department, effective May 18, 2001, at \$8.40 per hour. All members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to acknowledge the hire of Luke Behaunek and Bo Benesh as seasonal part-time employees with the Benton County Conservation department, effective May 19, 2001. The wage for Benesh is set at \$7.50 per hour and the wage for Behaunek is set at \$7.00 per hour. All members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Sass, to approve the hire of Ashlyn Kremenak as a matron for the sheriff’s department retroactive to May 15, 2001, at a wage of \$9.09 per hour. Buch and Sass voting “aye” thereon. Motion carried. Vermedahl abstained, as Kremenak is an employee of his private business.

Moved by Vermedahl, seconded by Buch, to approve claims numbered 25178 through 25425, and payroll numbered 11078 through 11220, for payment. All members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting “aye” thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

May 22, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Newhall City Hall in Newhall with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of May 18, 2001. All members voting “aye” thereon. Motion carried.

Doug Elliott, East Central Iowa Council of Governments (ECICOG) met with the Board to discuss the services offered by the organization. Elliott also explained that his organization usually provides services to government entities, but on occasion will assist with a private project. The purpose of the meeting was to educate the Board of Supervisors as to the services offered by ECICOG and Benton Development Group to prevent duplication of services.

Moved by Vermedahl, seconded by Buch, to set a land use hearing requested by Vernon Kuhn for June 22, 2001, at 9:30 a.m. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to acknowledge the hire of Dan Sallee and Josh Appelgarth as part-time seasonal employees with the conservation department, effective May 21, 2001, at a wage of \$8.00 per hour. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the Recorder's Quarterly Report for the period ending March 31, 2001. All members voting "aye" thereon. Motion carried.

Bob Moen and representatives of John Deere Insurance met with the Board to discuss health insurance. Discussion included the potential savings if the county would switch to John Deere health insurance and the differences between the John Deere plan and the county's current health insurance plan. The Board directed that the matter be placed on the May 25, 2001 agenda for further consideration.

Dave Thompson met with the Board to discuss the space allocated to his office. Thompson relayed his confusion over the May 14th Board action allowing him use of office on the third floor but also providing a key to the clerk of court. Thompson advised that the May 14th motion was illegal stating the Board does not have the authority to direct the county attorney to give a key to someone allowing them access to his records. The county attorney advised that the Board's authority is restricted to providing space to an official in order for that official to operate his/her office. Thompson further told the Board that he was not going to provide a key to anyone under the Board's directive.

Thompson also told the Board that if the Board is making any decisions that affect his office that he would requested to be present. Thompson voiced concern over the fact that the matter concerning the extra office on the third floor was originally scheduled for 11:30 a.m. on May 14th and was held earlier. Thompson stated that he came to the Board to ask if they had any questions regarding the office issue and was told that the Board had none and the Board continued on with other matters. The Board then issued a decision on the matter while he was not present. Thompson reiterated that it was necessary for him to know matters that affect his office and he expects to be allowed to be present when the Board takes such action.

Thompson also informed the Board of the duties required of his office and the ability to perform those requirements with limited personnel. Thompson stated that he could probably use an additional full-time assistant attorney but was not asking for one, but wanted to show the Board what his office does handle. The county attorney displayed several boxes of files to demonstrate the need for an area to lay out cases to allow him or his assistant to prepare legal action. The county attorney stated that he needs the ability to lay information out and leave it on a table and know it is secure. The county attorney stated that if he is not able to utilize the office as needed, then he was officially requesting additional room to be able to efficiently perform the duties of his office. Thompson commented that he would be willing to discuss an office in the building being planned for the sheriff's and transportation departments.

Thompson commented that he was confused over the use of the dumbwaiter located in the office being discussed. Thompson displayed the size of his files compared to those of the clerk of court indicating that the clerk's files are small in relation to the size of the county attorney's records for the same case. Thompson stressed that the dumbwaiter was not used until he requested sole use of the office.

Thompson stressed that he does not have the room to do his job in the way that victims and residents of Benton County deserve. Thompson finished by stating that he thought the use of the office was the most efficient and cost-effective for Benton County.

A member of the public commented that she was offended by the county attorney's talk about murders and rapes in a public meeting stating that the issue was the need for more room and there was no need to discuss specific cases or bring evidence about those cases.

Vermedahl commented that the courts told the Board that they use the dumbwaiter and he wasn't going to question the judge. Thompson responded that the logical answer to the problem is to move the door to the dumbwaiter to the outside wall which could be done for under \$1000.00. Moving the door would allow the clerk to use the dumbwaiter and maintain a secure room for his office to use.

Sass commented that regarding the May 14th action being taken without Thompson present was due to Judge Remley's name being on the agenda and not Thompson's. Sass also commented that the room

was to allow storage for the county attorney and not for other office use. Thompson advised that he has always wanted to use the room for other things besides storage and had told the Board of his intentions.

Buch commented that he didn't believe the room would be large enough to do what the county attorney proposed referring to all of the records shown to the Board. Thompson stated that he believed the room would be satisfactory. Thompson also stated that he has never criticized the district court or Judge Remley but he (Thompson) had not witnessed the dumbwaiter being used until recently. Thompson also told the Board that he had old oak trim from a school that matched the trim in the courthouse and he would donate those materials if the opening to the dumbwaiter was relocated.

Vermedahl asked if Thompson had contacted any contractors about the cost of moving the door to the dumbwaiter. Thompson replied that he had not, but in his opinion based on past experience with carpentry and contractors that the door could be relocated for less than \$1000.00.

Thompson also reminded the Board that money is available from the State of Iowa to hire an intern to assist his office at no cost to Benton County if there was a room available.

Vermedahl stated that he never believed that the Board was issuing keys to his office but that the office in question was a storage area. Thompson responded that he has always been up front with the Board in discussing the needs for his department, including storage and a conference type room. The Board directed Thompson to obtain quotes for relocating the dumbwaiter door for their consideration.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

May 25, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of May 22, 2001, with the following amendment to the paragraph immediately preceding the motion to adjourn:

"Supervisor Vermedahl indicated that the Board had not given a key to any office. That the Board has not made a decision making the referenced room a part of the county attorney's office but rather a storage area in which both the county attorney and clerk of court both have access, and asked that the auditor research past minutes to ascertain if, in fact, action had been taken making that room a part of the county attorney's office."

All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a Utility Permit for Telecommunication Services to place utility lines in the county's right-of-way in Sections 22 and 36 of Iowa Township. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to sign the extension to the FY02 contract between Benton County Transportation and East Central Iowa Council of Governments for transportation services. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-38. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-38

BE IT RESOLVED by the Benton County Board of Supervisors that \$60,760.38 be transferred from the TIF Fund to the Debt Service Fund.

Dated this 25th day of May 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Delane Dunkel, Deputy
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-39. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-39

WHEREAS, the Benton County Treasurer has notified the Board that she has deemed certain taxes uncollectable; and

WHEREAS, Iowa Code 44516 requires that the Board of Supervisors abate the tax and penalty upon recommendation of the treasurer,

BE IT RESOLVED by the Benton County Board of Supervisors that all tax and penalty on the following parcels 370-4071109, 370-4667900914, and 390-21790 be abated in full.

Dated this 25th day of May 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Delane Dunkel, Deputy
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to table action on abatement of tax and penalty on parcel #370-1262 to allow additional time for collection attempts. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to acknowledge the hire of Rachel Parr as a part-time seasonal employee with Benton County Conservation effective May 29, 2001 at a wage of \$7.00 per hour. All members voting "aye" thereon. Motion carried.

The Board discussed the county's health insurance plan and the presentation by John Deere Health Insurance on May 22, 2001. The Board requested that a meeting be scheduled with all of the department heads and union representatives to further discuss the health insurance.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Delane Dunkel, Deputy Auditor

May 29, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to table approval of the minutes of May 25, 2001. All members voting "aye" thereon. Motion carried.

Rick Osterkamp met with the Board to discuss sealcoating approximately three thousand feet of 64th Street by Beau Chene Estates. Discussion was held regarding the cost of sealcoating and the various types of material. The county engineer advised that a three to four inch granular or macadam base with three inches of rock would cost approximately \$33,000.00 to \$34,000.00 or approximately \$11.00 per foot. Osterkamp reminded the Board that Linn County charges the developer \$8.50 per foot and the county pays for the remainder. The county engineer told the Board that maintenance on a sealcoated road would equal out with maintenance costs on a gravel road over a five-year average based on current prices. The engineer also informed the Board that the portion of road being discussed rated a 25 on the Paving Point Determination System and that usually a road needs a minimum of 50 before it is considered for upgrading to a paved road. Having fully discussed the matter, it was moved by Vermedahl, seconded by Buch, that

Benton County agrees to sealcoat approximately three thousand feet on 64th street leading to Beau Chene Estates. Further, 100% of the cost to sealcoat the road is to be borne by Rick Osterkamp with 50% being collected at the commencement of the project and the remaining 50% at the completion of the project. Benton County is to be responsible for the day-to-day maintenance of the sealcoated road. All members voting "aye" thereon. Motion carried. It is noted that Osterkamp was in agreement with the financial arrangements for the project and the county engineer is directed to contact Osterkamp approximately one week prior to starting the project.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-40. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-40

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from May 29, 2001, through the completion of the project.

From the W ¼ corner of Section 11-T82N-R11W thence north 1.5 miles to the NW corner of Section 2-T82N-R11W along 20th Avenue in Leroy Township.

Signed this 29th day of May, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

June 1, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of May 25, 2001 and May 29, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set June 22, 2001 at 9:45 a.m. as the time and date for a public hearing on a land use change requested by Steve Griffin. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set June 26, 2001 at 9:30 a.m. as the time and date for a public hearing on a land use change requested by Ken Rosenbalm. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a 40-hour vacation carry-over for Dan Carroll until September 1, 2001 due to the seasonal workload of secondary roads. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to acknowledge the resignation of Denni Randall from the conservation department effective June 10, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-41. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-41

WHEREAS, Iowa Code Section 427.9 provides for the suspension of taxes for qualifying individuals,

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that that the taxes on parcels #270-12400 and #070-07650 be suspended in accordance with Iowa Code 427.9.

Dated this 1st day of June 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-42. Voting “aye” were Sass, Vermedahl, and Buch. “Nays” none. Motion carried.

RESOLUTION #01-42

WHEREAS, Benton County has been awarded a Community Development and Betterment Grant;

BE IT RESOLVED by the Benton County Board of Supervisors that a special revenue fund be established for the purpose of receipting and disbursing Community Development and Betterment Grant (CDBG) monies.

Dated this 1st day of June 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to direct the Chair to sign the Iowa Department of Economic Development Community Development and Betterment Grant (CDBG) Contract in the amount of \$600,000.00. All members voting “aye” thereon. Motion carried. The CDBG is for Poweshiek Water Association to install rural water.

Moved by Vermedahl, seconded by Buch, to direct the Chair to sign the Environment Review Responsibility paperwork establishing that the United States Department of Agriculture is responsible for conducting the environmental review for the \$600,000.00 Community Development Block Grant awarded to Benton County for rural water. All members voting “aye” thereon. Motion carried.

Gary Fordice, Benton County Conservation Executive Director, updated the Board on park activities.

Moved by Vermedahl, seconded by Buch, to table action on exterior lighting of the courthouse to allow for additional quotes. All members voting “aye” thereon. Motion carried.

Two quotes were received for remodeling an employee restroom at the Department of Human Services Building as follows:

- McDowells - \$8,128.00 not to include electrical or floor covering
- West & Sons Unlimited – not to exceed \$13,000.00 and does not include floor covering, and electrical and plumbing to be bid separately

Moved by Vermedahl, seconded by Buch, to award the restroom-remodeling project to McDowells. All members voting “aye” thereon. Motion carried.

The county auditor presented a proposed 457 plan for employee deferred compensation benefits to replace the existing plan. No action was taken.

The county auditor presented additional information to the Board regarding the county's current health insurance program and John Deere Health Insurance for review and discussion. The Board indicated that they would additional time to consider the information before scheduling a meeting with department heads and union representatives.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

June 5, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass and Buch present. Supervisor Vermedahl was absent. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Sass, to set June 29, 2001 at 9:30 a.m. as the time and date for a public hearing on a land use change requested by Brett Brummer. All members voting "aye" thereon. Motion carried.

Supervisor Vermedahl arrived at 9:07 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of June 1, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-43. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-43

WHEREAS: A posting for the position of Equipment Operator II (scoop operator) within the Secondary Road Department has been completed, and

WHEREAS: The present bargaining unit employees have had five (5) days to sign the posting, and

WHEREAS: One present bargaining unit employee has signed the posting, and

WHEREAS: The county engineer recommends this employee for the position, and

WHEREAS: Granting this change to this employee will result in the employee transferring to the Secondary Road Department,

BE IT THEREFORE RESOLVED By The Benton County Board of Supervisors that Tom Johnson be given the Equipment Operator II (scoop operator) position. His Labor Grade Classification of LG IVC and base wage of \$13.26 will remain the same. The effective date of transfer will be June 11, 2001.

Signed this 5th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____
Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-44. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-44

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from June 5, 2001, through the completion of the project.

From the E ¼ corner of Section 25-T82N-R9W thence north 2 miles to the E ¼ corner of Section 13-T82N-R9W along Benton-Linn Road in Florence Township.

Signed this 5th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-45. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-45

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from June 4, 2001, through the completion of the project.

From the NW corner of Section 14-T82N-R12W thence east 0.5 miles to the N ¼ corner of Section 14-T82N-R12W along 76th Street in Iowa Township.

Signed this 5th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

The county engineer reported the balance of the landfill account as of May 31, 2001 was \$47,457.65.

Moved by Vermedahl, seconded by Buch, to contract with Jensen Wall Systems Construction per the quote submitted as follows:

1. Repair and paint the plaster on the north wall of the 3rd floor courtroom at a cost of \$2,905.00
2. Repair and paint the ceiling in the 3rd floor judge's chambers and attorney's room at a cost of \$680.00
3. Replace the damaged ceiling tiles and paint the ceiling in the 3rd floor storage area (southeast corner) but not to cut a small elevator door opening
4. Replace the damaged ceiling tiles in and paint ceiling in court reporter's room at a cost of \$705.00

It is also noted that two other quotes were requested but none were received. All members voting "aye" thereon. Motion carried.

Marc Greenlee discussed the need for a land use application when the applicant's existing home burned. Greenlee advised that the county's land use ordinance allows for a variance for an undue hardship. However the applicant must apply to the Board of Adjustment for the variance which requires a \$500.00 filing fee. Greenlee further stated that a regular land use application fee is \$500.00 and therefore recommended that the individuals be required to go through the normal land use application process.

Moved by Buch, seconded by Vermedahl, to approve a farm exemption for George and Betty Whisenhunt in a Part of the SW1/4 of the NE1/4 of 35-82-12. Whisenhunts currently own 140 acres and are actively involved in a farming operation. All members voting "aye" thereon. Motion carried.

The county attorney was unable to attend the meeting due to illness and therefore was unable to discuss issues concerning the county's telephone bill and contempt of court issues. Marc Greenlee updated the Board on his office's involvement with the contempt issue. Greenlee advised that Lane Rigler was violated Benton County's nuisance ordinance and land preservation ordinance. Rigler was ordered by the magistrate court to comply with the ordinances by May 24th. Greenlee advised that Rigler failed to comply with the court order. Greenlee advised that the necessary information was provided to the county attorney and the attorney's direction is being sought as to whether contempt action and/or additional citations should be filed. Greenlee is currently waiting for a response from the county attorney.

The first considerations on Ordinances #39 and #40 were not held due to the failure of the Cedar Valley Times to publish the required notice on May 30th. Due to the publications not being made in accordance with law it is necessary to reset the dates for considerations of the proposed ordinances.

Moved by Buch, seconded by Vermedahl, to set the following dates and times for consideration on Ordinance #39 Establishing the Penalty for County Infractions and Ordinance #40 Readopting the Existing Benton County Code of Ordinances and/or Repealing Certain Portions Therein:

June 19, 2001 at 7:00 p.m for 1st consideration of Ordinance #39 and 7:15 p.m. for 1st consideration of Ordinance 40;

June 22, 2001 at 10:00 a.m. for the 2nd consideration of Ordinance #39 and 10:15 a.m. for the 2nd consideration of Ordinance #40.

June 26, 2001 at 10:15 a.m. for the 3rd consideration of Ordinance #39 and 10:30 a.m. for the 3rd consideration of Ordinance #40. The auditor is directed to make the necessary publications. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to table approval of a 34-hour vacation carry-over for Gary Fordice, until the conservation board has granted the same. Approval from the conservation board must be obtained prior to July 1st, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the hire of William C. Thorman as a part-time dispatcher in the sheriff's department, effective May 31, 2001, at a starting wage of \$8.00 and upon successful completion of training, the wages are to be adjusted in accordance with the wage schedule for part-time dispatchers. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

June 8, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of June 5, 2001. All members voting "aye" thereon. Motion carried.

Discussion was held with the county engineer on requests for vacation carry-over. After reviewing the current union contract, it was determined that no official board action is required.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-46. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

**RESOLUTION #01-46
INTERFUND LOAN**

BE IT RESOLVED by the Benton County Board of Supervisors that \$2,610.00 be loaned to the Community Development and Betterment Grant (CDBG) fund from the General Basic fund.

Dated this 8th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow

Benton County Auditor

Moved by Vermedahl, seconded by Buch, to appoint the following persons to the FY02 Benton County Task Force: Paul Coyle, Ella Cronbaugh, Geraldine Healy, Elma McLeod, Leona Melhus, Alice Morrow, Robb Morrow, Maxine Noller, Alberta Reifenshahl, Gladys Walton, Fran Stinson, Gertrude Underwood, Virginia Zamastil, Glenia Maschman, Pat Franzenburg, Shirley Kirby. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to authorize Vinton Unlimited to use the courthouse lawn on Thursday, June 21, 2001 for Party in the Park activities. All members voting "aye" thereon. Motion carried.

Ervin Glinsmann, Director of Veterans Affairs, and the county auditor requested that the Board add an emergency item to the agenda. The matter relates to an interpretation of the policy and guidelines for veteran benefits. Policies and guidelines were adopted by the Benton County Board of Supervisors (the "Board") and the Benton County Veterans Affairs Commission (the "Commission") in 1995 setting forth the benefits available to veterans in Benton County. Claims for mortgages were submitted and the auditor requested an interpretation of the guidelines prior to payment of the claims. The county attorney was present and opined that the policies and guidelines adopted in 1995 by the Board and the Commission were merely guidelines and it was not necessary to adhere to them and therefore any claim approved by the Commission must be paid. The county attorney further stated that the policies and guidelines should be amended and asked that the Commission meet with him to discuss them.

Moved by Vermedahl, seconded by Buch, to authorize payment of claims for veterans benefits for mortgage payments, including interest and principal as approved by the Veterans Affairs Commission and in accordance with the opinion of the county attorney. All members voting "aye" thereon. "Nays" none. Motion carried.

The Board discussed a possible overpayment on telephone services with the county attorney. The county attorney advised that the matter may result in litigation and should not be discussed in open session. The county attorney also advised that he scheduled a telephone technician to install another phone line in his office and will have the technician review the courthouse phone system. The technician should be able to review the system in two to three weeks. The county attorney stated that he is continuing to investigate the matter. Supervisor Buch stressed that the matter needed to be resolved.

The Board discussed a contempt of court issue with the county attorney. Supervisor Buch explained that residents in his area were questioning the status of a nuisance. The county attorney explained that he is prohibited from discussing a pending legal case in public. Thompson further explained that he had viewed the property in question and was aware of the situation. Thompson stated that he believes that the sanitarian has done a good job in controlling nuisances in Benton County, but that Benton County may need to adopt ordinances addressing junk yards and zoning. Discussion was held on regulating agricultural structures specifically mobile homes being utilized as animal confinement buildings. Thompson said that within a year of changing certain ordinances and with the dedication of various departments many of the nuisance problems in Benton County could be removed.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

June 12, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of June 8, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set July 10, 2001 at 9:30 a.m. as the time and date for a public hearing on a land use change requested by Gary and Mary Clark. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a five-day liquor license and beer permit for Crackies Asylum Inc. to hold a veteran's reunion June 15, 2001 through June 20, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-48. Voting "aye" were Sass, Vermedahl, and Hanson. All members voting "aye" thereon. Motion carried.

RESOLUTION #01-48

WHEREAS: The Benton County Secondary Road Department has an employee that has been employed for a year, and

WHEREAS: This employee as part of the original hire is eligible for a wage increase, and

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the Labor Grade classification of Jeff S. Winsor will be VC. VC base wage for Jeff Winsor will be \$13.26 per hour. Jeff S. Winsor rate change will be effective June 19, 2001.

Dated this 12th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to approve a farm exemption for L. Kerry and Barbara McAbee in the SW1/4 of the SW1/4 of Section 36 of Benton Township as the applicant currently actively involved in a farm operation. All members voting "aye" thereon. Motion carried. Supervisor Vermedahl commented that he has viewed the property to quote insurance but that the applicants have not purchased any products from him as of this date.

Moved by Vermedahl, seconded by Buch, to approve the following cigarette permits for FY02: Garden Gate Market, Doc's Bar & Grill, Tara Hills Country Club, and Kimm's Sinclair. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 25426 through 25793, and payroll numbered 11221 through 11381, All members voting "aye" thereon. Motion carried.

Bill Peterson, Executive Director of the Iowa State Association of Counties (ISAC), met with the Board to discuss ISAC's health insurance plan.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

June 15, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Vermedahl and Buch present. Supervisor Sass was absent. Vice-Chairman Vermedahl called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of June 12, 2001. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-49. Voting "aye" were Vermedahl and Buch. "Nays" none. Motion carried.

RESOLUTION #01-49

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from June 11, 2001, through the completion of the project.

From the N ¼ corner of Section 8-T82N-R12W thence east 1.5 miles to the NE corner of Section 9-T82N-R12W along 75th Street in Iowa Township.

Signed this 15th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-50. Voting "aye" were Vermedahl and Buch. "Nays" none. Motion carried.

