

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

139

January 3, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of December 27, 2011. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to appoint Robert Spangler to the Benton County Historical Preservation Commission, for a three-year term. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to appoint David Vermedahl to the ECICOG Region 10 Transportation Policy Committee Board and Ron Buch, as an alternate, both for three-year terms. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to appoint Bill Daily to the ECICOG Board of Directors, and Ron Buch, as an alternate, both for three-year terms. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to appoint Myron Parizek to the ECICOG Region 10 Transportation Technical Committee, for a three-year term. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to appoint Martha Long and Wayne Shannon to the Pioneer Cemetery Commission, for three year terms. All members voting aye thereon. Motion carried.

Mary Williams, Social Services Director, requested clarification on what costs would be paid to St. Luke's for commitment services. Moved by Buch, seconded by Sanders, that Benton County pay the no contract cost of \$605.22 per day for pre-hearing days, and that post-hearing days will be decided on a case-by-case basis. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to appoint Nancy Farmer to the DECAT board. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to support the Urbana application for Region 10 STP Transportation funds for a re-paving project on Union Street. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to accept bids for two bridge projects – IDOT BROS-CO06(83)—8J-06 and BROS-CO06(84)—5F-06:

Taylor Construction - bridge project north of Mt. Auburn on 50<sup>th</sup> Street - \$239,513.90 and

Taylor Construction – bridge project west of Hannen Lake on the county line -\$249,553.00

All members voting aye thereon. Motion carried.

The engineer reported that the balance in the landfill account on December 31, 2011, was \$75,118.53.

Moved by Buch, seconded by Sanders, to approve the auditor's quarterly report for the period ending December 31, 2011. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to appoint Christine Kraemer to the 2012 Eminent Domain Commission. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to table appointment of member to the Iowa Valley R C & D, for a three-year term. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-1, Amending Resolution #09-77, Integrated Roadside Vegetation Management Committee. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

## **RESOLUTION 12-1**

### **AMENDING RESOLUTION 09-78**

#### **INTEGRATED ROADSIDE VEGETATION MANAGEMENT COMMITTEE**

WHEREAS, the Benton County Board of Supervisors adopted Resolution #09-78, Integrated Roadside Vegetation Management Committee on December 1, 2009; and

WHEREAS, said Resolution 09-78 created an advisory committee on integrated roadside vegetation management; and

WHEREAS, the committee was comprised of persons from public and private sectors; and

WHEREAS, the board seeks to amend said resolution to reflect that the number of persons from each sector is desired but not required,

NOW THEREFORE BE IT RESOLVED that Resolution #09-78, Integrated Roadside Vegetation Management Committee adopted on December 1, 2009, creating an advisory committee is hereby amended as follows:

The following language is stricken:

"An Integrated Vegetation Management Advisory Committee is formed to assist in the planning and implementation of Benton County's roadside management efforts. The committee shall consist of no more than ten persons and be comprised of five persons representing the public sector (federal, state, and local) and five persons representing the private sector."

And the following language is inserted in lieu thereof:

"An Integrated Vegetation Management Advisory Committee is formed to assist in the planning and implementation of Benton County's roadside management efforts. The committee shall consist of no more than ten persons and be comprised of persons representing the public sector (federal, state, and local) and persons representing the private sector. It is intended, but not required, that committee representation between the public sector and the private sector be equal in number. "

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All other language in the resolution remains in full force and effect.

Dated this 3rd day of January 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

The board presented their initial FY13 labor proposal to Teamsters representing the employees of the sheriffs' department.

Supervisor Vermedahl commented that the board needs to determine what FY13 salaries will be for non-union employees as the county begins its FY13 budget process.

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

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David H. Vermedahl, Chairman

ATTEST:

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Jill Marlow, Benton County Auditor

January 10, 2012

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Sanders and Buch present. Vice-Chairman Sanders called the meeting to order at 9:10 a.m.

Charles James Veterans Affairs Director met with the board to discuss his salary. James presented information regarding what surrounding counties Directors are earning. James is requesting his salary be changed from \$15.32 an hour to \$22.00 an hour. The average salary from the surrounding counties is \$22.81 an hour. Supervisor Sanders questioned James if he spoke to the Veterans Affairs (VA) Commission; James said he had not. Supervisor Buch told James that he should speak with the VA Commission and have the VA Commission make a recommendation to the supervisors. No action was taken by the supervisors other than they advised James to return after speaking with his commission.