RESOLUTION #01-50

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from June 18, 2001, through the completion of the project.

From the NW corner of Section 31-T84N-R10W thence east 1 mile to the NE corner of Section 31-T84N-R10W along 67th Street in Eden Township.

Signed this 15th day of June, 2001

BENTON COUNTY BOARD OF SUPERVISORS

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-51. Voting "aye" were Vermedahl and Buch. "Nays" none. Motion carried.

RESOLUTION #01-51

WHEREAS, the construction of automatic flashing signals with gate arms has been completed at two intersections of a Benton County Secondary Road and the Union Pacific Railroad, and

WHEREAS, the need for stop signs at these intersections no longer exist,

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that the stop signs at the following intersections with the Union Pacific Railroad be removed.

1. Along 17th Avenue between section 17 & 18, T82N, R11W in Leroy Township.
2. Along 23rd Avenue between section 19 & 20, T82N, R10W in St. Clair Township.

Signed this 15th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-52. Voting "aye" were Vermedahl and Buch. "Nays" none. Motion carried.

RESOLUTION #01-52
BENTON COUNTY FY2002 SALARIES AND WAGES

SUPERVISORS

Ronald Buch	\$29,312.00	per year
David Vermedahl	\$29,312.00	per year
Edward E Sass	\$29,312.00	per year

AUDITOR'S OFFICE

Jill Marlow, Auditor	\$42,640.00	per year
Delane Dunkel	\$34,112.00	per year
Hayley Rippel	\$25,584.00	per year
Brenda Sutton (50% Auditor and 50% Election)	\$31,980.00	per year

TREASURER'S OFFICE

Kelly Rae Geater, Treasurer	\$42,640.00	per year
Kimberly Staab	\$34,112.00	per year
Michele Sauer	\$29,848.00	per year
Melinda Schoettmer	\$25,584.00	per year
Jennifer Parr	\$18,250.00	per year
Rosemary Sackett	\$18,250.00	per year
Joy McGowan	\$18,250.00	per year

RECORDER'S OFFICE

Betty Wright, Recorder	\$42,640.00	per year
Sharon Stueck	\$34,112.00	per year
Nancy Good (part-time)	\$ 9.57	per hour

ATTORNEY'S OFFICE

David Thompson, Co Attorney	\$65,624.00	per year
Anthony Janney, Asst Co Attorney	\$55,781.00	per year
Mary Ann Blumer	\$29,120.00	per year
Betty Stone (part-time)	\$13.52	per hour
Ashlyn Kremenak (part-time)	\$ 8.00	per hour

MH-MR-DD RELIEF OFFICE

Mary Williams, Director (5% Relief and 95% MH-DD Service)	\$34,320.00	per year
Evelyn Ollinger (part-time) (25% Relief and 75% MH-DD Service)	\$10.28	per hour

Carol Zander (full-time) (25% Relief and 75% MH-DD Service)	\$ 9.20	per hour
Shelley MacDonald (part-time) (25% Relief and 75% MH-DD Service)	\$ 7.80	per hour

DATA PROCESSING DEPARTMENT

Mary McLaughlin, Manager	\$43,997.00	per year
Roger Witt	\$32,240.00	per year

VETERANS AFFAIRS

Ervin Glinsmann	\$8,728.50	per year
-----------------	------------	----------

COURTHOUSE MAINTENANCE

Rick Bramow	\$28,000.00	per year
Dennis Thompson	\$26,500.00	per year
Rodney Stueck (part-time)	\$ 7.65	per hour

DISASTER SERVICES

Scott E. Hansen	\$38,000.00	per year
Robert Spangler	\$85.00	per month

SOCIAL SERVICE MAINTENANCE

Beverly Baldwin	\$ 7.57	per hour
-----------------	---------	----------

SANITARIAN-LAND USE

Marc Greenlee, Administrator (40% Sanitarian and 60% Land Use)	\$46,498.00	per year
Barbara Greenlee (62 ½% Sanitarian and 37 ½% Land Use)	\$29,120.00	per year
Joan Evans (part-time)	\$ 8.22	per hour

ASSESSOR'S OFFICE

Larry Andreesen, Assessor	\$46,295.00	per year
Diane Buckingham	\$33,746.00	per year
Janice Sarchett	\$32,696.00	per year
Vicky Finch	\$18,750.00	per year

TRANSPORTATION DEPARTMENT

Mary Halstead, Manager	\$30,000.00	per year
Lyle Lovell (full-time)	\$10.92	per hour
Marjorie Bergert (part-time)	\$ 8.74	per hour
Sandra Dvorak (part-time)	\$ 8.74	per hour
Leo Brummer (part-time)	\$ 8.74	per hour
Cletus Friedman (part-time)	\$ 8.74	per hour
Jim Woods (part-time)	\$ 8.74	per hour
William Milne (part-time)	\$ 8.74	per hour
Catherine Wilkinson (part-time)	\$ 8.74	per hour

Dana Burmeister (part-time)	\$ 8.74	per hour
James Fuller (part-time)	\$ 8.74	per hour

CONSERVATION DEPARTMENT

Gary Fordice, Exec Director	\$35,960.00	per year
Scott Bahmann, Rodgers Park Ranger	\$26,718.00	per year
Matthew Ellis, River Park Ranger	\$25,218.00	per year
Everett Leonard, Maintenance	\$25,218.00	per year
Jonathan Geiger, Hannen Park Attendant	\$25,218.00	per year

Jason Jacobson (part-time)	\$ 8.50	per hour
Clint Maas (part-time)	\$ 8.50	per hour
Phillip Brecht (part-time)	\$ 8.00	per hour
Dan Sallee (part-time)	\$ 8.00	per hour
Joshua Applegarth (part-time)	\$ 8.00	per hour
Bo Benesh (part-time)	\$ 7.50	per hour
Luke Behaunek (part-time)	\$ 7.00	per hour
Rachel Parr (part-time)	\$ 7.00	per hour

SHERIFF'S OFFICE

Kenneth Popenhagen, Sheriff	\$54,624.00		per year
Chief Deputy	<u>Annual Base</u>	<u>Longevity</u>	<u>Total Annual</u>
Randall Forsyth	\$46,430.40	\$374.40	\$46,804.80
Secretaries			
Jackie Michael, Office Manager	\$28,500.00	\$104.00	\$28,604.00
Sherri McGowan	\$23,967.00	\$374.40	\$24,341.40

Full Time Deputies	<u>Annual Base</u>	<u>Longevity</u>	<u>Total Annual</u>
Peter Wright	\$35,484.80	\$374.40	\$35,859.20
Michael Ferguson	\$35,484.80	\$374.40	\$35,859.20
John Austin	\$33,592.00	\$374.40	\$33,966.40
Jannine Crandall	\$34,590.40	\$270.40	\$34,860.80
Mark Johnson	\$33,592.00	\$208.00	\$33,800.00
John Lindaman	\$29,016.00		\$29,016.00

Dispatcher/Jailer (Full-time)	<u>Hourly Base</u>	<u>Longevity</u>	<u>Total Hourly</u>
Dorothy Wild	\$14.23	\$0.18	\$14.41
Susan Nelsen	\$13.30	\$0.05	\$13.35
Dawn Dunkelberger	\$13.30	\$0.05	\$13.35
Kyla Davis	\$12.20		\$12.20
Billie Jo Zhorne	\$11.36		\$11.36
William Reese	\$13.30	\$0.05	\$13.35
Michael Merino	\$11.36		\$11.36
Leslie Wood	\$11.36		\$11.36
Jerauld McElrath	\$10.26		\$10.26
Andy Rich	\$12.20		\$12.20

Dispatcher/Jailer (Part-time)			
Trisha Hudson	\$12.20		per hour
Kimberly McCullough	\$12.20		per hour
Jeff Johnson	\$12.20		per hour
Michelle Thomson	\$11.36		per hour
David Jenson	\$11.36		per hour
Christina Trefz	\$10.26		per hour
Laura Getty	\$10.26		per hour
Jeff Butler	\$10.26		per hour

Jason Schott	\$ 9.00	per hour
Matrons		
Deanna Burroughs	\$ 9.45	per hour
Susan Nelsen	\$ 9.45	per hour
Shirley Schwartz	\$ 9.45	per hour
Mary Ann Blumer	\$ 9.45	per hour
Kimberly Barkdoll	\$ 9.45	per hour
Kyla Davis	\$ 9.45	per hour
Florence Rippel	\$ 9.45	per hour
Brenda Hackbarth	\$ 9.45	per hour
Christine Brewer	\$ 9.45	per hour
Ashlyn Kremenak	\$ 9.45	per hour

Utility/Duty Officer

Jerry Michael	\$14.17	per hour
---------------	---------	----------

Reserve Peace Officer (part time)

Gary Benson	\$13.95	per hour
Dan Benson	\$13.95	per hour
Russell Glime	\$13.95	per hour
Gene Clerkin	\$13.95	per hour
Larry Feaker	\$13.95	per hour
Vincent Snyder	\$13.95	per hour
Jon Behne	\$13.95	per hour
James Rich	\$13.95	per hour

Food Service/Janitorial

	Hourly Base	Longevity	Total Hourly
Janet Burroughs (full-time)	\$11.68	\$0.13	\$11.81
Doris Trefz (full-time)	\$ 9.14		\$ 9.14
Deanna Burroughs (part-time)	\$11.68		per hour
Terri Higdon (part-time)	\$11.68		per hour
Bonnie Ehlinger (part-time)	\$11.27		per hour
LaDonna Fairbanks (part-time)	\$ 9.14		per hour

Contract Typing (part time)

Jacqueline Michael	\$ 9.73	per hour
Mary Ann Blumer	\$ 9.73	per hour
Susan Nelsen	\$ 9.73	per hour
Tina Ehrig	\$ 9.73	per hour

SECONDARY ROADS

Administration

Myron Parizek, Engineer	\$66,560.00	per year
Scott Pottorff, Asst to Engineer	\$37,960.00	per year
Elaine Bolton, Office Manager	\$28,080.00	per year
Penny Applegarth	\$19,630.00	per year

Management

	<u>Hourly Base</u>	<u>Longevity</u>	<u>Total Hourly</u>
Daniel Higdon	\$15.06	\$0.20	\$15.26
Morris Higgins	\$15.06	\$0.25	\$15.31
Pam Gorsch	\$11.02 per hour		

Secondary Roads

	<u>Class</u>	<u>Base</u>	<u>Longevity</u>	<u>Total</u>
Jack Hopper	VID	\$14.31	\$0.30	\$14.61
Roy Staab	VG	\$13.90	\$0.30	\$14.20
Roger Junge	IVD	\$13.79	\$0.25	\$14.04
Lyle Bolton	IVC	\$13.72	\$0.25	\$13.97
Daniel Carroll	VG	\$13.90	\$0.25	\$14.15
Brian Hartz	IIID	\$13.72	\$0.20	\$13.92
Larry Christianson	IVD	\$13.79	\$0.20	\$13.99
Roger Calvert	IVD	\$13.79	\$0.20	\$13.99
Michael Benson	IVD	\$13.79	\$0.15	\$13.94
William Garbers Jr.	IVC	\$13.72	\$0.15	\$13.87
Dennis Hamlett	IVD	\$13.79	\$0.15	\$13.94
Marvin Andrews	VG	\$13.90	\$0.15	\$14.05
Roger Sturtz	IVC	\$13.72	\$0.15	\$13.87
Anthony Behounek	VD	\$13.95	\$0.15	\$14.10
Randall Sherwood	IVD	\$13.79	\$0.15	\$13.94
John Mayhew	VE	\$13.82	\$0.15	\$13.97
Thomas Johnson	IVC	\$13.72	\$0.10	\$13.82
Michael Gardemann	VIC	\$13.90	*\$.25+ \$.10	\$14.25
Mark Kelty	VG	\$13.90	\$0.10	\$14.00
John Beck Jr.	IVD	\$13.79	\$0.10	\$13.89
Michael Myers	IVD	\$13.79	\$0.10	\$13.89
Jeff Bahr	VIC	\$13.90	\$0.05	\$13.95
Richard Meyer	ID	\$13.72	\$0.05	\$13.77
Mark Wessling	IC	\$12.58	\$0.05	\$12.63
Scott McLaughlin	VID	\$14.31	\$0.05	\$14.36
Scott Gladson	IVD	\$13.79	\$0.05	\$13.84
Steve DeWitt	IVD	\$13.79	\$0.05	\$13.84
Marc Merchant	VE	\$13.82		\$13.82
Joshua McGowan	IVD	\$13.79		\$13.79
Douglas Kearns	VD	\$13.95		\$13.95
Don Burkey	VD	\$13.95		\$13.95
Charles Johnston	VC	\$13.72		\$13.72
William Grimm	VD	\$13.95		\$13.95
Daniel McKenna	VD	\$13.95		\$13.95
Kenneth Bahr	IVD	\$13.79		\$13.79
Jeff Winsor	VC	\$13.72		\$13.72
Brian Randall	IVB	\$12.17		\$12.17

* Landfill License

Brian Happel (part-time)	\$8.00	per hour
Travis Neuhaus (part-time)	\$7.50	per hour
Pamela Schulze (part-time)	\$7.50	per hour

WEED COMMISSION

	<u>Base</u>	<u>Longevity</u>	<u>Total</u>
Michael Beumer	\$13.88	\$0.05	\$13.93 per hour
Bruce Anderson	\$13.75	\$0.05	\$13.80 per hour
Robert C. Beyer (part-time)	\$ 8.00		per hour
Kenneth Erickson (part-time)	\$ 8.00		per hour
Charlie Lough (part-time)	\$ 8.00		per hour

Signed this 15th day of June, 2001

BENTON COUNTY BOARD OF SUPERVISORS

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to approve a 34-hour vacation carryover for Gary Fordice as the request has the signature of the conservation board chairman indicating approval. Both members voting "aye" thereon.

Randy Forsyth met with the Board to discuss an upgrade to the alarm system at the law enforcement center. Simplex submitted a quote for upgrading the current system with the electrical portion being done by a local contractor. The Board requested that several quotes be obtained for the electrical portion of the project. Forsyth informed the Board that money had been budgeted in the current year for part of the project but the equipment may not be able to be received prior to the end of the fiscal year. Forsyth requested that the Board allow the sheriff's department to "carry-over" the unused spending authority for the project through a budget amendment in FY02 if necessary. Moved by Buch, seconded by Vermedahl, to agree to amend the sheriff's FY02 budget in an amount not to exceed \$30,000 for the alarm system upgrade if the funds are not spent in the current fiscal year and subject to a public hearing as required by law. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

June 19, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Shellsburg City Hall with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of June 15, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set the date for a land use hearing requested by Scott and Penny Hilmer for July 13, 2001 at 9:30 a.m. All members voting "aye" thereon. Motion carried.

The time of 7:00 p.m. having arrived and this being the time and date set for the first hearing on Ordinance #39 an Ordinance Establishing the Penalty for County Infractions, the Board took up the matter for consideration. There were four members of the public present. The county auditor advised that notice of the consideration had been made in accordance with law. The county attorney explained that the ordinance set the penalties for county infractions at the level allowed by Iowa law. Hearing all comments, it was moved by Vermedahl, seconded by Buch, to approve the first consideration of Ordinance #39. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

The time of 7:15 p.m. having arrived and this being the time and date set for the first hearing on Ordinance #40 An Ordinance Readopting the Existing Benton County Code of Ordinance and/or Repealing Certain Portions Therein, the Board took up the matter for consideration. The county attorney explained that this ordinance brought the county into compliance with Iowa law relative to recodification of ordinances and did not include anything of major concern. Hearing all comments, it was moved by Vermedahl, seconded by Buch, to approve the first consideration of Ordinance #40. Voting "aye" were Vermedahl, Sass, and Buch. "Nays" none. Motion carried.

Discussion was held on changing the speed limit on W26 north of Shellsburg. Currently a 25-mph speed limit sign is posted for traffic going north, but southbound traffic is set at 40-mh for the same area. The city of Shellsburg is requesting that the speed limit be set at 25-mph. Moved by Vermedahl, seconded by Buch, to place this matter on the June 22, 2001 agenda with the intent to establish a speed zone that is

consistent with the 25-mph on the northbound side and to post any other necessary limits deemed necessary. All members voting "aye" thereon. Motion carried.

The Shellsburg police chief also asked that deer crossing signs be placed on W26 (32nd Ave) just north of the intersection with 66th Street. The Board advised that the matter would be discussed with the county engineer.

Mary Williams discussed provider rate increases for FY02 for mental health services. Moved by Buch, seconded by Vermedahl, to approve the following provider increases:

Cedar Valley Ranch - \$54.50/day for Respite care

Plus, Inc. - \$23.38/day for work activity

1st Resources - \$19.82/day for supported community living

Abbe Center - \$82.59/day for residential care

Abbe Center - \$113.79/day for residential care (pmi)

Linn Co. MH-DD Services - \$29.00/month

REM - \$51.10/day or \$29.25 for ½ day for work activity

Washington County Development Center - \$39.60/day for work activity

Lutheran Family Services - \$17.00/day for supported community living in Benton County

Lutheran Family Services - \$32.64/hour for supported community living on hourly basis

Lutheran Family Services - \$32.64/hour for supported community living waiver program

All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve various changes to the lease agreement between Benton County and the Department of Human Services Case Management. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

June 22, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Vermedahl and Buch present. Supervisor Sass was absent. Vice-Chairman Vermedahl called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of June 19, 2001. All members voting "aye" thereon. Motion carried.

Mike Beumer, Weed Commissioner, met with the Board to discuss issues affecting his department. An individual has filed a complaint regarding alleged chemical damage to his property. The Board directed that the matter be submitted to the county's insurance carrier for further investigation.

Beumer also updated the Board on the roadside vegetation management program he has been attending. Beumer discussed possible locations for pilot projects in Benton County.

Moved by Buch, seconded by Vermedahl, to certify collection of the FY02 physical plant and equipment levy in the Benton Commerce Village tax increment finance area. Both members voting "aye" thereon. Motion carried.

The Board spoke with the county engineer regarding the speed limit north of Shellsburg referencing the June 19, 2001 board meeting. The engineer advised that he has requested that the Department of Transportation conducts a traffic study in the area and based on their findings, he would be able to make a recommendation. The engineer stated that the study would be completed before the beginning of the next school year and the necessary action could be taken. Supervisor Vermedahl advised that he did not disagree with the study but that he believed the speed zone needed to be set at 25-mph consistent with the city's speed limit. The engineer stated that he believes there is currently an over-kill of signage in the area noting that four signs already exist warning of a school area. Supervisor Vermedahl stated he wanted to see the necessary action taken to establish the speed zone and if the existing signage can be reviewed and cleaned up that would also be appropriate. Vermedahl further directed the engineer to prepare a resolution for consideration by the Board on June 26, 2001.

The Board discussed placing deer crossing signs south of Shellsburg. The engineer said he would look into the matter and place signs accordingly.

The time of 9:30 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Vernon Kuhn, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to table a decision on a land use change on a parcel located in a Part of the NW1/4 of the NW1/4 of 11-86-9 (Polk Township) for a single residential use due to driveway issues. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to schedule a property viewing and information gathering for June 26, 2001, at approximately 11:45 a.m. on the property that Vernon Kuhn is requesting a land use change. Both members voting "aye" thereon. Motion carried.

The time of 9:45 having arrived, and this being the time and date set for a public hearing on a land use change requested by Steve Griffin, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to defer a decision on a land use change on a parcel located in a Part of the SW1/4 of the NE1/4 of 35-86-9 (Polk Township) for a single residential use until June 29, 2001 at 9:45 a.m. and that a property viewing and information gathering be done at 11:30 a.m. on June 26, 2001. All members voting "aye" thereon. Motion carried.

The time of 10:00 a.m. having arrived and this being the time and date set for the second hearing on Ordinance #39 an Ordinance Establishing the Penalty for County Infractions, the Board took up the matter for consideration. There were four members of the public present. Hearing no comment, it was moved by Buch, seconded by Vermedahl, to approve the second consideration of Ordinance #39. Voting "aye" were Vermedahl and Buch. "Nays" none. Motion carried.

The time of 10:15 a.m. having arrived and this being the time and date set for the second hearing on Ordinance #40 An Ordinance Readopting the Existing Benton County Code of Ordinance and/or Repealing Certain Portions Therein, the Board took up the matter for consideration. Hearing no comment, it was moved by Buch, seconded by Vermedahl, to approve the second consideration of Ordinance #40. Voting "aye" were Vermedahl and Buch. "Nays" none. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a farm exemption for Charles A. and Barbara L. Mahoney on property located in 10-84-11 as the applicants are actively engaged in a farming operation. Both members voting "aye" thereon. Motion carried.

Steve Anderson met with the Board to discuss activities of the sheriff's department. Anderson expressed his frustration over the amount of patrolling done by the sheriff's department at the recent Vietnam Veterans of America fundraiser held near Blairstown. Anderson commented on the amount of patrolling taking place near or around his business establishment also. The Board advised that the sheriff is an elected official and the board's only control over the sheriff is budgetary.

Moved by Buch, seconded by Vermedahl, to approve the FY02 contract for transportation services between Benton County and the Heritage Agency on the Aging. Both members voting "aye" thereon. Motion carried.

Mary Ann Blumer met with the Board to discuss problems with her driveway being repaired after utility lines were laid. The Board directed that the matter be placed on the June 26th agenda for discussion with the county engineer and action, if necessary.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

June 26, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of June 22, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the vacation carry-over for Jerry Michael . All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-53. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-53

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285 subsection 5 of the Code of Iowa to determine upon the basis of an engineering and traffic investigation that the speed limit on any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS: Such investigation has been completed and based on the school entrance and the city-county corporate line, the county engineer has made his recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that a speed limit be established and appropriate signs erected at the location described as follows:

Secondary road W26 (32nd Avenue) from the NCL of Shellsburg (837 feet north of the SE corner of section 10, T84N, R9W), north 950 feet, 25 MPH.

Secondary road W26 (32nd Avenue) from a point 950 feet north of the NCL of Shellsburg, north 750 feet, 40 MPH.

Passed and approved this 26th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Mary Ann Blumer and the county engineer met with the Board to discuss the failure of US West to restore property to its original condition or better as required by the permit after placing lines in the county's right-of-way. The permit was issued and the work done approximately one year ago and Blumer believes that more than adequate time has elapsed to have the situation resolved. The engineer advised that no permits have been issued to the utility since the situation arose. The engineer further advised that he has contacted the utility and was informed that a third party was to have taken care of the matter. The engineer has attempted to contact the third party but has not at this time been able to make contact. Supervisor Vermedahl suggested that the county hire someone to repair the damage and then make a claim to the utility and if the utility fails to reimburse the county for the costs, then the matter should be turned over to the Iowa Utilities Board. Moved by Vermedahl, seconded by Buch, that the county engineer has one week to work with the utility and resolve the matter. If the matter is not resolved by July 2, 2001, then the county attorney will be asked to take the necessary legal action for failure to comply with the permit. All members voting "aye" thereon. Motion carried.

The time of 9:30 having arrived, and this being the time and date set for a public hearing on a land use change requested by Randy and Paula Plotz, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment and no opposition to the proposal, it was moved by Buch, seconded by Vermedahl, to approve a land use

change on a parcel located in a Part of the SE1/4 of the NE1/4 of 28-82-11 (Leroy Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a farm exemption for Jim and Melanie Reiner on property located in the SE1/4 of the SE1/4 of 7-85-9 as the applicants will be actively engaged in a farming operation. All members voting "aye" thereon. Motion carried.

The Board received on quote for garbage hauling services. Moved by Vermedahl, seconded by Buch, to hire Herb's Garbage Hauling at the following monthly rates:

Benton County Courthouse – pick up not less than two times per week - \$35.00

Benton County Law Enforcement Center – two times per week - \$35.00

Iowa Department of Human Services Office – one time per week - \$30.00

All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to authorize the chair to sign the provider and program participation agreements for mental health services with providers whose rates were approved on June 19, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to authorize a two-month extension of the existing contract for mental health services with Jones County Transportation. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 25794 through 26060, and payroll numbered 11382 through 11529, for payment. All members voting "aye" thereon. Motion carried.

The time of 10:15 a.m. having arrived and this being the time and date set for the third hearing on Ordinance #39 an Ordinance Establishing the Penalty for County Infractions, the Board took up the matter for consideration. There were no members of the public present. Hearing no comment, it was moved by Vermedahl, seconded by Buch, to approve the third consideration of Ordinance #39. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Ordinance #39 an *Ordinance Establishing the Penalty for County Infractions* in its entirety. The auditor is directed to make the necessary publications and recordings in accordance with law. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

The time of 10:30 a.m. having arrived and this being the time and date set for the third hearing on Ordinance #40 An Ordinance Readopting the Existing Benton County Code of Ordinance and/or Repealing Certain Portions Therein, the Board took up the matter for consideration. Hearing no comment, it was moved by Vermedahl, seconded by Buch, to approve the third consideration of Ordinance #40. Voting "aye" were Sass, Vermedahl and Buch. "Nays" none. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Ordinance #40 *An Ordinance Readopting the Existing Benton County Code of Ordinance and/or Repealing Certain Portions Therein*, in its entirety. The auditor is directed to make the necessary publications and recordings in accordance with law. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

The county treasurer met with the Board to discuss abatement of tax on parcel 510-04110. No action was taken pending further information from the treasurer.

The Board and Marc Greenlee viewed the properties that Steve Griffin and Vernon Kuhn have requested land use changes. The Board arrived at the Griffin property and met with Steve Griffin, Mona Mossbarger, Ed McKinley, and Alan Andrews. The Board heard additional comments and toured the property.

The Board and Marc Greenlee viewed the Kuhn property. There were no persons present.

The Board also viewed a driveway to the Robert Turkel property as the owner had requested a widening of the driveway. The property had no evidence of being an old farmstead and the entrance was constructed as field entrance. No action was taken.

Supervisor Sass left the meeting at 12:30 p.m.

Moved by Buch, seconded by Vermedahl, to adjourn. Both members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

June 29, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Deb Fowler met with the Board to request that the courthouse be available for public tours on the afternoon of September 1, 2001 for Vinton Sweet Corn Days. Moved by Buch, seconded by Vermedahl, to open the courthouse for tours as requested. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-54. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

Resolution #01-54
Bank Depositories

BE IT RESOLVED by the Benton County Board of Supervisors that we do hereby designate the following named banks to be depositories for the County funds in amounts not to exceed the amount named opposite said designated depository, and the County Treasurer is here by authorized to deposit said county funds in amounts not to exceed the maximum approved for each respective bank as follows for fiscal year 2002.

Firstar	
Vinton	\$10,000,000
Farmers Savings Bank & Trust	
Vinton	\$10,000,000
Citizens Bank & Trust	
Hudson/Belle Plaine	\$ 5,000,000
Wells Fargo Bank Iowa, N.A.	
Des Moines/Newhall	\$ 5,000,000
Wells Fargo Bank Iowa, N.A.	
Des Moines/Urbana	\$ 5,000,000
Union Planter Bank	
Waterloo/Vinton	\$ 5,000,000
Chelsea Savings Bank	
Belle Plaine/Chelsea	\$ 5,000,000
Chelsea Savings Bank	
Belle Plaine/Van Horne	\$ 5,000,000
Benton County State Bank	
Blairstown	\$ 2,000,000
Bank Iowa	
Norway	\$ 2,000,000
Watkins Savings Bank	
Watkins	\$ 750,000
Cedar Valley Bank & Trust	
La Porte City/Mt. Auburn	\$ 750,000
Farmers Savings Bank	
Walford	\$ 750,000
Atkins Savings Bank & Trust	
Atkins	\$ 750,000
Keystone Savings Bank	
Keystone	\$ 750,000
Dysart State Bank	
Dysart	\$ 500,000

Signed this 29th day of June, 2001.

Edward E. Sass, Chairman

David Vermedahl

Ronald Buch

Attest: _____

Jill Marlow, Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-55. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

**RESOLUTION #01-55
COUNTY OFFICER'S DEPOSITORY LIMITS**

IT IS HEREBY RESOLVED by the Benton County Board of Supervisors that we do hereby designate the following named banks to be depositories for County funds in amounts not to exceed the amount named opposite said depository and the following named county officers are hereby authorized to deposit said County funds in amounts not to exceed the maximum amount named after said bank as follows for fiscal year 2002:

Betty Wright, Recorder		
Farmers Savings Bank & Trust – Vinton		\$100,000
Kenneth Popenhagen, Sheriff		
Farmers Savings Bank & Trust – Vinton		\$ 250,000
Kenneth Popenhagen, Sheriff		
Firststar of Vinton		\$ 1,000
Kenneth Popenhagen, Sheriff		
Union/Planter		\$ 100,000
Jill Marlow, Auditor		
Firststar of Vinton		\$ 5,000
Myron Parizek		
Benton County State Bank		\$200,000

Signed this 29th day of June, 2001.

Edward E. Sass, Chairman

David Vermedahl

Ron Buch

Attest: _____

Jill Marlow, Auditor

Moved by Buch, seconded by Vermedahl, to certify the salaries for the deputies in the treasurer's, recorder's, and auditor's office to the county auditor in accordance with Iowa Code 331.904(1). As follows:

Kimberly Staab	\$34,112.00 per year
Michele Sauer	\$29,848.00 per year
Melinda Schoettmer	\$25,584.00 per year
Delane Dunkel	\$34,112.00 per year
Hayley Rippel	\$25,584.00 per year
Brenda Sutton	\$31,980.00 per year
Sharon Stueck	\$34,112.00 per year

All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-56. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION # 01 – 56

FY02 APPROPRIATIONS

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2001, in accordance with Section 331.434, Subsection 6, Code of Iowa, **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY, IOWA**, as follows:

Section 1. The amounts itemized by fund and by department or office on the budgets filed in the office of the county auditor are hereby appropriated from the resources of each fund so itemized, to the department or office listed on the budget. Federal and State grants and/or reimbursements expendable during the fiscal year are hereby appropriated to the designated departments or offices.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective July 1, 2001.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

Section 4. If at any time during the 2001-2002 budget year the auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, she shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The auditor shall report the status of such accounts to the applicable departments and officers quarterly during the 2001-2002 budget year.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2002.

The above and foregoing resolution was adopted by the Board of Supervisors of Benton County, Iowa, on June 29, 2001, the vote thereon being as follows:

Ayes: Supervisor Sass Nays: None
Supervisor Vermedahl
Supervisor Buch

Benton County Board of Supervisors

Edward E. Sass, Chairman

David H. Vermedahl

Ronald Buch

ATTEST: _____
Jill Marlow, Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-57. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-57
FY02 INTERFUND OPERATING TRANSFERS

WHEREAS, it is desired to authorize the auditor to periodically transfer sums from the general basic fund to the secondary road fund, general supplemental fund, and conservation land acquisition fund; and rural services fund to secondary road and sanitary disposal funds during the 2001-2002 budget year, and

WHEREAS, said transfers must be in accordance with section 331.432, Code of Iowa,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY, IOWA as follows:

Section 1. The total maximum transfers for the fiscal year beginning July 1,2001, shall not exceed the amounts listed in the respective funds as follows:

<u>FROM (Fund)</u>	<u>TO (Fund)</u>	<u>AMOUNT (max.)</u>
General Basic	Secondary Road	\$ 135,426.00
General Basic	General Supplemental	\$ 0.00
General Basic	Conservation Land Acquisition	\$ 35,000.00
Rural Services Basic	Secondary Road	\$ 1,585,024.00
Rural Services Basic	Sanitary Disposal	\$ 149,076.00
Sanitary Disposal	Closure/Post Closure	\$ 50,000.00

Section 2. The auditor shall order a transfer each quarter of fiscal year 2001-2002 exceptions to the quarterly transfer shall be transfers to the Conservation Land Acquisition fund, which shall be done at the end of the fiscal year and the transfer to the Closure/Post Closure fund which may be done at anytime during the fiscal year. Said quarterly transfers shall be one quarter of the total transfer to each fund as set forth in Section 1 and may be contingent on the funds apportioned to the general basic fund and rural services

Section 3. The amount of the transfers required in section 1 to the secondary road fund shall be in accordance with Iowa Code 331.429(1)(a) and (b). Conservation land acquisition funds are derived from conservation fees deposited into the general fund.

Section 4. Notwithstanding the provisions of sections 2 and 3 of this resolution, total transfers to the secondary road fund, sanitary disposal fund, general supplemental fund, and conservation land acquisition fund shall not exceed the amounts specified in section 1.

Section 5. Notwithstanding the provisions of Sections 2 and 3, the amount of any transfer shall not exceed available fund balances in the transferring fund.

Section 6. Property Tax Replacement funds for fiscal year 2002 shall be apportioned to the General Fund.

Section 7. The auditor is directed to correct her books when said operating transfers are made and to notify the treasurer and county engineer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Benton County, Iowa, on June 29, 2001, the vote thereon being as follows:

AYES: Supervisor Sass
Supervisor Vermedahl
Supervisor Buch

NAYS: None

Benton County Board of Supervisors

Edward E. Sass, Chairman

David Vermedahl

Ronald Buch

ATTEST: _____

Jill Marlow, Auditor

The time of 9:30 having arrived, and this being the time and date set for a public hearing on a land use change requested by Brett Brummer, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Sass, to approve a land use change on a parcel located in a Part of the NW1/4 of the NE1/4 of 35-85-9 (Benton Township) for a single residential use. Sass and Buch voting "aye" thereon. Motion carried. Vermedahl abstained from action due to a conflict of interest as the family is a business client.

The time of 9:45 having arrived, and this being the time and date set for action on a land use change requested by Steve Griffin, the board took up the matter. The public hearing was held on June 22, 2001, and the Board toured the property on June 26, 2001. Dave Speidel was present to comment on the affect of drilling new wells on existing wells. Speidel stated that he was not aware of any problems in the past with local wells and that there was only a few instances statewide where a well has affected neighboring wells specifically Duane Arnold Energy Center and IPSCO. Greenlee responded to other concerns voiced at the public hearing. Greenlee stated that comments made about Gary Raue being denied a land use change on the same property and that a percolation test on the property had failed. Greenlee contacted Raue to confirm that a change was not denied nor was a percolation test performed. Greenlee also spoke to the concern about a preliminary plat subdividing the parcel being prepared previously which contained three or four lots and the potential for further development of the parcel. Greenlee advised that a preliminary plat has not been filed. Vermedahl requested clarification on the driveway placement and improvement. Moved by Buch, seconded by Vermedahl, to approve a land use change on a parcel located in a Part of the SW1/4 of the NE1/4 of 35-86-9 (Polk Township) for a single residential use conditioned on the driveway being constructed as required by county standards. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-58. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-58

SERVICE AREA BUDGET AMENDMENT AND AMENDING RESOLUTION #00-62

WHEREAS, the Benton County Board of Supervisors adopted the FY2001 budget on March 10, 2000; and

WHEREAS, the Board now desires to amend said budget within service areas,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that functions within Service Areas 1, 2, 4, 5, 6, 7, and 9 of the FY2001 county budget are hereby amended. The county auditor is directed to make the necessary adjustments within the service areas.

IT IS FURTHER RESOLVED that Resolution #00-62 Interfund Operating Transfers is hereby amended to reflect a reduction in the transfers from the general basic fund to the general supplemental fund from \$250,000 to \$187,500. The county auditor is directed to make the necessary adjustments.

Signed this 29th day of June, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Randy Forsyth, Chief Sheriff's Deputy, met with the Board to discuss the need for public bidding on the replacement of the fire alarm system in the law enforcement center. Forsyth had discussed the matter at a previous meeting and returned to advise that the project would probably exceed \$50,000.00. The county attorney was consulted regarding bidding laws. The attorney advised that the project would have to be put out for public bidding.

Moved by Vermedahl, seconded by Buch, to approve the contracts and rates between Benton County and the following service providers for FY02 and to direct the chair to sign said agreements: Adults, Inc., Options of Linn County, Goodwill of Northeast Iowa, Rural Employment Alternatives, and Hillside Estates. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to table action on the courthouse lighting pending further information. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

July 3, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of June 26, 2001 and June 29, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-59. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-59

WHEREAS: The Benton County Secondary Road Department has an employee that has been employed for a year, and

WHEREAS: This employee as part of the original hire is eligible for a wage increase, and

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the Labor Grade classification of Brian Randall will be IVD (Maintainer Operator). IVD base wage for Brian Randall will be \$13.79 per hour. Brian Randall rate change will be effective July 5, 2001.

Signed this 3rd day of July, 2001

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01- 60. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-60

WHEREAS: A posting for the position of Equipment Operator II (landfill operator) has been completed, and

WHEREAS: The present employees have had five (5) days to sign the posting, and

WHEREAS: One present employee has signed the posting, and
WHEREAS: This employee is qualified for the position,
BE IT THEREFORE RESOLVED By The Benton County Board of Supervisors that Mark Wessling be the Equipment Operator II (landfill operator) with a Labor Grade Classification of IVC. The base wage will be \$13.26. The effective date will be July 2, 2001.

Signed this 2nd day of July, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to approve a utility permit for Farmers Mutual Telephone Cooperative to place utility lines in the county's right-of-way in section 10 and 15 of Benton Township. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for Farmers Mutual Telephone Cooperative to place utility lines in the county's right-of-way in section 27 of Benton Township. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a utility permit for Farmers Mutual Telephone Cooperative to place utility lines in the county's right-of-way in sections 15 & 16 of Benton Township. All members voting "aye" thereon. Motion carried.

Regarding the failure of US West to comply with permit requirements, the engineer reported that the contractor had returned to the Blumer residence and filled in dirt, raked and seeded the trench in the county's right-of-way. The contractor was also starting to repair damage to the drive. The engineer commented that the drive may have the side slopes flattened and his department could perform that work. The engineer added that he believed the situation was resolved.

Moved by Vermedahl, seconded by Buch, to authorize the chairman to sign the labor agreement between Benton County, Iowa Secondary Road Department and Public, Professional & Maintenance Employees Local Union 2003 International Brotherhood of Painters & Allied Trades, AFL-CIO. All members voting "aye" thereon. Motion carried.

The Board discussed a claim submitted by the engineer in June 2001 in the amount of \$88,000.00 for the purchase of new radios. Supervisor Vermedahl expressed his concern over the purchase of a system without going through the bidding process, the lack of communication between the engineer and the board regarding this large of a purchase, that money was paid without the system being received yet, and the lack of researching alternatives. Vermedahl also commented on the \$22,000.00 yearly access fee required by the new system and asked about a contract setting the access fee and the length of said contract. The engineer commented that he had not entered into any contracts as of this date. The Board requested that a meeting be arranged with the engineer and the vendor to further discuss the matter.

The Board discussed courthouse recycling with the engineer. The mechanics of how recycling could be accomplished were discussed.

Moved by Buch, seconded by Vermedahl, to approve the Auditor's Quarterly Report and the Sheriff's Quarterly Report for the period ending June 30, 2001. All members voting "aye" thereon. Motion carried.

No action was taken on the final documents for transfer of Benton Commerce Village to the City of Urbana. The necessary paperwork has not been completed.

Moved by Vermedahl, seconded by Buch, to direct the chairman to sign the Internal Revenue Service Form 5500 for Benton County's cafeteria plan 125. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the law enforcement contracts with Newhall and Van Horne. The contracts provide 15 hours of coverage per week at \$18.00 per hour for each city. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to enter into the Emergency Medical Services Training Money Contract with the State of Iowa in the amount of \$8,607.00. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

July 6, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of July 3, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the Veterans Quarterly Report for the period ending June 30, 2001. All members voting "aye" thereon. Motion carried.

The Board requested three quotes for lighting the exterior of the courthouse. Two quotes were received as follows:

Elwick Electric - \$2,495.00

Barr Electric - \$2,350.00

Moved by Vermedahl, seconded by Buch, to award the quote for exterior lighting to Barr Electric as quoted. All members voting "aye" thereon. Motion carried.

The maintenance staff requested quotes on repairing the flag podiums and bell base from four tuckpointers. Schoonover Tuckpointing was the only company to submit a quote. Moved by Buch, seconded by Vermedahl, to award the project to Schoonover Tuckpointing at a cost of \$4,000.00. All members voting "aye" thereon. Motion carried.

Carrie Koelker of Eastern Iowa Tourism Association (EITA) met with the Board to discuss the services provided by the association. EITA is the only association solely devoted to assisting tourism in eastern Iowa. Koelker also explained how events are submitted for publication on their web site.

Four persons were contacted regarding constructing a cabinet in the boardroom. Two persons were not interested in quoting and two people viewed the project in February 2001. One quote was received. Moved by Buch, seconded by Vermedahl, to award the cabinet project to Bearbower Construction in the amount of \$435.00. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-61. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

**RESOLUTION #01-61
QUIT CLAIM DEED
AND
ASSIGNMENT OF EASEMENTS**

WHEREAS Benton County, Iowa ("Benton County") is conveying certain water and sanitary sewer lines located within the Benton Commerce Village Urban Renewal Area to the City of Urbana, Iowa ("Urbana")

WHEREAS Benton County has acquired the following easements (collectively, the "Easements") for the operation of the water and sanitary sewer lines:

1. Easement for Utility Purpose from Cloyce D. and Linda M. Hutton, which easement was recorded on August 7, 1996 in Book 266 at page 199 and covers the property described on Exhibit A attached hereto as the Parcel A property;

2. Easement for Utility Purpose from the BECCA Group, Inc., which easement was recorded on August 7, 1996 in Book 266 at page 201 and covers the property described on Exhibit A attached hereto as the Parcel B property;
3. Easement for Utility Purpose from Kvastad Farms, Inc., which easement was recorded on August 8, 1996 in Book 266 at page 210 and covers the property described on Exhibit A attached hereto as the Parcel C property and the Parcel D property;
4. Easement for Utility Purpose from Kvastad Farms Inc., which easement was recorded on August 8, 1996 in Book 266 at page 210 and covers the property described on Exhibit A attached hereto as the Parcel E property and the Parcel F property;

WHEREAS, Benton County has acquired by deed from Kvastad, Inc., which deed was recorded on April 4, 1997 in Book 272 at page 165, the property legally described on Exhibit B attached hereto (the "Deed Property"); and

WHEREAS, Benton County desires to assign or convey the above-described property to Urbana;

NOW, THEREFORE Benton County and Urbana agree as follows:

1. Assignment of Easements. Benton County hereby assigns all of its rights and interest in the Easements to Urbana.
2. Conveyance of Property. Benton County hereby conveys by quit claim all of its right, title and interest in the Deed Property to Urbana.
3. Assumption of Obligations. Urbana agrees to assume the obligations of Benton County under the easements.

Executed this 6th day of July, 2001.

BENTON COUNTY, Iowa

Chairperson, Board of Supervisors

County Auditor

CITY OF URBANA, IOWA

Mayor

City Clerk

The chairman reconvened the board meeting at 1:05 p.m. The county engineer reported that the landfill account was \$4,704.93 as of June 30, 2001.

Representatives of RACOM met with the Board to discuss the \$176,000.00 radio system being purchased by the county engineer. The county engineer, Chief Deputy Randy Forsyth, Kevin Graybill of Graybill Electronics, and the county attorney were present. The Board was not aware of the engineer's decision to purchase the radio system until recently and asked for the company to meet with them to explain the system. Discussions centered on the capabilities of the 800-megahertz radio system as well as the initial purchase cost and maintenance and access costs. Supervisor Vermedahl questioned RACOM as to the county's ability to reverse the purchase. Greg Miller, president of RACOM advised that because of his company's long relationship with Benton County, RACOM would refund the county's \$88,000.00 and

release the county from the purchase, but requested that the Board consider the radio system before taking any action. Discussion also included bidding requirements as set forth in the Iowa Code and whether those statutes covered this type of purchase. The matter was placed on the July 13th, 2001 agenda for further discussion.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

July 10, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of July 6, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for Keystone Farmers Coop Telephone Co. to place utility lines in the county's right-of-way in Jackson, Monroe, Homer, Big Grove, Kane, Union and Leroy Townships. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a utility permit for Qwest to place utility lines in the county's right-of-way in sections 2 and 11 of Jackson Township. All members voting "aye" thereon. Motion carried.

The Board discussed improving a dirt road in Cedar Township requested by John Stiegelmeier and Dennis Higgins. The engineer advised that the road does not have enough width and the cost for improvement would run between \$15,000 and \$20,000. The engineer stated that he has been in contact with John Stiegelmeier about the project.

The time of 9:30 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Gary and Mary Clark, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on a parcel located in a Part of the NE1/4 of the NE1/4 of 13-86-10 (Harrison Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Moved by Moved by Vermedahl, seconded by Buch, to approve the treasurer's semi-annual report for the period ending June 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve claims numbered 26061 through 26268, and payroll numbered 11530 through 11680, for payment. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a law enforcement contract between Benton County and the City of Mt. Auburn providing 26 hours of coverage per year at a cost of \$460.00. All members voting "aye" thereon. Motion carried.

Marc Greenlee discussed contracting for professional services to conduct a land use workshop in Benton County. The workshop would address alternative growth strategies and possible options in Benton County. No action was taken.

No action was taken on recycling issues pending further research.

Moved by Buch, seconded by Vermedahl, to approve a quote from Barnes Furniture to install carpet in the basement conference room at a cost of \$930.96. Quotes were not received from other businesses, as the carpet is the same as is already installed in the Emergency Management office and allows for matching. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

July 13, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass and Vermedahl. Supervisor Buch was absent. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Sass, to set August 3, 2001 at 9:30 a.m. as the time and date for a public hearing on a land use change requested by Keith Allen. Both members voting "aye" thereon. Motion carried.

Supervisor Buch arrived at 9:05 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of July 10, 2001. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the law enforcement contracts between Benton County and the following cities:

Garrison – 156 hours per year at \$2,800.00

Luzerne – 26 hours per year at \$460.00

Atkins – 10 hours per week at \$18.00 per hour.

All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-62. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried

RESOLUTION #01-62

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from July 9, 2001, through the completion of the project.

From the NW corner of Section 26-T83N-R11W thence east 1 mile to the NE corner of Section 26-T83N-R11W along 72nd Street in Union Township.

Signed this 13th day of July, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to approve two utility permits for Iowa Telecommunication Services to place utility lines in the county's right-of-way in sections 25 and 26 and sections 11 and 14 of Iowa Township. All members voting "aye" thereon. Motion carried.

The Board discussed the bridge project by Garrison. The engineer stated the project is about completed. It was requested that the engineer insure that the area was cleaned up before the contractor left. The Board also discussed the culvert project on the Highway 921 and dust problems. The engineer stated that he has talked with state representatives and was told the project will soon be completed, however a dust control applicator will view the road on this date to ascertain if product is needed. The engineer advised that he has not done any more work on the right-of-way south of Van Horne. Discussion also was held on the shingle road and the life of the present sealcoat.

The time of 9:30 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Scott and Penny Hilmer, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on Parcel A located in

NW1/4 of the SW1/4 of 7-86-12 (Bruce Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into closed session pursuant to Iowa Code 21.5(1)c to discuss potential litigation. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried at 9:45 a.m.

Moved by , seconded by, to return to open session. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-63. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried.

RESOLUTION #01-63

WHEREAS, Iowa Code 331.554(7) provides for the cancellation of outstanding warrants; and **WHEREAS**, the Benton County Auditor has requested that outstanding warrants issued prior to July 1, 1999, be cancelled,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the following warrants be and are hereby cancelled. Each warrant shall be credited to the fund upon which the warrant was drawn. Further, a person may file a claim with the auditor for the amount of the cancelled warrant within five years from this date, and upon showing of proper proof that the claim is true and unpaid, the auditor shall issue a warrant drawn upon the fund from which the original cancelled warrant was drawn.

General Basic Fund

7/7/98	#5214	\$ 27.50
8/11/98	#5774	\$159.00
1/26/99	#9070	\$ 15.00
2/9/99	#9369	\$ 11.00
6/22/99	#11727	\$ 58.00
		<hr/>
		\$270.50

General Supplemental Fund

9/22/98	#6595	\$ 90.35
12/08/98	#8105	\$ 13.75
		<hr/>
		\$104.10

MH-DD Fund

5/25/99	#11205	\$ 19.12
---------	--------	----------

Emergency Management Services

5/25/99	#11214	\$ 109.00
---------	--------	-----------

Co-Insurance

7/23/98	#5964	\$ 4.00
12/10/98	#6257	\$16.89
		<hr/>
		\$20.89

Grand Total: \$523.61

This resolution adopted on the 13th day of July 2001.

Benton County Board of Supervisors

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow, Auditor

Representatives of East Central Iowa Council of Governments' Solid Waste Reduction met with the Board to discuss the county's current landfill and recycling efforts. Marie DeVries, a solid waste planner with East Central Iowa Council of Governments (ECICOG), advised that Benton County currently has a 28E agreement with every city in Benton County for landfill services and it would be necessary to ask each city to dissolve the 28E if that was the direction the supervisors wished to go. DeVries stated that Iowa law requires every county to have a waste management plan and waste reduction plan. The question of who was taking responsibility for waste reduction in Benton County was discussed and the need to reactivate the current landfill commission. DeVries spoke to financial involvement of the cities with recycling including end-user fees. It was decided that a meeting be scheduled for August 15, 2001, at 7:00 p.m. for the purpose of meeting with the city mayors and other county citizens to begin a process towards solid waste reduction.

Km Snook and Lisa Hennessey of the Iowa Department of Transportation met with the Board to discuss the driver's license days and hours in Belle Plaine. Currently the DOT is in Belle Plaine on Thursdays and Fridays of each week. Snook advised that the number of licenses being issued has dropped dramatically on Thursdays and was seeking the supervisors' input on reducing the number of hours the driver's license examiners were in Belle Plaine. The Board advised that they would prefer that the driver's license examiners remain in Belle Plaine on Fridays and possibly extending the hours. Supervisor Buch offered to poll various people in the Belle Plaine area and seek their reaction also. No action was taken.

The engineer met with the Board to discuss the purchase of the EDACS radio system from RACOM. The engineer explained why he believed the system would best meet the needs of his department, but agreed to delay the radio purchase and allow the Board time to research the matter. The engineer also agreed to request reimbursement of the down payment if the Board so desired and delay the purchase of a radio system. The Board assured the engineer that his FY02 budget would be amended to include the reimbursement as additional spending authority. Moved by Vermedahl, seconded by Buch, that Benton County request reimbursement of the down payment on the radio system and to further study the communication needs of the secondary roads department as well as other departments. Further that a communications committee be created consisting of Emergency Management Director Scott Hansen, Chief Sheriff's Deputy Randy Forsyth, County Engineer Myron Parizek, and a county supervisor. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to appoint Supervisor Dave Vermedahl to the communications committee. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

July 17, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Walford City Hall with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of July 13, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for the Iowa Telecommunications to place utility lines in the county's right-of-way in 5 & 8 of Iowa Township. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a utility permit for the City of Vinton to place utility lines in the county's right-of-way in 18 & 19 of Taylor Township. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set July 31, 2001, at 9:15 a.m. as the time and date for a bid letting on eight box culverts. All members voting aye thereon. Motion carried.

Representatives of the Belle Plaine Historical Society met with the Board to request funding. The Society is relatively new and is trying to purchase property in Belle Plaine for their organization. Benton County currently provides \$1,000.00 each year to two other organizations for historical preservation purposes. Supervisor Vermedahl stated that the county's FY02 budget has already been set and that funds were probably not available this year from the county. The Board requested that a representative of the Benton County Historical Society attend the next board meeting to discuss what that organization does with the funding provided by Benton County.

Discussion was held with the mayor of Walford about issues facing that city.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

July 20, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of July 17, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-64. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried.

RESOLUTION #01-64

WHEREAS: A posting for the position of Utility (Recycling Utility) has been completed, and

WHEREAS: The present employees have had five (5) days to sign the posting, and

WHEREAS: One present employee has signed the posting, and

BE IT THEREFORE RESOLVED By the Benton County Board of Supervisors that Brian Hartz be the Utility (Recycling Utility) person with a Labor Grade Classification of LG IC. The base wage will be \$12.58. The effective date will be July 23, 2001.

Signed this 20th day of July 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____
Jill Marlow

Benton County Auditor

Ruth Wagner of Poweshiek Water Association and Rogers Stoakes with Rural Development met with the Board to discuss an application for Community Development Block Grant funds. Wagner requested that Benton County apply for funds on behalf of Poweshiek Water Association to place water lines west of Van Horne. Moved by Buch, seconded by Vermedahl, to apply for any CDBG funds that are available to Benton County after the county's annual amount is reduced by any existing applications. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the following law enforcement contracts:

City of Keystone – 5 hours per week at \$18.00 per hour
City of Norway – 10 hours per week at \$18.00 per hour
City of Blairstown – 15 hours per week at \$18.00 per hour
All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve and direct the chair to sign the contract between Benton County and Abbe Center for Community Mental Health for various mental health services for FY02. All members voting “aye” thereon. Motion carried.

George Barr met with the Board to discuss plans for a Blairstown Community Center which includes a city hall, library, and recreation center. Barr presented information, including statistics, on various services in Blairstown and the need for the center. Barr requested that the Board support the project in spirit and financially if possible. Supervisor Vermedahl commented that the current budget has been set and it would not be possible to contribute this year, and added that the supervisors should look at these types of projects on a broader spectrum due to the county’s desire to direct growth to cities. Moved by Vermedahl, seconded by Buch, to offer a letter of support for the Blairstown Community Center. All members voting aye thereon. Motion carried.

Alberta Reifenstahl met with the Board to discuss the Benton County Historical Society (the “Society”) and county funding. Reifenstahl explained that the funds received by the County are used by the Society for insurance. Reifenstahl also explained what services the Society offered to communities, organizations, and individuals throughout Benton County.

Moved by Vermedahl, seconded by Buch, to approve the hire of the following persons as part-time correctional officers in the sheriff’s department:

Jeremy Fisher – effective July 20, 2001
Gina Arends – effective July 23, 2001
Melissa Woodley – effective July 23, 2001

The starting wage is set at \$8.25 per hour, and will be set at \$10.26 per hour upon the successful completion of training. Wage increases during training are in accordance with the two-tier process previously established. All members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting “aye” thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

July 24, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass and Buch present. Supervisor Vermedahl was absent. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Sass, to approve the minutes of July 20, 2001. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Sass, to approve 5-Day beer permit and Sunday Sales for Blairstown Lions Club. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Sass, to approve claims numbered 26269 through 26537, and payroll numbered 11681 through 11834, for payment. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Sass, to adjourn. Both members voting “aye” thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Delane Dunkel, Deputy Auditor

(NO MEETING ON JULY 27, 2001)

July 31, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of July 24, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set hearings on land use changes requested as follows:

Phillip Cummings – August 24, 2001 at 9:30 a.m.

Beryl Scott – August 24, 2001 at 9:45 a.m.

All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the Recorder's Quarterly Report for the period ending June 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to accept the resignation of Peter Wright from the sheriff's department effective September 7, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to accept the resignation of Jannine Crandall from the sheriff's department effective September 7, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to accept the resignation of Jannine Crandall from the Benton County Conservation Board effective August 31, 2001. All members voting "aye" thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a bid letting on eight (8) box culverts, the Board took up the matter for consideration. Bids were received as follows:

Division Constructors (West Chester, Iowa) - \$192,072.65

K Construction (Elkader, Iowa) - \$168,668.30

Iowa Bridge & Culvert (Washington, Iowa) - \$238,370.85

McCulley Culverts (Barnes City, Iowa) - \$148,477.85

Winfield Contractors (Wapello, Iowa) - \$224,206.30

Having received and reviewed all bids submitted, the county engineer recommended that the low bid submitted by McCulley Culverts be accepted. Moved by Vermedahl, seconded by Buch, to award the contract for eight (8) box culverts to McCulley Culverts at a cost of \$148,477.85. The engineer is to prepare the written contract and submit it to the board for approval. All members voting "aye" thereon. Motion carried.

Mary Williams met with the Board to discuss a possible exception to the county's plan regarding provision of services. Williams explained that the guidelines in the current MH-DD County Management Plan, which has been approved by the State, does not provide for the provision of services in the particular type of situation presented.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-65. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-65

SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2002 budget on March 13, 2001; and

WHEREAS, the Board now desires to amend said budget within service areas,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors the FY2002 county budget is hereby amended within service areas as follows:

SERVICE AREA 4

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0010 Function 41210	Fund 0010 Function 41220	\$ 105.00

SERVICE AREA 6

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0001 Function 63200	Fund 0001 Function 63100	\$ 1,000.00
Fund 0030 Function 63200	Fund 0001 Function 63100	\$ 3,000.00

Signed this 31st day of July, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-66. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-66

BE IT RESOLVED by the Benton County Board of Supervisors that \$675.00 be transferred from the General Basic Fund to the CDBG Fund . Said funds are to be returned to the General Basic Fund upon receipt of grant funds.

Dated this 31st day of July 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

August 3, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of July 31, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-67. Voting "aye" thereon were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-67

WHEREAS: A posting for the position of Equipment Operator I (Signman) within the Secondary Road Department has been completed, and

WHEREAS: The present bargaining unit employees have had five (5) days to sign the posting, and

WHEREAS: One present bargaining unit employee has signed the posting, and

WHEREAS: The county engineer recommends this employee for the position, and

BE IT THEREFORE RESOLVED By the Benton County Board of Supervisors that Mark Kelty be given the Equipment Operator I (Signman) position. His Labor Grade Classification of LGIID with a base wage of \$13.72. The effective date of transfer will be August 11, 2001.

Signed this 3rd day of August, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-68. Voting "aye" thereon were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-68

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from July 30, 2001, through the completion of the project.

From the NW corner of Section 30-T83N-R9W thence east one (1) mile to the NE corner of Section 30-T83N-R9W along 72nd Street in Fremont Township.

Signed this 3rd day of August, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

The time of 9:30 having arrived, and this being the time and date set for a public hearing on a land use change requested by Allen Keith, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Vermedahl, seconded by Buch, to approve a land use change on a parcel located in a Part of the W1/2 of the SE1/4 of 13-84-9 (Canton Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Mike Beumer, Weed Commissioner, met with the Board to discuss his attendance of the land stewardship meetings he has been attending. Beumer spoke to the Integrated Roadside Vegetation Management Program. Beumer reiterated his interest in doing a pilot project along V66 south of Van Horne after secondary roads widens the right-of-way. The commissioner was asked to contact the Department of Transportation and ask that they meet with the Board to provide more information about the IRVM program. Beumer explained that the deadline to apply for free native seed was August 10, 2001. Moved by Vermedahl, seconded by Buch, to authorize the weed commissioner to apply for native seed for planting in the spring of 2002. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the contracts and rates for mental health services provided by the Mediapolis Care Facility, Hope Haven, and Systems Unlimited for FY2002. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-69. Voting "aye" thereon was Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-69

APPROVING AMENDMENT TO COUNTY RATE INFORMATION SYSTEM 28E AGREEMENT

WHEREAS, the Benton County Board of Supervisors adopted Resolution #01-21 on April 3, 2001, wherein Benton County joined the County Rate Information System (CRIS) administered through the Iowa State Association of Counties; and

WHEREAS, the Board has been notified that the preparing attorney's name and address was inadvertently omitted from the first page of the document as required by law; and

WHEREAS, it is necessary to sign a new 28E Agreement with the attorney information,

NOW THEREFORE BE IT RESOLVED that the chairman be and is authorized to sign the new County Rate Information System 28E Agreement reflecting the addition of the preparing attorney's information.

Dated this 3rd day of August, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Mary Williams and Joe Wolfe met with the Board to discuss exceptions to the Benton County MH-DD County Management Plan. The Plan sets forth policies that the county follows for the provision of services. Williams requested guidance from the Board relative to services for an individual whose qualifications do not strictly adhere to the plan. The Board recommended that the Plan be reviewed and possibly amended to provide the ability to provide services in specific circumstances however the Board would not make exceptions to the plan as currently written.

The Board viewed the site north of the law enforcement center and discussed available options for a facility to house sheriff's vehicles and transportation buses. The county attorney and the county engineer also accompanied the Board. After discussing dimensions and setback requirements, the Board directed the county engineer to draft a preliminary plan of a facility for review.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

August 6, 2001

The Benton County Board of Supervisors met in special session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 1:35 p.m.

The Board met with representatives of Matt Parrott & Sons Co., and Election Systems & Software (ES&S) to view a demonstration of election equipment. The equipment included touch screen voting and precinct counters. No action was taken by the Board.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

August 7, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of August 3, 2001 and August 6, 2001. All members voting "aye" thereon. Motion carried.

The county engineer reported that the balance in the landfill bank account is \$13,387.94, as of July 31, 2001.

Moved by Vermedahl, seconded by Buch, to approve claims numbered 26538 through 26752, and payroll numbered 91832, 91833, 91834 and 11835 through 11989, for payment. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve an 80-hour vacation carry-over for Randall Forsyth, said carry-over is to be used by December 31, 2001. All members voting "aye" thereon. Motion carried.

Marc Greenlee discussed contracting for professional land use planning services to provide a workshop and guidance on zoning and land use plans. The Board requested that Greenlee obtain additional quotes from other firms to conduct a workshop.

Gary Fordice updated the Board on conservation activities. Fordice reported those electrical campsites at Rodgers Park about completed. Fordice also reported that the conservation department has started to patrol the Cedar River between the river parks by boat. Fordice reported on camping revenue and the activities taking place at the parks over the summer.

Moved by Vermedahl, seconded by Buch, to recess until 1:30 p.m. at the sheriff's department. All members voting "aye" thereon. Motion carried.

The Board reconvened in the conference room of the sheriff's department at 1:30 p.m.

The Board met to discuss radio specifications and needs of Benton County with representatives of Radio Communications. Discussion included but was not limited to rental of a total radio system, a county-owned radio system with a tower rental, or a county-owned radio system including a tower. The Board also discussed 800 megahertz, very high frequency (VHF) and ultra high frequency (UHF) options. The Board requested that Deputy Randy Forsyth contact the Federal Communications Commission regarding availability of frequencies. No other action was taken.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

August 10, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Vermedahl and Buch present. Supervisor Sass was absent. Vice Chairman Vermedahl called the meeting to order at 9:00 A.M.

Moved by Buch, seconded by Vermedahl, to approve the minutes of August 7, 2001. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for Coon Creek Telephone to place utility lines in the county's right of way in Sections 21 and 22 of Leroy Township. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to authorize the Vice-Chairman to sign the *culverts 2002 contract and bond* with McCulley Culvert Inc. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set August 31, 2001 at 9:30 A.M. as the time and date for a public hearing on a land use change requested by Tom Darland. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the law enforcement contract between Benton County and the City of Walford for law enforcement coverage for 10 hours a week at a cost of \$9,360.00 per year to be paid quarterly. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to provide a letter of support for the Old Creamery Nature Trail for a grant application. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. Both members voting "aye" thereon. Motion carried.

David H. Vermedahl, Vice Chairman

ATTEST: _____
Delane Dunkel, Deputy Auditor

August 14, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Sass and Vermedahl present. Supervisor Buch was absent. Chairman Sass called the meeting to order at 9:00 A.M.

Moved by Vermedahl, seconded by Sass, to approve a utility permit for Iowa Telecom to place utilities lines in the county's right of way in Section 34 of Iowa Township. Both members voting "aye" thereon. Motion carried.

County engineer, Myron Parizek brought the board of supervisors up to date on the Oak Grove Extension Project.

Moved by Vermedahl, seconded by Sass, to adjourn. Both members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Delane Dunkel, Deputy Auditor

August 15, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Vermedahl and Buch present. Supervisor Sass was absent. Vice-Chairman Vermedahl called the meeting to order at 7:15 p.m.

The purpose of the meeting was to discuss solid waste management and recycling options with representatives of the cities and other interested persons.

Discussion was held primarily on recycling options and the associated costs.

The Board of Supervisors took no action. Action was taken by the Landfill Commission and the minutes are available from that entity.

Moved by Buch, seconded by Vermedahl, to adjourn. Both members voting "aye" thereon. Motion carried.

David H. Vermedahl, Vice-Chairman

ATTEST: _____
Jill Marlow, Auditor

August 17, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Vermedahl and Buch present. Supervisor Sass was absent. Chairman Sass called the meeting to order at 9:00 A.M.

Moved by Buch, seconded by Vermedahl, to amend the minutes of July 31, 2001, to include the following motion:

“Moved by Buch, seconded by Vermedahl, to appoint Marcella Rinderknecht to the Newhall Library Board of Trustees for a six-year term. All members voting “aye” thereon. Motion carried.”

Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to table approval of the August 10, 2001 minutes until Supervisor Sass was present. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 26753 through 26991, and payroll numbered 11990 through 12143, for payment. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set September 18, 2001, at 7:15 p.m. as the time and date for a public hearing on widening V66 south of Van Horne and the necessary land acquisitions required. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for Iowa Telecom to place cable in the county’s right-of-way in section 36 of Iowa Township. Both members voting “aye” thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. Both members voting “aye” thereon. Motion carried.

David H. Vermedahl, Vice-Chairman

ATTEST: _____
Jill Marlow, Auditor

August 21, 2001

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Sass, Vermedahl and Buch present. Chairman Sass called the meeting to order at 7:15 P.M.

Moved by Buch, seconded by Vermedahl, to approve the minutes of August 10, 2001. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to approve the minutes of August 14, 2001. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the minutes of August 15, 2001. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the minutes of August 17, 2001. All members voting aye thereon. Motion carried.

The Board discussed the cost of juvenile detention and the services available through East Central Iowa Juvenile Detention. The Board directed the auditor to arrange for the Board to tour East Central Iowa Juvenile Detention.

Discussion was held on scheduling departmental meetings with county offices. The Board directed the auditor to schedule and arrange a departmental meeting on August 31, 2001, at 1:30 p.m.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting aye thereon. Motion carried.

David H. Vermedahl, Vice-Chairman

ATTEST: _____
Jill Marlow, Auditor

August 24, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of August 21, 2001. All members voting “aye” thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set a date for a public hearing on a land use change requested by Robert Purk for September 14, 2001 at 9:30 a.m. All members voting "aye" thereon. Motion carried.

The engineer spoke briefly regarding various projects being done in his department.

The time of 9:30 having arrived, and this being the time and date set for a public hearing on a land use change requested by Phillip Cummings, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Vermedahl, seconded by Buch, to approve a land use change on one acre located in a Part of the SW1/4 of the SW1/4 of the NW1/4 of 1-85-9 (South Polk Township) for a single residential use. All members voting "aye" thereon. Motion carried.

The Board took up the matter of a change in land use requested by Vernon Kuhn tabled from June 22, 2001. The Board had tabled the change pending the permit from the Department of Transportation for a driveway. Moved by Buch, seconded by Vermedahl, to approve a land use change on a parcel located in Part of the NW1/4 of the NW1/4 of 11-86-9 (Polk Township). All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a farm exemption for Richard A. Oberreuter on a 26-acre parcel located in Section 15 of St. Clair Township as the applicant is actively engaged in a farming operation. All members voting "aye" thereon. Motion carried.

The time of 9:45 having arrived, and this being the time and date set for a public hearing on a land use change requested by Beryl Scott, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on a two-acre parcel located in a Part of the S1/2 of the SW1/4 of the SW1/4 of the NW1/4 of 15-86-10 (Harrison Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Judy Funk of Gallagher Woodsmall met with the Board to introduce herself as the county's new insurance representative. Funk discussed the company's personnel changes over the past few months and the new services being offered.

Moved by Vermedahl, seconded by Buch, to enter into closed session pursuant to Iowa Code 21.5(1)(c). All members voting "aye" thereon. Motion carried at 10:35 a.m.

Moved by Vermedahl, seconded by Buch, to return to open session. All members voting "aye" thereon. Motion carried at 11:25 a.m. No action was taken relative to the closed session.

Moved by Vermedahl, seconded by Buch, to enter into a two-year contract with DMG-Maximus for cost allocation services. All members voting "aye" thereon. Motion carried.

Deb Fowler met with the Board to request use of the courthouse lawn and facilities for Vinton's Sweetcorn Days Festival. Moved by Vermedahl, seconded by Buch, to allow the use of the lawn on August 30, 2001 through September 1, 2001. All members voting "aye" thereon. Motion carried.

The Board met with Randy Forsyth to discuss the courthouse telephone charges. Forsyth had been requested to investigate the charges. After discussing the matter, it was moved by Vermedahl, seconded by Buch, that Benton County cancel the services that are not currently being used and request a full refund on the associated charges billed July 1999 through August 1999. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

August 28, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 8:30 a.m.

The board immediately proceeded to the Central Iowa Juvenile Detention Center located in Eldora, Iowa for the purposes of touring the facility and researching the services offered. The Board

discussed the costs of the joining the organization and the cost of housing juveniles at the facility. No action was taken.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Delane Dunkel, Deputy Auditor

August 31, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of August 24th, 2001 and August 28th, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve 2.75 hours of carry-over vacation for Joy McGowan as requested by the county treasurer. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-70. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-70

WHEREAS, Thomas Kreutner filed the appropriate documents to remove a dwelling from the tax rolls, and

WHEREAS, the dwelling was inadvertently left on the assessment rolls and taxed in the prior year, and

WHEREAS, Kreutner subsequently paid the tax on said dwelling, and

WHEREAS, Kreutner has requested a refund on said tax in accordance with Iowa Code 445.60,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the treasurer is directed to refund the erroneous tax in the amount of \$498.00.

Dated this 31st day of August, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____
Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-71. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-71

WHEREAS: Benton County Secondary Road Department has an employee that has been employed at his present job classification for a sufficient length of time to change his respective job classification

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that the Labor Grade classification of John Mayhew will be VG (telescoop operator with two years working with the machine.)

VG base wage for John Mayhew will be \$13.90 per hour. John Mayhew rate change will be effective August 30th, 2001.

Signed this _____ day of August, 2001

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to approve a Utility Permit for Qwest to place utility lines in the county's right-of-way in Section 32 of Benton Township. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a Utility Permit for Iowa Telecom to place utility lines in the county's right-of-way in Section 35 of Iowa Township. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve and direct the chairman to sign the bridge plans for a bridge project in Section 36 of Canton Township. All members voting "aye" thereon. Motion carried.

The county engineer requested that Benton County contract for road right-of-way acquisition services on the project widening the shoulders and ditches south of Van Horne on E66. The Board questioned the cost of the services and the amount of time and expertise required. Supervisor Buch stated that he believed the money spent on the services could be used to purchase the right-of-way. The engineer advised that he and his staff did not have the time to complete the acquisition requirements. Moved by Vermedahl, seconded by Buch, to approve an agreement with Graham Land Acquisition Associates for Road Right of Way Acquisition services for the V66 project south of Van Horne. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-72. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-72

SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2002 budget on March 13, 2001; and

WHEREAS, the Board now desires to amend said budget within service areas,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors the FY2002 county budget is hereby amended within service areas as follows:

SERVICE AREA 4

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0010 Function 41210	Fund 0010 Function 41110	\$ 100.00

SERVICE AREA 6

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0001 Function 63200	Fund 0001 Function 63100	\$ 122.00

Signed this 31st day of August, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

The time of 9:30 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Tom Darland, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by

Buch, seconded by Vermedahl, to approve a land use change on a two-acre parcel located in a Part of the NE1/4 of the SW1/4 of the NW1/4 of 15-86-10 (Harrison Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Gary Fordice met with the Board to discuss conservation activities. Fordice reported that the county's obligation to maintain and repair fencing around the county's parks was discussed at the last conservation board meeting. Fordice also reported on the Old Creamery Nature Trail committee's request that the conservation board sponsor the REAP application. Fordice asked if the supervisors were willing to appropriate more funds to maintain the trail if the conservation department decided to sponsor the project. The Board did not discuss additional funding.

Moved by Vermedahl, seconded by Sass, to appoint Ann Harrison to fill the unexpired term on the conservation board vacated by the resignation of Jan Crandall. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the contract with Hillcrest Family Services for mental health services. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-73. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried.

**RESOLUTION #01-73
IOWA PUBLIC AGENCY INVESTMENT TRUST (IPAIT)**

A RESOLUTION AUTHORIZING THE APPROVAL OF AND PARTICIPATION IN A JOINT POWERS AGREEMENT AND DECLARATION OF TRUST FOR THE IOWA PUBLIC AGENCY INVESTMENT TRUST, AUTHORIZING INVESTMENTS THROUGH THE FIXED TERM AUTOMATED INVESTMENT PROGRAM OF IPAIT AND AUTHORIZING IPAIT TO DESIGNATE AND NAME DEPOSITORIES.

WHEREAS, Iowa Code section 28E.1 permits political subdivisions to make efficient use of their powers by enabling them to provide joint services with other Public Agencies and to cooperate in other ways of mutual advantage, and to exercise and enjoy jointly any powers, privileges or authority exercised or capable of being exercised by one Public Agency of this state or private agencies for the joint or cooperative action; and

WHEREAS, Iowa Code sections 331.555 and 384.21 empowers Cities, City Utilities, and Counties to invest their moneys pursuant to a joint investment agreement; and

WHEREAS, Benton County is a political subdivision organized and existing under and by virtue of the laws and Constitution of the State of Iowa and have approved the Joint Powers Agreement and Declaration of Trust and thereby they have established the Iowa Public Agency Investment Trust as of October 1, 1987, and amended as of May 1, 1993; and

WHEREAS, this Governing Body desires to adopt and enter into the Joint Powers Agreement and Declaration of Trust, and it is in the best interest of this Governing Body to participate in the Iowa Public Agency Investment Trust for the purpose of joint investment of moneys with other cities, city utilities and counties to enhance investment earnings to each; and

WHEREAS, this Governing Body deems it to be advisable for this Public Agency to make use, from time to time, of the Fixed Term Automated Investment Program available to Participants of IPAIT;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Joint Powers Agreement and Declaration of Trust is approved and adopted. This Public Agency joins with the other public agencies in accordance with the Joint Powers Agreement and Declaration of Trust, as amended, (the "Declaration of Trust") which is incorporated herein by reference with the same effect as if it had been set out in this resolution by becoming a Participant of IPAIT. The Joint Powers Agreement and Declaration of Trust is filed in the minutes of the meeting at which this Resolution is adopted. The authorized officials of this Public Agency are directed and authorized to take such actions and execute documents as may be deemed necessary and appropriate to effect the entry of this

Public Agency into the Declaration of Trust and adoption thereof by this Public Agency and to carry out the intent and purpose of this Resolution.

Section 2. This Public Agency is authorized to invest its available moneys from time to time and to withdraw such moneys from time to time in accordance with the provisions of the Declaration of Trust and the Fixed Term Automated Investment Program of IPAIT.

Payment for any investments made within the Fixed Term Automated Investment Program is authorized from the Public Agency's specified IPAIT Account. Interest and principal payments must be credited to the Public Agency's designated Trust Account. The Custodian will hold investments in the name of IPAIT for the account of the Public Agency.

The following officers and officials of this Public Agency and their respective successors in office each are designated as "Authorized Officials" with full power and authority to effectuate the investment and withdrawal of moneys with this Public Agency from time to time in accordance with the Joint Powers Agreement and Declaration of Trust.

Kelly Rae Geater	Benton County Treasurer
Printed Name	Title

IPAIT must be advised of any changes in Authorized Officials in accordance with procedures established by IPAIT.

Section 3. The Trustees of IPAIT are designated as having official custody of this Public Agency's moneys which are invested in accordance with the Joint Powers Agreement and Declaration of Trust and any moneys invested in accordance with the Trust's Fixed Term Automated Investment Program.

Section 4. IPAIT is authorized to designate and name depositories and to file form CPE-31019, to execute documents, and to take actions as may be necessary to purchase and make payment, sell, secure, or take payment of principal and interest. Certificates of deposit must be purchased only from financial institutions designated by IPAIT which are approved depositories as prescribed by Iowa Code chapter 573.

Section 5. Authorization is given for members and officials of this Public Agency to serve as Trustees of IPAIT from time to time if selected as such pursuant to the provisions of the Declaration of Trust.

Section 6. Unless otherwise expressly defined, words that are capitalized in the Resolution have meanings defined in the Joint Powers Agreement and Declaration of Trust.

Passed and approved this 31st day of August, 2001.

Benton County, Iowa	
Name of Public Agency	Signature of Presiding Officer

ATTEST:

Clerk/Secretary

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-74. Voting aye were Sass, Vermedahl, and Buch. Motion carried.

RESOLUTION #01-74

BE IT RESOLVED by the Benton County Board of Supervisors that the tax, penalty, and interest be abated on parcel #270-12921 in full as requested by the county treasurer.

Dated this 31st day of August, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to approve the hire of Ronald James Tippet as a deputy with the sheriff's department effective September 10, 2001. All members voting aye thereon. Motion carried.

Representatives of the Emergency Management Commission met with the Board to discuss allocation of interest income to the emergency management fund. The commission asked the Board to consider the matter but also commented on the services being provided to the commission by the county. Supervisor Vermedahl commented that the interest income was included in the county's FY02 budget and that it should not be changed in the middle of the year. Moved by Vermedahl, seconded by Buch, to deny the request to allocate interest income to the Emergency Management Fund. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to recess until 1:30 p.m. All members voting "aye" thereon. Motion carried.

The Board reconvened the meeting at 1:30 p.m.. The Board met with the department heads to discuss issues affecting their offices and the county as a whole. No formal action was taken.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

September 4, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Vermedahl and Buch present. Vice-Chairman Vermedahl called the meeting to order at 9:00 a.m.

The Board immediately proceeded to the Linn County Juvenile Detention Center for the purpose of viewing the facility.

Supervisor Sass joined the Board at approximately 9:30 a.m.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

September 7, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of August 31, 2001, and September 4, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, adopt Resolution #01-75. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-75

WHEREAS: Benton County Secondary Road Department has an employee that has been employed at his present job classification for a sufficient length of time to change his respective job classification
THEREFORE BE IT RESOLVED By The Benton County Board of Supervisors that the Labor Grade classification of Charles Johnston will be VE. VE base wage for Charles will be \$13.82 per hour. Charles Johnston rate change will be effective September 8th, 2001.

Signed this _____ day of September, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to approve a Utility Permit for Farmer's Cooperative Telephone to place utility lines in the county's right-of-way between sections 31 and 32 of Monroe Township and between sections 5 and 8 of Homer Township. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a Utility Permit for Sunrise Dairy to place a sewer line in the county's right-of-way in between section 25 of Leroy Township and section 30 of St. Clair Township. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve 9 hours of vacation carry-over for Sherri McGowan as requested by the sheriff, said vacation is to be used by September 14th, 2001. All members voting "aye" thereon. Motion carried.

Marc Greenlee met with the Board to discuss a request by Max Miller for a variance to Benton County's Subdivision Ordinance in section 25 of Canton Township. Greenlee explained to the Board that an application for a land use change was submitted by Robert Purk on property owned by Max Miller. Greenlee advised that he did a cursory review of the property prior to the application and the property viewed was not the property described on the application. Subsequent research indicated that Miller would be subject to the county's subdivision ordinance due to prior splitting of the forty-acre tract by Miller. The Board reviewed the county's subdivision ordinance and the parameters set out for allowing variances. After discussing the matter fully, it was moved by Vermedahl, seconded by Buch, to adopt Resolution #01-76. Voting "aye" thereon. Motion carried.

RESOLUTION #01-76

DENYING VARIANCE TO BENTON COUNTY SUBDIVISION ORDINANCE

WHEREAS: Benton County adopted an ordinance regulating the subdivision of land; and

WHEREAS: Said ordinance provides that the Board of Supervisors may grant a variance if an undue hardship would result if strict adherence to the requirements of the ordinance are adhered to; and

WHEREAS: Max Miller has requested that the Board of Supervisors grant a variance to the subdivision ordinance in Section 36 of Iowa Township to allow for a third division; and

WHEREAS: The Board of Supervisors finds that the circumstances described do not meet the definition of hardship required for a variance,

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requested by Max Miller for a variance to the Benton County Subdivision Ordinance in Iowa Township Section 36 is denied.

Dated this 19th day of September, 2000.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Kim Snook with the Iowa Department of Transportation (IDOT) met with the Board to discuss driver's license issuance in Belle Plaine. Currently the IDOT issues licenses in Belle Plaine on Thursdays and Fridays and plan to reduce the hours to Thursdays only.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

September 11, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of September 7, 2001. All members voting "aye" thereon. Motion carried.

Renee Tharp met with the Board to provide an update on Benton Development Group activities. Tharp reported on the services being provided by the Group including the Benton County map project, Youngville Café, information resources, tourism, web site, calendar of events, grant assistance, daycare issues, and conferences attended.

Mary Williams discussed a provider contract with Orchard Hill in Washington County for mental health services. Williams explained that the provider the rate for Washington County is \$47.81/day and the rate for other counties is \$52.73. Williams did not recommend that Benton County approve a contract unless the rate for out-of-county placement is set at \$47.81. Moved by Vermedahl, seconded by Buch, to approve a contract between Benton County and Orchard Hill in Washington County at a daily rate of \$47.81. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 26992 through 27286, and payroll numbered 12144 through 12299, and payroll numbered 12300 through 12451, for payment. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

September 14, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m. with a moment of silence in honor and remembrance of those victims of the terrorism acts on September 11, 2001.

Moved by Buch, seconded by Vermedahl, to approve the minutes of September 11, 2001. All members voting "aye" thereon. Motion carried.

The county engineer presented a preliminary draft of a building to house the transportation department and sheriff's department storage.

Max Miller met with the Board to discuss the denial of a variance to the subdivision ordinance. Miller had requested that a variance be granted to allow a third division in Section 36 of Iowa Township. Miller explained that he spoke with the county sanitarian about changing the use of the land, and understood that there would not be any problems. Miller continued to state that he had sold property based on that understanding. After discussing the matter with the Board, Miller questioned if he would be able to place a residence on the property without transferring the parcel. The Board advised Miller that he would probably have to comply with the county's land use ordinance but requested that the Board be allowed to research the matter further.

The time of 10:00 a.m. having arrived, and this being the time and date for receiving bids on an alarm system for the law enforcement center, the board proceeded with opening the bids. Three bids were received as follows:

Nelson Electric - \$57,874.00
Midwest Alarm Services - \$50,282.00
Siemens Building Technologies - \$54,400.00

Moved by Vermedahl, seconded by Buch, to table awarding the bid for an alarm system in the law enforcement center until Friday, September 21, 2001, at 10:00 a.m., to allow time to review them. All members voting "aye" thereon. Motion carried.

The time of 11:30 am. having arrived, the Board proceeded to canvass the school election held on September 11, 2001. Moved by Vermedahl, seconded by Buch, to approve the canvass of the 2001 Regular School Election held on September 11, 2001, and direct the auditor to file the official results in the records of Benton County. All members voting "aye" thereon. Motion carried.

No action was taken on appointment of members to the county wellness committee.

Kelly Geater, Benton County Treasurer, met with the Board to request that the Board modify the Employee Handbook changing the requirement that employees use compensation time prior to using vacation time. Geater asked why the requirement was needed. It was explained that the county must pay unused compensation time whereas unused vacation may be lost if not carried over in accordance with the Handbook. No action was taken on the request.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

September 18, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Van Horne Emergency Response Station in Van Horne, Iowa, with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of September 14, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for the East Central Iowa REC to place utility lines in Section 2 of South Polk. All members voting "aye" thereon. Motion carried.

The time of 7:15 p.m. having arrived, and this being the time and date set for a public hearing on widening the county's road right-of-way south of Van Horne, the Board took up the matter for discussion.

Myron Parizek, Benton County Engineer, explained the need for the public hearing and the necessary legal requirements. The public hearing is for the purpose of hearing comments on the county's intent to widen the right-of-way and acquire the necessary land. Widening the right-of-way is necessary to aid in snow removal and drift prevention and to allow more sloping of the ditch for safety. The engineer reported that he had not received any comment either for or against the project prior to tonight's hearing. He further advised that notice of this hearing had been published in all official papers. Graham Land Acquisition was introduced to those in attendance and their services were discussed. The engineer explained that he did not have the time or the resources to meet with each individual landowner to negotiate the acquisition of the property. The engineer explained that if all other projects went according to plan, the county would start on the project in the near future with a completion date of this fall or early spring.

Items discussed by those in attendance included but was not limited to the following:

1. lack of communication between the property owners and Benton County,
2. potential damage to the existing road surface,
3. acquisition of the property and purchase price,
4. possibility of condemnation of property,
5. property values,
6. future communication with property owners,
7. damage to septic systems discharging into the ditch,
8. relocation of utilities,
9. if detours would be necessary,
10. erosion control,
11. property lying within the Van Horne city limits

Hearing no further comment, Chairman Sass closed the public hearing at 8:00 p.m.

Mike Beumer, Benton County Weed Commissioner, and Dale Peterson, Department of Transportation spoke about planting native vegetation in the right-of-way after the widening project was completed. Peterson explained about native vegetation planted by the State. Peterson cautioned that native vegetation takes time to establish and requires proper maintenance, but once established it virtually eliminate the need for weed control. Beumer welcomed the property owners to contact him if they had specific concerns regarding the plantings.

The county engineer then spoke to the Board about the relocation of existing utilities specifically Alliant Energy. Alliant will move their utilities but the county would be required to reimburse Alliant for the cost. Moved by Vermedahl, seconded by Buch, to table action on the relocation of utilities until the Board has had the opportunity to review the matter. All members voting “aye” thereon. Motion carried.

Discussion returned to the road right-of-way-widening project with questions as to the need for the project. Persons present asked if the snow-drifting problem could be accomplished through the erection of snow fences. The engineer advised that erecting snow fence was too labor intensive, adding that the safety aspect of the shoulders and slope would still need to be addressed. The engineer added that the widening project was necessary if the county was to continue to receive farm-to-market funds from the State for that road.

Hearing no further comment, the Chair called for a motion relative to the widening of the road right-of-way. Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-77. Voting “aye” were Sass, Vermedahl, and Buch. “Nays” none. Motion carried.

RESOLUTION #01-77

FINAL APPROVAL TO FUND THE LOCATION AND DESIGN, AUTHORIZATION TO PROCEED WITH THE ACQUISITION OF PRIVATE PROPERTY RIGHTS NEEDED, BY CONDEMNATION PROCEEDINGS, IF NECESSARY, AND TO CONSTRUCT THE PROJECT.

WHEREAS, Benton County, determines that for the general welfare of Benton County and in the best interests of its citizens that Benton County consider widening the shoulders on County Route V66 between Van Horne and US Highway 30 by approving this highway improvement project.

WHEREAS, Benton County, determines that if this project is to be approved and constructed that it will be necessary to obtain right of way from private property to do so, all as shown by plans prepared by the Benton County Engineer’s Office.

WHEREAS, Benton County did send and publish Notice of a Public Hearing to consider a proposed public improvement project to construct this roadway widening project as required by §6BA.2 Notice of Proposed Public Improvement of the Code of Iowa.

WHEREAS, on September 18, 2001, Benton County did after notice and publication as required by law hold said public hearing concerning said project, and

WHEREAS, Benton County at said Public Hearing considered whether to proceed or not to proceed to approve the location and design of the project and to acquire private property for the public improvement either by negotiation and purchase, or condemnation, if necessary, and

WHEREAS, at said Public Hearing the Board of Supervisors of Benton County, Iowa did acknowledge and consider all public input, both oral and written.

THEREFORE, BE IT HEREBY RESOLVED that Benton County does hereby approve the construction of this highway improvement project.

BE IT FURTHER RESOLVED that Benton County does hereby approve the location and design of this project.

BE IT FURTHER RESOLVED that Benton County through their authorized representative shall make a good faith effort to acquire said property through negotiated purchase.

BE IT FURTHER RESOLVED that if the property cannot be acquired through negotiated purchase the Benton County Board of Supervisors will authorize the acquisition of the property by condemnation procedures.

Signed this 18th day of September, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Chairman

ATTEST: _____
Auditor

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

September 21, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of September 18, 2001. All members voting "aye" thereon. Motion carried.

Brian Gruhn met with the Board to discuss the county's initial contract proposal.

Moved by Vermedahl, to accept the bid of Midwest - withdrew the motion

Moved by Buch, seconded by Vermedahl, to accept the Midwest Alarm System of \$50,282.00 bid for the alarm system at the Benton County Law Enforcement Center with a \$1600.00 annual inspection contract for the second through fifth years after installation. All members voting "aye" thereon. Motion carried.

The Benton County Temporary Re-districting Committee met with the Board to present the proposal for Plan II Supervisor Districts. Moved by Vermedahl, seconded by Buch, to approve the supervisor districts as presented. All members voting "aye" thereon. Motion carried.

The county engineer met with the Board to discuss the V-66 road right-of-way-widening project south of Van Horne. The engineer discussed that the price of property be in the are of \$3250 per acre. Discussion on existing non-compliant septic systems was discussed ending with a county attorney's opinion being sought by the sanitarian.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-78. Sass, Vermedahl, and Buch, voting "aye". "Nays" none. Motion carried.

STATE OF IOWA)
COUNTY OF BENTON)

BEFORE THE BOARD OF SUPERVISORS
BENTON COUNTY, IOWA

In Regard to the Matter of:

Power Pole Relocation Agreement between BENTON
COUNTY and IES UTILITIES, INC. (a.k.a. Alliant
Energy Corp.) regarding relocation of certain facilities
located on easements in BENTON COUNTY

RESOLUTION #01-78

This matter came on for hearing before the Board of County Supervisors of the county of BENTON at their regular meeting on the 21st day of September, 2001, at 9:00 o'clock.

Said County Board was advised that IES UTILITIES, INC. has agreed to enter into a relocation agreement, a copy of which is attached to this Resolution and made a part of this Resolution by reference.

Upon their own motion and after due consideration, said County Board made and passed the following Resolution:

BE IT RESOLVED, that the Chairman of this County Board and the County Auditor are hereby directed and authorized to execute the attached relocation agreement on behalf of the County of Benton.

Dated this 21st day of September, 2001.

Chairman, Benton County Board of Supervisors

ATTEST:

POWER POLE RELOCATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the Benton County Secondary Roads Department, (hereinafter referred to as Department) acting through the Board of Supervisors, Benton County, Iowa, is undertaking the improvement of County Road V66, approximately 1.5 Miles south of Van Horne, in Sections 23, Township 83 North, Range 11 West of the 5th Principal Meridian, and

WHEREAS, IES UTILITIES, INC., (a.k.a. ALLIANT ENERGY CORPORATION), (hereinafter referred to as IES), an Iowa corporation, with principal offices at Cedar Rapids, Iowa, is the owner of an electric transmission line which is located primarily on private property under permanent easement and is to be taken by the Department for road purposes, and

NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. Through mutual agreement, it has been determined that said transmission line, presently located primarily on private right of way, will be affected by this project. Department will reimburse IES to adjust its transmission line to accommodate the road improvements.
2. IES agrees to adjust and/or relocate its electric transmission structures along County Road V66 in Sections 23, Township 83 North, Range 11 West of the 5th Principal Meridian, Benton County, Iowa, to accommodate road improvements to be made in 2001 by Department.

3. Through mutual agreement, it has been determined that said transmission line, presently located primarily on private right of way, will be affected by this project. Department will reimburse IES to relocate its transmission line structure to accommodate the road improvements.

4. Department agrees to pay IES 100.00% of the actual costs for relocation of a transmission structure on private right-of-way, up to and including (±10%) of the project estimated cost of \$17,306.74.

5. Department acknowledges that IES is not relinquishing any of its easements by entering into this agreement, nor is IES relinquishing it's right to maintain this line.

This agreement shall extend to and bind the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2001.

Accepted for Benton County
Board of Supervisors

IES UTILITIES, INC.

Chair

By: Don Puffett,
Real Estate Technical Services Manager

Attest:

By: Gary G. Quade
Sr. Coord., Permitting and Road Use

The Board met with the county engineer, transportation director, and chief sheriff's deputy to discuss the construction of a facility north of the law enforcement center.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

September 25, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of September 21, 2001. All members voting "aye" thereon. Motion carried.

The county engineer discussed replacing the sidewalks around the courthouse. The Board directed that the sidewalks be replaced.

The county engineer and the county sanitarian met with the Board to discuss the widening of the county's right-of-way south of Van Horne and septic systems discharging into the ditch. A question was raised at the public hearing regarding the widening the right-of-way about the county's responsibility for septic systems emptying into the ditch. The county sanitarian stated that his initial response was that unless the systems were being changed that they could continue to discharge; however after further consideration and consultation with the Department of Natural Resources, he (the sanitarian) has concluded that the systems are illegal and must be brought up to a code conforming system.

Richard Kelty and Bob Heppie met with Board to request a financial donation for the maintenance and upkeep of the Highway 30 Veterans Memorial. Kelty explained that it currently costs the Benton County American Legion approximately \$1,500.00 to maintain the memorial. Kelty commented that the number of members in the Benton County American Legion has been declining and there is concern as to how the memorial will be maintained in future years. The Legion is in the process of trying to raise funds for a trust fund to provide for perpetual care of the memorial. The Legion is requesting a one-time donation from the county for the memorial from the funds appropriated to the Veterans Commission. The

Board requested that the matter be placed on the October 2, 2001 agenda with the Veterans Commission in attendance.

The Board reviewed the election precincts for Benton County with the new decennial federal census numbers. Moved by Vermedahl, seconded by Buch, to approve the election precinct plan, which combines Iowa-Luzerne with Leroy Blainstown, St Clair with Florence-Norway, and Eden with Harrison-Taylor. Further that the following dates be set for considerations on said precinct plan: October 9, 2001 at 10:00 a.m., October 10, 2001, at 7:00 p.m., and October 12, 2001 at 10:00 a.m. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve claims numbered 27287 through 27539, and payroll numbered 12452 through 12593, for payment. All members voting "aye" thereon. Motion carried.

Gary Fordice met with the Board to update them on conservation activities taking place in the county's parks. Fordice also discussed future capital improvements being discussed by his board including a house for the river parks ranger and rental cabins. Fordice also reported that he would be advertising to fill the position of director's assistant during the next few weeks.

The county attorney spoke to the Board about forming a committee to review the Benton County Employee Handbook. The Board agreed to ask each department to appoint a representative to the committee.

Moved by Vermedahl, seconded by Sass, to appoint Betty Wright, Bill Garbers, and Dave Vermedahl to the Employee Wellness Committee with the auditor or her designee serving as the coordinator. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-79. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-79

SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2002 budget on March 13, 2001; and

WHEREAS, the Board now desires to amend said budget within service areas,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors the FY2002 county budget is hereby amended within service areas as follows:

SERVICE AREA 4

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0010 Function 41210	Fund 0010 Function 41220	\$ 188.00

SERVICE AREA 5

<u>Amended To</u>	<u>Amended From</u>	<u>Amount</u>
Fund 0002 Function 52100	Fund 0002 Function 52000	\$ 31,080.00

Signed this 25th day of September, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to set the date for amending the county's FY02 budget for October 26, 2001, at 10:00 a.m. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into closed session pursuant to Iowa Code Section 21.5(c). All members voting "aye" thereon. Motion carried at 11:25 a.m.

Moved by Buch, seconded by Vermedahl, to return to open session. All members voting "aye" thereon. Motion carried at 11:40 a.m. No action was taken relative to the closed session.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Benton County Auditor

September 28, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 8:00 a.m.

The Board immediately proceeded to the North Iowa Juvenile Detention Center in Black Hawk County to view the facilities.

The Board returned at 11:30 a.m. and continued with the meeting as posted.

The Board met with Marc Greenlee to discuss clarification of the county's subdivision ordinance and land use ordinance. The need for further direction was discussed. Moved by Vermedahl, seconded by Buch, to hire Michael Lauer and Robert Freilich to conduct a workshop on land use issues. All members voting "aye" thereon. Motion carried.

The Board recessed for lunch and reconvened at 2:00 p.m. with Supervisors Sass and Vermedahl present. Supervisor Buch was absent.

Moved by Vermedahl, seconded by Sass, to enter into closed session to discuss pending litigation as authorized by Iowa Code Section 21.5 (c). Both members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to return to open session. Both members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Sass, to adjourn. Both members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Delane Dunkel, Deputy Auditor

October 2, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Sass, to approve the minutes of September 25, 2001, and September 28, 2001. All members voting "aye" thereon. Motion carried.

Dan Carroll representing the PPME Local 2003 (secondary roads union) presented the initial bargaining proposal for the 2002-2003 contract.

The county engineer presented the Iowa Department of Transportation's plans for lighting the intersection at the Watkins corner on Highway 30.

Mary Williams and other interested persons met with the Board to discuss mental health services. Williams explained that Orchard Hill ResCare located in Washington County was appealing the rate that Benton County is willing to pay for mental health services. The Board previously took action setting the rate of pay to Orchard Hill at the same rate the host county was paying. Orchard Hill requested that Benton County pay a rate higher than that of State cases.

Ellen Hiner representing Orchard Hill reported that the facility would be out of compliance with other out-of-county rates if they were to charge Benton County less. Hiner commented as to the client currently receiving services and the types of needs being met by the facility.

Supervisor Sass commented that he did not like to see clients moved from facility to facility, but that Benton County should be charged the same as the State. Sass added that the State has begun to reduce funding to the counties for mental health services.

Supervisor Vermedahl commented that if Benton County makes an exception that Benton County would be out of compliance with our policies. Vermedahl stated that this is an issue between Orchard Hill and Benton County and that he cannot support moving a client because of the rate dispute.

It was moved by Supervisor Vermedahl, seconded by Buch, to authorize the higher rate for Orchard Hill for the remainder of FY02, with the clear understanding that Benton County is protesting said rate and that this is an issue between governments and that the client should not suffer, however at the conclusion of FY02 Benton County will only pay at the host county rate. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve provider contracts for mental health services with Davis Center and Pathways/Pentacrest, Inc. All members voting "aye" thereon. Motion carried.

The Board discussed the recommendations of the MH/MR/DD Planning/Stakeholder Committee (planning committee) regarding changes to the Benton County MH/MR/DD Management Plan. The planning committee is recommending the addition of language to the consumer eligibility section which would allow a person who has applied for social security disability benefits, and who is likely to receive those benefits, to be eligible for services. Moved by Vermedahl, seconded by Buch, that the recommendation be returned to the Planning Committee for further consideration due to budgetary concerns. All members voting "aye" thereon. Motion carried.

Mary Williams requested direction from the Board regarding substance abuse services. The Board requested that Williams provide them with the different facility rates for substance abuse services and the history on the number of days these types of services have been provided.

Moved by Vermedahl, seconded by Buch, authorizing the chair to sign the agreement between Benton County and Planning Works, LLC, for consultation services relative to land use. All members voting "aye" thereon. Motion carried.

The Board met with representatives of the Benton County American Legion and Benton County Veterans Affairs Commission to discuss the future maintenance of the Veterans Memorial monument on Highway 30. The group asked for a monetary donation from Benton County to be placed in a perpetual trust for care and maintenance of the monument. The Board had asked the Veterans Affairs Commission to attend the meeting. Ed Landuyt reported that the Benton County Veterans Affairs Commission had discussed the request but believed that type of expenditure was not within the commission's statutory authority. The Board then discussed the budget process and that the donation was not budgeted in the current year, but would consider the request during the next budget process, and also when the year was completed allowing the Board to assess the budgetary needs of the county before making a commitment.

Moved by Buch, seconded by Vermedahl, to approve the sheriff's and auditor's quarterly reports for the period ending September 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

October 5, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of October 2, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set October 26, 2001, at 9:30 a.m. as the time and date for a public hearing on a land use change requested by Richard Duncalf, All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit for East -Central Iowa Rural Electric Cooperative in sections 17 & 18 of Benton Township. All members voting "aye" thereon. Motion carried.

The East Central Iowa Council of Government (ECICOG) solicited proposals for disposal of white goods for member counties. Having reviewed the proposals with ECICOG and all applicable regulations, the county engineer recommended contracting with Moor's Salvage. Moved by Vermedahl, seconded by

Buch, to enter into a contract with Moor's Salvage and Recovery, Inc. to recycle and dispose of white goods at the Benton County Landfill, for the period November 1, 2001 through June 30, 2004, with an option to extend the contract. The cost will be \$9.00 per item. All members voting "aye" thereon. Motion carried.

The engineer reported that the balance in the landfill account at Blairstown was \$26,651,62 as of September 30, 2001.

The Board discussed the various juvenile detention facilities toured over the past few months. Having reviewed the facilities and the costs of placement services, it was moved by Vermedahl, seconded by Buch, to proceed with the necessary action to join and utilize placement services of juveniles at the North Iowa Juvenile Detention facility in Waterloo. All members voting "aye" thereon. Motion carried.

Steve Meyer met with the Board to provide an update on the Benton County Emergency Medical Services Association. Meyer reported that the organization had met and elected new officers and would be an active organization. The Board directed the auditor to release the training finds being held to the organization.

Max Miller met with the Board to discuss land use issues. Miller, on behalf of Robert Purk was requesting that the Board allow an application for a land use change be heard although the land use administrator advised that the corn suitability rating (CSR) was higher than 70 on that particular site. Miller explained that the average CSR on the forty-acre parcel was less than 70 and believed that the Board should waive the CSR requirement. The Board agreed to hear the application through the proper procedures.

Moved by Vermedahl, seconded by Buch, to approve the Veterans Affairs Quarterly Report for the period ending September 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by, seconded by, to authorize the chairman to sign the following road right-of-way acquisition agreements allowing the county to widen the shoulders and ditches on V66 south from the corporate limits of Van Horne to Highway 30:

David K. & Theresa Ann Thompson (\$4720.00 and \$1140.00)

Ronald D. Bossler & Kathryn M. Bossler (\$1075.00)

Jeff Parr (\$25.00)

Glenn & Janet Parr (\$4245.00) All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01 -80. Voting "aye" thereon. Motion carried.

RESOLUTION #01-80

BE IT RESOLVED by the Benton County Board of Supervisors to transfer \$1,170.00 from General Basic to the CDBG fund.

Dated this 5th day of October, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

October 6, 2001

The Benton County Board of Supervisors met in special session at the Community Center in Van Horne, Iowa with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 8:05 a.m.

The purpose of the special session was to discuss replacement of non-code conforming septic systems along V66 south of Van Horne. A letter had been sent to affected property owners asking them to meet with the Board on this date.

Marc Greenlee, Benton County Sanitarian, explained to those present that current regulations require any septic system with an open discharge be replaced with a code-conforming system. Greenlee advised that the county's right-of-way widening project has revealed that several septic systems along V66 discharge into the ditch. Greenlee stated that normally he gives the property owner thirty days to replace the system, however with winter coming he would extend that date to next spring or early summer.

Comments from those present included, but were not limited to, the following:

1. Discriminatory treatment – landowners felt they were being singled out and that all septic systems in the county should be inspected and required to be brought into code compliance
2. Concerns over septic systems being torn up with winter weather coming
3. That all of the county taxpayers help pay the cost of replacing the septic systems involved in this project since the project is to widen the right-of-way along a public road
4. Concerns that some property owners had already signed acquisition agreements before knowing about the septic system issue
5. Lack of research by county officials prior to the start of the project
6. Concerns over property owners being able to afford new septic systems without any prior notice
7. Other counties not making property owners replace non-code conforming systems
8. Cost of property to the county would increase to purchase remainder of the right-of-way
9. Possible condemnation proceedings
10. Requested the county to purchase existing home
11. Set-back regulations
12. Prior assurances from county officials that septic systems would not be an issue

The Board advised that the septic systems were illegal and would have to be replaced even if the county was to abandon the project. Supervisor Buch commented that the price of the land had already been agreed upon, but property owners may be able to negotiate with the county for damages.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

October 9, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of October 5, 2001, and October 6, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set dates for land use hearings as follows: Robert Purk – November 2, 2001 at 9:45 a.m. and Tim Carlson – November 2, 2001 at 9:30 a.m. All members voting "aye" thereon. Motion carried.

The county engineer provided quotes for a new four-wheel-drive sports utility vehicle for his department.

The engineer requested bids from the eight dealerships in county and received the following:

Grovert Motor Co. - 2002 Chevrolet TrailBlazer LS - \$23,589 less \$1000 settlement = \$22,589.00

Raleigh Johnson Motor Co. - 2001 Dodge Durango SLT - \$22,500.00

Cardinal Motors Inc. - 2002 Ford Explorer XLS - \$20,038.00

Raleigh Johnson Motor Co. - 2001 Jeep Grand Cherokee Laredo - \$21,500.00

Moved by Vermedahl, seconded by Buch, to purchase a 2002 Ford Explorer XLS from Cardinal Motors, Inc. at a cost of \$20,038.00. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 27540 through 27807, and payroll numbered 12594 through 12752, for payment. All members voting "aye" thereon. Motion carried.

The time of 10:00 a.m. having arrived, and this being the time and date for the first consideration of an ordinance establishing election precincts and supervisor districts, the Board took up the matter. There was one member of the public present, one member of the media, and two high school students. The plan was explained, and hearing no comment against the proposal, it was moved by Vermedahl, seconded by Buch, to approve the first consideration of Ordinance #41 An Ordinance Establishing the County Supervisor Districts and Election Precincts. Roll Call: Vermedahl "aye", Sass "aye", and Buch "aye". Motion carried.

Sandra Teich met with the Board to discuss the audit results on the Department of Human Services. Teich also explained expenses that the county was responsible for and the local administrative reimbursement funds collected by Benton County.

Moved by Vermedahl, seconded by Buch, to enter into closed session pursuant to Iowa Code 21.5(c). All members voting "aye" thereon. Motion carried at 10:40 a.m.

Moved by Buch, seconded by Vermedahl, to return to open session. All members voting "aye" thereon. Motion carried at 12:10 p.m.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

October 10, 2001

The Benton County Board of Supervisors met in special session at the Blainstown City Hall with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m.

The time of 7:00 p.m. having arrived, and this being the time and date for the second consideration of an ordinance establishing election precincts and supervisor districts, the Board took up the matter. There was one member of the public present. Hearing no comment against the proposal, it was moved by Buch, seconded by Vermedahl, to approve the second consideration of Ordinance #41 An Ordinance Establishing the County Supervisor Districts and Election Precincts. Roll Call: Vermedahl "aye", Sass "aye", and Buch "aye". Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

October 12, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of October 9, 2001, and October 10, 2001. All members voting "aye" thereon. Motion carried.

Gene Davis, Al Schwartz, and Joyce Weiss presented an ordinance adopted by Tama County establishing a county cemetery commission and requested that Benton County consider adopting a similar ordinance. Weiss explained that current law allowed the county to levy an additional 6-3/4 cents per thousand dollars of valuation to support the commission and its projects. Weiss also explained how the cemetery commission in Tama County operated and some of the projects they had completed. The Board commented that the support of the township trustees should be sought and the need for the commission be assessed before taking any action to create a cemetery commission.

The time of 10:00 a.m. having arrived, and this being the time and date for the third consideration of an ordinance establishing election precincts and supervisor districts, the Board took up the matter. There were two members of the media present. Hearing no comment, it was moved by Vermedahl, seconded by Buch, to approve the third consideration of Ordinance #41 An Ordinance Establishing the County Supervisor Districts and Election Precincts and adopt Resolution #01-81. Roll Call: Vermedahl "aye", Sass "aye", and Buch "aye". Motion carried.

**RESOLUTION #01-81
ADOPTING ORDINANCE #41**

AN ORDINANCE ESTABLISHING THE COUNTY SUPERVISOR DISTRICTS AND ELECTION PRECINCTS

BE IT RESOLVED by the Benton County Board of Supervisors that Ordinance #41 An Ordinance Establishing the County Supervisor Districts and Election Precincts in Benton County is hereby adopted in its entirety. The county auditor is directed to make all necessary publications and record said ordinance in accordance with law.

Dated this 12th day of October, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____
Jill Marlow

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

October 16, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Atkins City Hall, Atkins, Iowa with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of October 12, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-82. Voting "aye" Sass, Vermedahl, Buch. "Nays" none. Motion carried.

RESOLUTION #01-82

BE IT RESOLVED by the Benton County Board of Supervisors that all tax and penalty on parcels #070-00002, 070-00003, 070-00004, 070-00005, 070-00006, 070-00007, 070-00008, 070-00009, 070-00010, 070-00011, 070-00012, 070-00013, 070-00014, and 070-00015, be abated in full in accordance with Iowa Code 445.63.

Dated this 16th day of October, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow

Moved by Vermedahl, seconded by Buch, to enter into an agreement with Wellmark for administration of the county's Flexible Benefits Plan for the 2002 calendar year. All members voting "aye" thereon. Motion carried.

The Board deferred action on the county's 457 plan until Tuesday, to allow time to review the document.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

October 19, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of October 16, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set November 13, 2001, at 9:30 a.m. as the time and date for a public hearing on a land use change requested by Rick Merle. All members voting "aye" thereon. Motion carried.

Scott Hansen, Emergency Management Director, met with the Board to discuss the county's multi-hazard plan. Hansen explained that the plan has to comply with minimum requirements from the State Emergency Management Division. Hansen stated that the approval by the State is required at a minimum every five years, however Benton County seeks approval every two years. Hansen stated that the plan covers everything that the Commission believes Benton County would be subject to prior to the September 11, 2001 incident. The Commission in cooperation with the State is in the process of developing procedures to address terrorism issues. Hansen spoke about future training his office will be providing to local officials in response to recent events.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-83. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-83

SEEKING MEMBERSHIP IN NORTH IOWA JUVENILE DETENTION SERVICES

WHEREAS, Benton County is required to pay for juvenile detention services, and

WHEREAS, the Benton County Board of Supervisors has researched various facilities providing juvenile detention services, and

WHEREAS, the Benton County Board of Supervisors has determined that it would be in the best interest of Benton County to join North Iowa Juvenile Detention Services,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Benton County seeks membership in North Iowa Juvenile Detention Services in Black Hawk County, for juvenile detention services.

Dated this 19th day of October, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-84. Voting "aye" were Sass, Vermedahl, and Buch. "Nays" none. Motion carried.

RESOLUTION #01-84

WHEREAS: Benton County Secondary Road Department has an employee that has been employed at his present job classification for a sufficient length of time to change his respective job classification
THEREFORE BE IT RESOLVED By The Benton County Board of Supervisors that the Labor Grade classification of Marc C. Merchant will be VG. VG base wage for Marc will be \$13.90 per hour. Marc C. Merchant rate change will be effective October 21, 2001.

Signed this _____ day of October, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to authorize the chairman to sign the following contracts for the purchase of road right-of-way along V66 south of Van Horne. Kevin Nolan - \$125.00
William and Faye Nolan - \$1,140.00
Eric and Lynette Bossler - \$1,595.00
Gary and Kathleen Bossler - \$7,315.00
Richard Geise - \$3,220.00

All members voting "aye" thereon. Motion carried.

The engineer presented two quotes for a GE radio system including repeater, control station, and twenty-two radios. Quotes were received as follows:

RACOM - \$31,886.80
Radio Communications - \$33,490.15

The engineer explained that he would be able to utilize some of his existing equipment with this type of system. Moved by Vermedahl, seconded by Buch, to approve the quote from RACOM for the purchase of a secondary road radio system. All members voting "aye" thereon. Motion carried.

The engineer presented a quote from Pickering Backhoe to install a drainage pipe connecting to the pipe drain that currently exists between county property and Edward D. Jones and run north to the storm sewer, floor drains, and downspout. The Board requested that another quote be obtained for the same work.

Moved by Vermedahl, seconded by Buch, to enter into the Benton County Transportation FY2002 Transit Purchase of Service Contract with East Central Iowa Council of Governments. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

October 23, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of October 19, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the Recorder's Quarterly Report for the period ending September 30, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt the Benton County 457 Plan as presented with an effective date of January 1, 2002, and said plan will replace the current Benton County 457 Plan in its entirety on that date. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 27808 through 28065, and payroll numbered 12753 through 12895, for payment. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

October 26, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of October 23, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a Utility Permit for Linn County REC to place utility lines in section 13 of Fremont Township. All members voting "aye" thereon. Motion carried.

The time of 9:30 having arrived, and this being the time and date set for a public hearing on a land use change requested by Richard Duncalf, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on a parcel located in a Part of the NE1/4 of the SW1/4 of 24-84-11 (Big Grove Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Moved by, seconded by, to adopt Resolution #01-85. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried.

RESOLUTION #01-85

BE IT RESOLVED by the Benton County Board of Supervisors that \$495.00 be transferred from the General Basic Fund to the Community Development Betterment Grant (CDBG) fund.

Dated this 26th day of October, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____
Jill Marlow

Benton County Auditor

The time of 10:00 a.m. having arrived, and this being the time and date for a public hearing on amending the FY02 Benton County budget, the Board took up the matter for consideration. Notice of this public hearing had been published in the official newspapers in accordance with law. There were no objectors present. Hearing no comment, it was moved by Vermedahl, seconded by Buch, to adopt Resolution #01-86. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried.

**RESOLUTION #01-86
AMENDING THE FY02 COUNTY BUDGET**

BE IT REMEMBERED on this, the 26th day of October, 2001, the Board of Supervisors of Benton County, Iowa, met in session for the purpose of hearing on an amendment to the current operating budget adopted on March 15, 2001. There was a quorum present as required by law. Thereupon, the Board found that the notice of time and place of the hearing had been published on the 10th day of October 2001. Thereafter, and on said date the amendment was taken up and considered and taxpayers heard for and against the amendment as follows: No taxpayers were present. Thereafter, the Board took up the amendment to the budget for final consideration and determined that said budget be amended as follows:

<u>Expenditures</u>	<u>Amendment</u>
Public Safety	+79,000
Court Services	+ 15,000
Physical Health & Education	+ 0
Mental Health	+ 0
Social Services	+105,080
County Environment	+505,500
Roads & Transportation	+119,500
Capital Projects	+100,000

<u>REVENUES</u>	<u>Amount</u>
Intergovernmental	\$500,000
Miscellaneous	\$88,000

Transfers in/out : \$103,000

Beginning Fund Balances on this amendment reflect actual beginning FY02 fund balances.

Service Area 4 – Mental Health – is amended within the service area between functions 41210 and 41220 in the amount of \$72.78.

All line items shall be amended where necessary within each department budget. All departmental appropriations are amended to reflect the above increases/decreases in expenditures.

There will be no tax increase for FY02.

This resolution adopted on the 26th day of October, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Property owners on V66 south of Van Horne met with the Board to discuss the settlement for damages to their properties as a result of the county's road right-of-way widening project. The Board informed those present that \$1500.00 was being offered to homeowners for damages in addition to the purchase price for the right-of-way. The homeowners requested that \$3,000.00 be paid to each of them for damages. The Board advised that the matter was not on the agenda and therefore they could not take any action. The matter was placed on the October 30, 2001 agenda.

Vernon and Lorna Kuhn and Deanna Trumbull met with the Board to request a variance to Benton County's subdivision ordinance. The Kuhns' currently own property in Polk. The Kuhns have parceled off two pieces, one in each of two forty-acre tracts, and would like to now create a third division crossing into both tracts, which results in adherence to the county's subdivision ordinance. The Kuhns are requesting a variance to the subdivision ordinance claiming that strict adherence would result in an undue hardship. Trumbull advised that no further divisions would be made and that all divisions were for family members. Trumbull also stated that an estate plan was developed by the Kuhns approximately twelve years ago when there were no ordinance governing the division of the property. After hearing all discussion, it was moved by Vermedahl, seconded by Buch, to adopt Resolution #01-87

RESOLUTION #01-87

GRANTING VARIANCE TO BENTON COUNTY SUBDIVISION ORDINANCE

WHEREAS: Benton County adopted an ordinance regulating the subdivision of land; and
WHEREAS: Said ordinance provides that the Board of Supervisors may grant a variance if an undue hardship would result if strict adherence to the requirements of the ordinance are adhered to; and
WHEREAS: Vernon and Lorna Kuhn has requested that the Board of Supervisors grant a variance to the subdivision ordinance in Section 11 of Polk Township; and
WHEREAS: The Board of Supervisors finds that strict adherence to the ordinance would cause an undue hardship and a variance would allow for substantial justice and secure the public interest,
THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements set forth in the Benton County Subdivision Ordinance be waived as follows:

1. NW1/4 of 11-86-9
Adherence to all requirements of the subdivision ordinance are waived.

BE IT FURTHER RESOLVED that this resolution is subject to final approval of an agreement between Benton County and Vernon and Lorna Kuhn that states that the divisions of the forty-acre tracts are for the sole purpose of allowing the family to continue with an estate plan initiated under prior rules and regulations. Any future divisions will be subject to the requirements of the Benton County Subdivision Ordinance.

Dated this 26th day of October, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David Vermedahl

Ronald Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Representatives of the Cedar Valley Ranch met with the Board to discuss their current lease/contract with Benton County. Mary Williams, Director of Benton County Social Services, briefly updated the Board on the status of the current contract explaining that it expires on June 30, 2002. Williams discussed the possibility of charging the Ranch an occupancy fee as in other tenant-landlord agreements. Williams also advised that Benton County currently has fewer clients placed at the facility than other counties and believes that the cost of the facility should be shared more equally with other counties if the Ranch paid rent to Benton County.

Bill Nelson, Cedar Valley Ranch Administrator, commented that some counties do charge a monetary fee for use of the county property. Nelson stated that the Ranch however is responsible for all repairs and maintenance with the exception of major items. Nelson advised that there would be additional costs to the county but that it may make it easier to calculate costs to other counties if a rental fee were

charged. Williams requested that the supervisors appoint a representative from their board to meet with Williams and a representative of the Ranch to review the current contract and determine what is in the best interest of both entities. Supervisor Buch agreed to meet with the other representatives to review the Cedar Valley Ranch contract.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

October 30, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of October 26, 2001. All members voting "aye" thereon. Motion carried.

Homeowners along V66 south of Van Horne who are being affected by the county's road right-of-way widening project met with the Board to discuss replacement of their septic systems. The group asked about the deadline for replacement of the systems and requested compensation from Benton County for the same. The individuals were told that they would have until September 1, 2001 to install a legally compliant system approved by the county sanitarian. The issue of compensation was discussed in depth with comments being heard by all parties. Supervisor Sass advised that he was against Benton County paying any money towards the replacement of the septic systems as the systems were illegal and would have to be replaced under current Iowa law. Sass also added that the Board of Supervisors is responsible to the whole county. Supervisor Vermedahl commented that although he agreed with Supervisor Sass, he also believed that the entire county was receiving some benefit from the road project and therefore Benton County could provide some compensation. Moved by Vermedahl, seconded by Buch, to compensate the affected homeowners up to thirty percent (30%) of the cost of the installation of a legally compliant and sufficient system as approved by the county sanitarian limited to parts and labor, with the maximum amount paid set at \$3,000.00 per system. Further, the compensated costs may include a pit or any alterations as required by the replacement of the septic system and is a one-time payment. Supervisors Vermedahl and Buch voting "aye" thereon. Supervisor Sass voting "nay". Motion carried.

Moved by Vermedahl, seconded by Buch, to authorize the county engineer to negotiate the acquisition of property from Daniel and June Schrader and Jay and Sue Herman for the purposes of effectuating the prior motion. Supervisors Vermedahl and Buch voting "aye" thereon. Supervisor Sass voting "nay". Motion carried.

Steve Meyer met with the Board to discuss the emergency medical services grant available from the state. Meyer advised that the county emergency medical association has become aware that the same grant is being offered again to county associations. Meyer reported that a meeting is being scheduled to review ideas that may be used for the grant application and invited the supervisors to attend.

Moved by Vermedahl, seconded by Buch, to set November 27, 2001, at 10:00 a.m. as the time and date for a public hearing on a Community Development Betterment Grant application for the sanitary sewer project in Shellsburg and Timber Ridge trailer court. All members voting "aye" thereon. Motion carried.

Mary Williams, Social Services Director, met with the Board to discuss a client's appeal of her department's decision regarding provision of services. However, the client failed to appear and Williams advised that she had left messages on the client's answering machine notifying of today's hearing, but she was unaware if the client had listened to them. Moved by Vermedahl, seconded by Buch, to defer hearing the appeal until the client has been served with a notice of the time and date of the hearing by certified mail. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried at 11:55 a.m.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

November 2, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of October 30, 2001. All members voting "aye" thereon. Motion carried.

The time of 9:00 a.m. having arrived, and this being the time scheduled to open bids for intersection lighting at U.S. Highway 30 and County Road W12, the Board took up the matter. Three bids were received as follows:

Dickinson Co., Inc. of Oskaloosa, Iowa - \$31,588.00

KWS, Inc. of Cedar Falls, Iowa - \$27,594.00

Voltmer Electric of Decorah, Iowa - \$31,450.00

Moved by Buch, seconded by Vermedahl, to award the bid for the lighting project at U.S. Highway #30 and County Road W12 to KWS, Inc of Cedar Falls at a cost of \$27,594.00. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a Utility Permit for Iowa Telecom to place utility lines in the county's right-of-way in sections 15 and 16 of Harrison Township. All members voting "aye" thereon. Motion carried

Moved by Vermedahl, seconded by Buch, to approve the Tenant Contract for Highway Right-of-Way between Benton County and David K. Thompson to purchase road right-of-way along V66 south of Van Horne at a cost of \$125.00. All members voting "aye" thereon. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Tim and Natalie Carlson, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a commercial use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on a Parcel A in the SW1/4 of the SE1/4 of 27-83-9 (Fremont Township) for a commercial motorcycle, all terrain vehicle, and snowmobile repair business. All members voting "aye" thereon. Motion carried.

The time of 9:45 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Max Miller and Robert Purk, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Vermedahl, seconded by Buch, to approve a land use change on a parcel located in a Part of the SE1/4 of the SW1/4 of 25-82-12 (Iowa Township) for a single residential use. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a farm exemption for Ronald and Joan Franck in the NE1/4 of the SE1/4 of 25-84-10 (Eden Township) as authorized in Benton County's Agricultural Land Use Preservation Ordinance, as the applicants are actively involved in the farming operation. All members voting "aye" thereon. Motion carried.

Gary Fordice updated the Board on various activities in the conservation department. Fordice reported on a hog confinement system being expanded in Polk Township. Fordice also reported on easement concerns at Wildcat Park and problems with all terrain vehicles in various parks. Fordice spoke about construction of a cabin at Hannen Park. Fordice presented a letter signed by the conservation board requesting additional funding and budgetary authority for the construction of the cabin with an estimated cost of \$30,000.00. Supervisor Vermedahl questioned if any analysis had been done to ascertain the financial feasibility of having a cabin. Fordice responded that other similar cabins were in place in other state and county parks. Vermedahl requested Fordice prepare an analysis on the project before the Board of Supervisors considered the request. Fordice also reported that the conservation board is considering an increase in camping fees in Hannen and Rodger's park and requested that all of those receipts be placed into a park improvement fund instead of the county's general fund. Supervisor Buch commented that costs

for operating the parks are paid from the general fund and the park revenue helps offset the costs to the taxpayers.

J.C. Fraker, Dave Thompson, Cindy Forsyth, Mary Williams, and Jackie Michael, met with the Board to discuss substance abuse and mental health commitments. Forsyth advised the Board that placement of involuntary commitments are becoming increasingly problematic due to Benton County's policy on non-payment of fees for private facilities. Forsyth stated that if an officer transports an individual to a hospital without a doctor's name on the committal, then the officer customarily has to wait at the hospital for six hours before the client is admitted. Forsyth commented that the reputation of Benton County with facilities has gone downhill due to the county's refusal to pay for placement. Dave Thompson explained the process for substance abuse and mental health commitments including the county's statutory responsibilities. Thompson said the problem arises because Benton County complies with the statutes but does not have facilities willing to provide the necessary services without a contract in place. Thompson said on occasion, county deputies have transported individuals to facilities only to have the person denied admittance. Thompson advised that other counties have entered into fallback contracts for times when the University of Iowa Hospital is not available. Thompson advised that the county could spend between 20,000 to 60,000 thousand dollars a year that isn't currently being paid by Benton County. J. C. Fraker reiterated on the process and the problems being encountered. Fraker commented that if an individual is a danger to themselves or others, that he as magistrate has to address the matter. Fraker said if he has to deny a committal due to a facility or physician not being available, his order will have to state that reason.

Moved by Vermedahl, seconded by Buch, to approve a ten-day vacation carry-over for Roger Witt. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried at 12:30 p.m.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

November 6, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of November 2, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to table opening bids on the transportation/sheriff's building until Friday, November 9, 2001, at 10:30 a.m., to allow the Board time to research possible space at the Iowa Braille School. If there are no changes to the original specifications put out for bid, then only those bids filed today will be considered. If after researching the space available at the Iowa Braille School, changes to the specifications are desired, then the bidding process will be reinitiated. All members voting "aye" thereon.

The county engineer reported that the balance in the landfill bank account was \$44,678.64 on October 31, 2001.

Mary Williams met with the Board for the purpose of holding a client's appeal to Benton County Relief's decision to deny services. The client failed to appear. Moved by Vermedahl, seconded by Buch, to deny the appeal due to the failure of the client to appear or respond to notices by telephone on October 26, 2001 and October 30, 2001, and notice by certified mail on October 30, 2001. All members voting "aye" thereon. Motion carried.

Alberta Parker met with the Board to request a variance to Benton County's subdivision ordinance. Parker was granted a land use change in 1991 on twenty-five acres to allow for the creation of five five-acre residential lots for family members. The applicant at the time of the land use change stated that there were be no subdividing of the parcel. Subsequently three residences were placed on the property but no division took place. Parker would now like to divide the parcel into five plats to allow each family member to own their respective five-acre piece. The existing residences are currently served by one well but each has an individual septic system. Marc Greenlee advised that Parker has complied with all

regulations over the past ten years. Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-88. Sass, Vermedahl, and Buch voting "aye" thereon. Motion carried.

RESOLUTION #01-88

GRANTING VARIANCE TO BENTON COUNTY SUBDIVISION ORDINANCE

WHEREAS: Benton County adopted an ordinance regulating the subdivision of land; and
WHEREAS: Said ordinance provides that the Board of Supervisors may grant a variance if an undue hardship would result if strict adherence to the requirements of the ordinance are adhered to; and
WHEREAS: Alberta Parker has requested that the Board of Supervisors grant a variance to the subdivision ordinance in Section 22 of Benton Township to allow parceling of five lots; and
WHEREAS: the Board of Supervisors finds that a land use change was granted to Alberta Parker in 1991 on 25 acres for the purpose of establishing five residential lots for use by her family members; and
WHEREAS: The Board of Supervisors finds that Parker has complied with all rules and regulations associated with the land use change throughout the past ten years, and
WHEREAS: The Board of Supervisors finds that Parker has installed individual septic systems and one central well, and
WHEREAS: The Board of Supervisors finds that due to the multiple residential use already established, that strict adherence to the ordinance would cause an undue hardship and a variance would allow for substantial justice and secure the public interest,

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that a variance to the requirements set forth in the Benton County Subdivision Ordinance be granted as follows:

2. The variance is limited to the 25 acre parcel located in the NE1/4 of the NW1/4 and the SE1/4 of the NW1/4 of 22-85-9 on which a land use change was granted in 1991
3. The variance is limited to the creation of five lots
3. The variance waives adherence to *Article 4 Improvements* of the Benton County Subdivision Ordinance #26, as amended.

Dated this 6th day of November, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David Vermedahl

Ronald Buch

ATTEST: _____
Jill Marlow
Benton County Auditor

The Board considered a request for a farm exemption as allowed by the Benton County Agricultural Land Use Preservation Ordinance. Michael R. Crow requested the exemption as he is actively engaged in a farming activity as defined by said Ordinance. Moved by Vermedahl, seconded by Buch, to grant a farm exemption in accordance with the Benton County Agricultural Land Use Preservation Ordinance to allow for a farm residence on a parcel located in the NW1/4 of the NE1/4 of 29-82-11, said parcel containing approximately thirty acres as the owner is actively engaged in a farming operation. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried at 12:10 p.m.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

November 9, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

The Board proceeded immediately to the Iowa Braille and Sight Saving School to view available office space. The Board toured the Cottage building consisting of approximately 5,000 to 6,000 square feet of available space. There was no garage space available at the site. The Board then returned to the courthouse to continue with the remainder of the meeting.

Moved by Vermedahl, seconded by Sass, to approve the minutes of November 6, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve and direct the chairman to sign the following Right-of-Way Acquisition contracts on property along V66 south of Van Horne:

Brent & Christy Hodnefield - \$5,105.00

Troy & Sara Tiedemann - \$11,435.00

Mildred Schlue, Bill & Karen Schlue, and Mary & Stuart Richardson - \$6,815.00

Bill & Karen Schlue - \$11,985.00

Mildred Schlue - \$2,645.00

Mike & Meg Geater - \$3,660.00

Rick Nolan - \$8,910.00

Ed Fry (tenant contract) - \$75.00

All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set the price for salt and sand mix for the 2001/2002 winter as follows:

Governmental Entity - \$24.00 per ton

Private Entity - \$26.00 per ton

All members voting "aye" thereon. Motion carried.

The time of 10:30 a.m. having arrived, and this being the time set to open bids on building to house transportation and sheriff's vehicles, storage and offices, the board proceeded with the matter. The Board had, in accordance with law, contacted all school districts within Benton County to ascertain if space was available. The Board was contacted by the Iowa Braille and Sight Saving School about available space, and having toured the facility, finds that the space available does not meet the needs of the county for garage space. The Board did not receive notification of any other school districts with space available. The Board proceeded with opening the two bids received. The bids were as follows:

United Building Center - \$52,987.00

Cleary Buildings - \$45,532.00

Upon inspection of the bids, the Board found that Cleary Buildings could not guarantee a start date within thirty days as set out in the bid documents and also that no bid bond was enclosed. The Board found that United Building Center had met the requirements set out in the bid documents. Moved by Vermedahl, seconded by Buch, to award the bid for the transportation/sheriff building to United Building Center at a cost of \$52,987.00 with a start date within thirty days and a completion date by the end of winter. Said bid is awarded to United Building Center due to the failure of Cleary Buildings to meet the requirements set out in the bid documents regarding the start date and bid bond. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve 3.75 hours of vacation carry-over for Delane Dunkel. All members voting "aye" thereon. Motion carried.

Todd Wiley met with the Board to request a separation distance waiver for a hog confinement facility SW1/4 of section 3 of Polk Township. Wiley discussed the construction of a facility adjacent to his current operation. The facility does not meet the 1,250 feet separation distance required from a wildlife area that is owned by Benton County. The Board discussed the terms and conditions available to the county in granting the waiver with the county attorney. Discussion also included the conservation board's management and control of the area and the need for their approval. Moved by Vermedahl, seconded by Buch, to direct Wiley to the Benton County Conservation Board for a recommendation and/or preliminary approval of the requested waiver and possible stipulations or amenities, if any, desired by the conservation board in granting the waiver. Further, after meeting with the conservation board, Wiley is to return to the Board of Supervisors with said recommendation and a proposed waiver agreement for final action. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried at 12:05 p.m.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

November 13, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 8:30 a.m.

The Board immediately proceeded to canvass the City Elections held on November 6, 2001. Having canvassed said election, it was moved by Buch, seconded by Vermedahl, to declare those persons so elected to their respective positions as recorded in the election books filed in the office of the county auditor, it further declared that upon drawing the name of Tamara Coleman from a hat in accordance with law in the tie vote for the race of council member in the City of Urbana between Jacqueline Michael and, that Tamara Coleman is declared the winner in said race. The auditor is directed to file the results of the election in her office in accordance with law. All members voting "aye" thereon. Motion carried.

The time of 9:30 having arrived, and this being the time and date set for a public hearing on a land use change requested by Rick Merkle, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a commercial use for a sporting dog kennel and breeding business. The applicant advised that the business would be an indoor kennel facility housing approximately twenty to thirty dogs at any one time. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on Parcel A located in the SW1/4 of the SW1/4 of 5-86-9 (Polk Township) for a commercial use. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve claims numbered 28066 through 28424, and payroll numbered 12896 through 13037, and payroll numbered 13038 through 13179, for payment. All members voting "aye" thereon. Motion carried.

Dave Coulter and Renee Tharp of Benton Development Group (BDG) met with the Board to provide an update on the Group's activities.

Jack Noble presented a proposal for health insurance for Benton County employees. Noble presented a health insurance plan through John Deere Insurance for the Board's consideration. No action was taken.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Brenda Sutton, Deputy Auditor

November 20, 2001

The Benton County Board of Supervisors met in regular adjourned session at Keystone City Hall with Supervisors Vermedahl and Buch present, Supervisor Sass was absent. Vice-Chairman Vermedahl called the meeting to order at 7:00 p.m. with a few minutes of silence for remembrance of Bob Schmidt, a Keystone city employee who passed away recently.

Moved by Buch, seconded by Vermedahl, to approve the minutes of November 9, 2001, and November 13, 2001. Both members voting "aye" thereon. Motion carried.

Dan Schulte of Watkins met with the Board to discuss issues concerning wastewater treatment and private septic systems in Watkins. Schulte spoke with the Iowa Department of Economic Development (IDED) who advised that the Community Development and Betterment grant was not awarded to the Watkins wastewater project due to the USDA (United States Department of Agriculture) not guaranteeing local funding. Schulte has left messages at the USDA office regarding the lack of funding but no calls have been returned as of this date. Schulte also advised the Board that immediate problems were current systems that are not code conforming and the probability that the sanitarian will require the septic systems to be replaced. Schulte requested that the Board consider granting an extension to Watkins to comply with

the county's on-site wastewater treatment and disposal ordinance until a new CDBG application has been considered. Schulte also spoke about other systems that may be available to the area versus the system in the original CDBG application, which could result in lower project costs. Schulte also requested that the Board grant some leniency with the compliance requirements by allowing variances for a year or two and allow current properties in Watkins to transfer ownership without installing code-conforming septic systems. The Board told Schulte that his requests would require further research by the Board before any comment or action could be taken.

Moved by Buch, seconded by Vermedahl, to approve the 2001 Weed Commissioner's Report. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the Sunday Sales & Liquor License for Kimm's Sinclair. Both members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried.

David H. Vermedahl, Vice-Chairman

ATTEST: _____
Jill Marlow, Auditor

November 27, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Vermedahl and Buch present. Supervisor Sass was absent. Vice-Chairman Vermedahl called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of November 20, 2001. Both members voting aye thereon. Motion carried.

Supervisor Sass arrived at 9:15 a.m.

Moved by Vermedahl, seconded by Buch, to approve 5.75 hours of vacation carry-over for Mary Ann Blumer. All members voting aye thereon. Motion carried.

The time of 10:00 a.m. having arrived, and this being the time and date set for a public hearing on a joint Community Development Block Grant Application with the City of Shellsburg, the Board opened the public hearing by announcing the following:

The Board explained that the City of Shellsburg and Benton County are proposing to submit a joint Community Development Block Grant Application to the Iowa Department of Economic Development. The grant funds will be used to help finance improvements to the wastewater treatment system in Shellsburg in order to comply with a directive from the Iowa Department of Natural Resources. Specifically, the project involves the construction of an activated sludge/extended aeration treatment system. In addition, 1.87 miles of 6" force main and a lift station will be constructed to provide sewer service to the Timber Ridge Mobile Home Park.

The grant application will be submitted to the Iowa Department of Economic Development on December 6, 2001.

The City and County are requesting \$513,000 in grant funds for the proposed project. If the grant is approved by the State, the City intends to commit \$1,269,000 in matching funds from the SRF loan program.

The project will benefit the entire City of Shellsburg, as well as residents of the mobile home park. It was determined that 56% of the beneficiaries are of low-and-moderate income.

It will not be necessary to displace or relocate any homeowners as a result of the proposed program.

The Board then opened the hearing for public question and/or comment. Hearing none, the Chairman declared the public hearing closed.

Mary McLaughlin, Information Services Manager for Benton County, and the county treasurer and the county auditor met with the Board to discuss the purchase of financial, voter registration, and absentee voter software from Computer Management Services. McLaughlin explained that the county currently utilizes software from the same county for real estate, taxation, and receipting. The financial software being sought would be compatible with the software already being used. McLaughlin further explained that IBM would no longer support the county's current hardware and consequently the county needs to move into a PC environment with new financial software. Moved by Vermedahl, seconded by Buch, to enter into a purchase agreement with Computer Management Services for financial software for

Benton County at a cost not to exceed \$22,120.00, not including conversion, which will be billed at \$120.00 per hour or \$106.25 per hour on-site. All members voting aye thereon. Motion carried.

The Board exchanged labor proposals with the Chauffeurs, Teamsters & Helpers Local 238, and affiliate of the International Brotherhood of Teamsters representing employees of the Benton County Sheriff's Department.

Moved by Buch, seconded by Vermedahl, to direct the chairman to sign the Emergency Medical Services System Development grant application for \$25,000.00. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve claims numbered 28425 through 28634 for payment. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting aye thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

November 30, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of November 27, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to set the date for a public hearing on a land use change requested by Jay and Amy Eggert for December 21, 2001, at 9:30 a.m. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a farm exemption requested by John Stein in the NE1/4 of the NE1/4 of Section 31 of Fremont Township as the applicant is actively engaged in a farming activity. All members voting "aye" thereon. Motion carried.

Barb Greenlee discussed the county's involvement in the lead program and the mandates being handed down by the State of Iowa affecting the health department. Greenlee also discussed the Grants to Counties program and the mandate from the State that the program be conducted electronically which may require additional equipment in the health department. Greenlee also advised that the health department no longer desires to administer the lead-testing program in Benton County. Greenlee advised that the lead testing could be done by other agencies. This would eliminate the need for the sanitarian to maintain lead-testing certification, the time involved to administer lead testing, and the additional costs to the county's health department. Supervisor Vermedahl commented that he did not believe the Board was in a position to take any action on the request of Greenlee to discontinue the lead program until further research could be done.

Scott Hansen spoke to the Board about problems being encountered with rural addressing. Hansen advised that due to housing developments, the county is beginning to run out of addresses in some areas. Hansen stated that he was going to have to either renumber those residences in developments by assigning lot numbers or look at some other type of numbering system. Hansen also commented that some post offices are having problems with processing the mail when lot numbers are assigned to one rural address due to their automated equipment. The Board agreed that renumbering those residences within subdivisions by assigning lot numbers should be done as required by county ordinance.

The county engineer discussed the TEA-21 applications received from the East Central Iowa Council of Governments for the purpose of prioritization. Moved by Buch, seconded by Vermedahl to table action on the applications until December 7, 2001. All members voting "aye" thereon. Motion carried.

Tracy Mulcahey met with the Board to discuss the Down Payment Housing Assistance Grant the county received. Mulcahey explained that she currently has sought applicants within the communities that made local matches; however she has been unable to secure any applicants. Mulcahey spoke to the Board about broadening the grant area to include other areas of the county. The grant expires in March of 2002 but an extension will be requested. Moved by Buch, seconded by Vermedahl, to expand the area eligible to

apply for the grant funds to the remainder of the county, except in areas currently applying for and who subsequently receive similar grant funds. All members voting aye thereon. Motion carried.

The Board discussed the lack of substance abuse recovery facilities and services in Benton County. No action was taken.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried at 12:15 p.m.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

December 7, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:05 a.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of November 30, 2001. All members voting aye thereon. Motion carried.

The Board met with the department heads to discuss the FY03 budget. Supervisor Vermedahl told those present that a two to three percent bottom line increase would be considered for each department, excluding the increase in health insurance costs. The board requested that all budget requests be returned to the county auditor.

Moved by Vermedahl, seconded by Buch, to approve the Tenant Contract for Highway Right-of-way between Don Becker and Benton County, and to table action on a contract between Benton County and Jeanette Thorman for the purchase of right-of-way until December 11, 2001. All members voting aye thereon. Motion carried. The tenant contract is for the road right-of-way widening project south of Van Horne and settled at a cost of \$25.00.

The engineer reported that the balance in the landfill account as of November 30, 2001, was \$40,373.67.

Moved by Vermedahl, seconded by Buch, to approve a Utility Permit for Iowa Telecom to place utility cable in the county's right-of-way in section 22 and 23 of Iowa Township. All members voting aye thereon. Motion carried.

The Board discussed the maximum amounts of TEA-21 funds available to the communities in Benton County. The engineer reported that a prior Board in 1996 had set the maximum amount at \$40,000.00 per year per project for the communities. Moved by Buch seconded by Vermedahl, to set the maximum amount of TEA-21 funds available to communities at \$125,000.00 per year per project or a maximum of \$250,000.00 per project over three consecutive years. All members voting aye thereon. Motion carried.

The Board discussed the TEA-21 applications received from the East Central Iowa Council of Governments (ECICOG). The Board is required to prioritize the applications and submit to the ECICOG for further funding consideration. Three applications were received as follows:

Benton County - bridge replacement project west of Shellsburg

City of Belle Plaine - 13th street overlay project

City of Garrison (R.A.I.L.S.) - depot project

Moved by Buch, seconded by Vermedahl, to table prioritization on the TEA-21 applications until December 14, 2001. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #01-89. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried.

RESOLUTION #01-89

WHEREAS, Benton County is required to provide juvenile detention services, and

WHEREAS, due to escalating costs for said services the Board finds it necessary to join with other counties to provide said services, and

WHEREAS, having researched various detention facilities in the area, the Board finds that joining North Iowa Juvenile Detention Services Commission would be in the best interest of Benton County for the provision of juvenile detention services,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Benton County join North Iowa Juvenile Detention Services Commission. The chairperson is hereby authorized to sign all

documents required to join said Commission and the auditor is authorized to make the necessary payments in conjunction with membership into the organization.
Dated this 7th day of December, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Brenda Sutton

Deputy Benton County Auditor

Supervisor Buch left the meeting at 11:20 a.m.

Moved by Vermedahl, seconded by Sass, to adjourn. All members voting aye thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Brenda Sutton, Deputy Auditor

December 11, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 1:00 p.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of December 7, 2001. All members voting "aye" thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-90. Voting aye were Sass, Vermedahl, and Buch. Nays none. Motion carried.

RESOLUTION #01-90

WHEREAS, the Benton County Board of Supervisors adopted Resolution #01-87 on October 26, 2001 wherein a variance was granted to Vernon and Lorna Kuhn subject to approval of a final agreement; and **WHEREAS**, Marc Greenlee, Land Use Administrator, has presented an Agreement for approval by the Board of Supervisors,

NOW THEREFORE BE IT RESOLVED that the following Agreement be and is hereby approved:

AGREEMENT BETWEEN
VERNON AND LORNA KUHN AND
BENTON COUNTY, IOWA

On October 26, 2001 the Benton County Board of Supervisors adopted Resolution #01-87 whereby the requirements set forth in the Benton County Subdivision Ordinance are waived for property owned by Vernon and Lorna Kuhn located in Section 11, Township 86, Range 9, Benton County, Iowa.

The resolution states that the divisions of the forty-acre tracts are for the sole purpose of allowing the family to continue with an estate plan initiated under prior rules and regulations.

The resolution stipulated that final approval is subject to an agreement between Benton County and Vernon and Lorna Kuhn that states that "any future divisions of this property will be subject to the requirements of the Benton County Subdivision Ordinance.

It is, is therefore, agreed by the undersigned to comply with the stipulations of the Benton County Board of Supervisors as adopted within Resolution #01-87 regarding any future divisions of this property.

Signed by Vernon Kuhn and Lorna Kuhn on the 4th day of December, 2001.

Signed this 11th day of December, 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Jill Marlow
Benton County Auditor

Moved by Vermedahl, seconded by Buch, to approve payroll numbered 13180 through 13322, and claims numbered 28635 through 28871, for payment. All members voting aye thereon. Motion carried.

Mary Williams and Dave Thompson met with the Board to discuss mental health and substance abuse commitments. Williams explained that the county has utilized the University of Iowa Hospitals (UIH) for placement of persons committed, however due to State budget cuts, the UIH has notified the county that they may no longer be offering substance abuse emergency committal placement services. Williams presented information on costs for pre-hearing placement and post-hearing treatment at various facilities. Thompson explained the problems being encountered with placement at facilities. Thompson stated that counties with contracts in place have several contracts allowing for back-up options if the first facility was full.

Moved by Buch, seconded by Vermedahl, to direct the county attorney to review and/or draft contracts for mental health and/or substance abuse in-patient services, including both pre-hearing and post-hearing services, with Mecca, Mercy Hospital/Sedlacek, the Area Substance Abuse Counsel Residential Treatment Center in Cedar Rapids, and St Luke's Hospital. The county attorney is to present the contracts for final approval to the Board of Supervisors. Further, the county attorney, in conjunction with the Central Point Coordinator, is to draft a flow chart for county and state employees to utilize when accessing the facilities for the provision of the stated services. Further, the county attorney is to research and draft, if possible, a collection procedure for recovery of the associated costs for the services from the respondent. All members voting aye thereon. Motion carried.

Mary Williams met with the Board to discuss a change to the appeal process under the county's Mental Health Management Plan. Williams reported that a recent court decision ruled that a county board of supervisors couldn't be the decision-makers on an appeal. Williams further advised that the planning committee has recommended that an administrative law judge be the person with final administrative decision on an appeal. Moved by Vermedahl, seconded by Buch, to direct Williams to draft an amendment to the County Management Plan to reflect that the administrative law judge will be the final administrative decision on appeals and any other necessary changes needed to implement the new appeal process. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to sign the Wellmark Flexible Benefits Plan for 2002. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to appoint Ron Buch to the North Iowa Juvenile Detention Services Commission. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting "aye" thereon. Motion carried at 3:45 p.m.

Edward E. Sass, Chairman

ATTEST: _____

Jill Marlow, Auditor

December 14, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of December 11, 2001. All members voting "aye" thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the contract for the purchase of highway right-of-way from Jeanette Thorman, et. al. at a cost of \$3,490.00. The right-of-way is for the road - widening project on V66 south of Van Horne. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve a Utility Permit for Iowa Telecom to place cable in the county's right-of-way in section 17 of Iowa Township. All members voting aye thereon. Motion carried.

The Board discussed the three TEA-21 applications received for prioritization. The matter had been tabled from an earlier date to allow time to consult with the City of Garrison. The grants provide 80% of the funds with a 20% local match required. Cyndee Pattee, Garrison City Council Member, explained that Garrison was aware of the 20% local match required but the local match was to be raised by the R.A.I.L.S. group and would not come from the City of Garrison. Garrison would only administer the grant funds. Scott Hansen representing R.A.I.L.S. advised that the group was aware that they would need to raise the 20% local match. R.A.I.L.S. plans to use the building as their primary office and storage facility if they are able to obtain the property.

Moved by Vermedahl, seconded by Buch, to prioritize the TEA-21 applications as follows:

1. Benton County E36 Bridge Project - \$140,000.00 federal aid requested
2. Belle Plaine 13th Street Overlay Project - \$123,520.00 federal aid requested
3. Garrison (R.A.I.L.S.) – Depot Project - \$100,000.00 federal aid requested

All members voting aye thereon. Motion carried.

Alberta Reifentahl met with the Board to discuss listing the telephone number for the Volunteer Cooperative in the telephone book. Currently there is no listing and to place a listing in the book will cost \$22.00 initially, and \$6.00 per month. Reifentahl requested that Benton County pay the costs of the listing. Moved by Vermedahl, seconded by Buch, to pay the costs of a telephone book listing for the Benton County Volunteer Cooperative. All members voting aye thereon. Motion carried.

Alberta Reifentahl also discussed office space for the Volunteer Cooperative. Currently, the county provides an part-time office in the courthouse. Reifentahl commented that a larger area was needed due to the growth of the organization and the expansion of hours. Reifentahl hopes that the Board allows the Volunteer Cooperative to occupy the office vacated by the transportation department when their new facility is completed.

The Board discussed political careers with a group of Vinton-Shellsburg high school students.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting "aye" thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

December 18, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Norway Library with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 7:00 p.m.

Moved by Vermedahl, seconded by Buch, to approve the minutes of December 14, 2001. All members voting aye thereon. Motion carried.

Discussion was held regarding the county shed in Norway. Gary Boddicker spoke about the city's street not being able to stand up to the wear caused by the county's maintainer when it goes in and out of the county shed. Boddicker stated that the damage to the road is not due to the maintainer operator but rather the equipment. The city is requesting support from the county in maintaining and/or improving the street.

Boddicker also discussed the recycling program. Boddicker asked if it would be possible to get another recycling trailer for cardboard and also if the recycling trailers could be changed more often. Supervisor Buch responded that Benton County and all of the communities are studying a curbside recycling program and that a meeting is being held on January 15, 2002 regarding the matter. Buch commented that recycling is ultimately the community's responsibility. Buch advised Boddicker that if the trailer is full, Boddicker could contact the recycling department and have the trailers changed out.

Mayor -elect Burt Day asked if the county would continue the recycling program or if the communities would be responsible. Supervisor Vermedahl advised that the collection part of the recycling program will be the cities' responsibility but the county will continue to be involved in the program. The Board stated that recycling is needed to reduce the amount of tonnage going into the county's landfill as required by the Department of Natural Resources.

Boddicker also asked what entity had control over the cattle lot southeast of Blairstown and what the cities' could do to prevent that type of operation from being sited near them. The Board advised the regulating of confinement facilities was under the jurisdiction of the Department of Natural Resources, and that agricultural uses were exempt from the county's land use ordinance.

Discussion was also held regarding the sewage disposal in Watkins and extra-territorial zoning for cities. These matters will be discussed further at future board meetings.

Dennis Greenlee met with the Board to request funding for the Belle Plaine Historical Society for FY03. Greenlee advised that the organization currently has over 200 members and is currently looking for a building. The organization is requesting that the Board of Supervisors include \$1,000.00 in their FY03 budget for their organization the same as other similar organizations.

Moved by Buch, seconded by Vermedahl, to approve the hire of Chris Rider as a full-time deputy with the sheriff's department effective December 29, 2001, at a wage as set forth in the union contract. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adjourn. All members voting aye thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____
Jill Marlow, Auditor

December 21, 2001

The Benton County Board of Supervisors met in regular adjourned session at the Benton County Courthouse with Supervisors Sass, Vermedahl, and Buch present. Chairman Sass called the meeting to order at 9:00 a.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of December 18, 2001. All members voting aye thereon. Motion carried.

Mark Baty and Sandra Tiech met with the Board to discuss the restructuring and reorganization of the Department of Human Services. Baty will become the regional director and be supervising operations in Benton County. The changes will be implemented during the month of January with everything in place by March 1, 2002. Benton County will remain a full-time office with additional costs being shifted to the county.

Moved by Vermedahl, seconded by Buch, to approve 30 hours of vacation carry-over for Barbara Greenlee, said carry-over is to be used by July 1, 2002. All members voting aye thereon. Motion carried.

The time of 9:45 having arrived, and this being the time and date set for a public hearing on a land use change requested by Jay and Amy Eggert, the board took up the matter for consideration. Marc Greenlee presented the technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is for a change to a single residential use. Hearing all comment, it was moved by Buch, seconded by Vermedahl, to approve a land use change on Parcel A located in the SW1/4 of the SW1/4 of 35-84-10 (Eden Township) for a single residential use. All members voting aye thereon. Motion carried.

The county engineer explained that the contract with United Building Centers for the transportation/sheriff building did not include \$1,300.00 in sales tax. Parizek advised that sales tax would have to be paid and reimbursement applied for through the State.

Moved by Vermedahl, seconded by Buch, to approve a lease agreement for placement of the secondary roads' radio antenna on the FOX tower at a cost of \$500.00 per month. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve the contract for the purchase of highway right-of-way from Timothy J. Fett at a cost of \$10,440.00. The right-of-way is for the road -widening project on V66 south of Van Horne. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to approve claims numbered 28872 through 29082, and payroll numbered 13323 through 13465, for payment. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adopt Resolution #01-91. Supervisors Sass, Vermedahl, and Buch voting aye thereon. Nays none. Motion carried.

RESOLUTION #01-91

BE IT RESOLVED by the Benton County Board of Supervisors that \$1,391.00 is transferred from the General Basic fund to the CDBG fund, and that \$60,000.00 is transferred from the General Basic fund to the Capital Projects fund.

Dated this 21st day of December 2001.

BENTON COUNTY BOARD OF SUPERVISORS

Edward E. Sass, Chairman

David H. Vermedahl

Ronald R. Buch

ATTEST: _____

Delane Dunkel, Deputy
Benton County Auditor

Gary Fordice, Executive Director of Benton County Conservation, met with the Board to update them on activities occurring in the county's parks. Fordice also planned to speak with the Board about construction of a cabin at Hannen Park but had not received all of the information. Fordice advised that he would speak with the Board about the cabin in January.

Moved by Buch, seconded by Vermedahl, to send a written request to the City of Norway regarding the possibility of connecting Watkins to the Norway sewer system. All members voting aye thereon. Motion carried.

Moved by Vermedahl, seconded by Buch, to adjourn. All members voting aye thereon. Motion carried.

Edward E. Sass, Chairman

ATTEST: _____

Delane Dunkel, Deputy Auditor