Moved by Buch, seconded by Sanders, to approve the treasurer's semi-annual report for the period ending December 31, 2011. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the minutes of January 3, 2012, with the correction of Kristina Kraemer changed to Kristina Kremer. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to appoint Jennifer Zahradnik to the Benton County Civil Service Commission for a six-year term expiring December 31, 2017 and to appoint Don Krug to the Benton County Civil Service Commission to fill the vacated term expiring December 31, 2015. Both members voting aye thereon. Motion carried.

The board discussed the appointment of the 2012 Wellness Committee. The board did not take action on the matter, but deferred it until they could discuss this matter with the county auditor.

Moved by Buch, seconded by Sanders, to appoint Karen Peterson to the Benton County Land Use Adjustment Board for a five-year term. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 133535 through 133788, and ACH deposits numbered 13112 through 133602, for payment. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to appoint Myron Parizek as county engineer, for an indeterminate period, but not to exceed three years pursuant to Iowa Code 309.1. This action does not create an employment contract. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the Recorder's Quarterly Report for the period ending December 31, 2011. Both members voting aye thereon. Motion carried.

Gina Edler, Elections Clerk informed the board about an error that was found on the September 9, 2008, School Election Public Measure Abstracts. The abstracts for the public measures that were on the ballots stated that the public measures were not passed but they were, in fact, passed. It was a clerical error made in the States voting system. Moved by Buch, seconded by Sanders, to sign corrected abstracts from School Election held on September 9, 2008. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by Poweshiek Water Association to place utility lines in the county's right-of-way in Eldorado Township under 71<sup>th</sup> Street. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve 8.25 hours of vacation carry-over requested by Dan Higdon, to be used no later than April 1, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by South Slope Cooperative Communications Company to place utility lines in the county's right-of-way in Florence Township along and under Benton-Linn Road. Both members voting thereon. Motion carried.

Scott Bahmann discussed purchasing a maintenance truck for the conservation department. Bahmann stated conservation currently has a 1999 truck, which has a lot of issues. The truck wouldn't be worth anything on a trade, so the department plans to keep it for a plow truck at Hannen Park in the winter. Bahmann is currently receiving estimates on a 1-ton truck with a dump and plow. He is going to ask the conservation board about moving budgetary funds from the administrative assistant

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position (unfilled) to the operations budget to cover the purchase. Bahmann wanted to notify the board of supervisors about the possible shift in budgetary funding.

Board briefly discussed appointments to the ECICOG Boards. Sanders and Buch wished to discuss these board appointments with Supervisor Vermedahl before taking any action.

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

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Jason Sanders, Vice- Chairman

ATTEST: \_\_\_\_\_  
Gina Edler, Benton County Clerk

January 17, 2012

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Vermedahl, Sanders and Buch present. Chairman Vermedahl called the meeting to order at 9:03 a.m.

Moved by Sanders, seconded by Buch, to approve the minutes of January 10, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders to set land use hearing date for Jacob & Samantha Fish NW ¼ SW ¼ Section 23-85-9 for February 14<sup>th</sup>, 2012 at 9:15 a.m. All members voting aye thereon. Motion carried.

The board discussed current law enforcement contracts with cities. Sheriff Randy Forsyth stated that Item A should be eliminated out of the contracts before July 1. Moved by Sanders, seconded by Buch to defer current law enforcement contracts till the next contract year, but needing to have wording changed before May 1<sup>st</sup>, 2012. All members voting aye thereon. Motion carried.

Not on the agenda, Sheriff Forsyth discussed with the board snow removal issues. Forsyth stated he believed the courthouse maintenance department was doing the sidewalk around the law enforcement center but he needed someone to blow out the law enforcement center's new parking lot and between the two buildings. He questioned if the maintenance department was not capable of blowing the snow out of the parking lot if he would have to purchase something or if he could have it contracted out. Forsyth received an estimate from Kurt's Enterprises for \$140/hour using a truck and skid loader, they thought it would take 15 minutes to clean out the parking lot. No formal action was taken.

Moved by Buch, seconded by Sanders to accept the resignation of Larry Schlue from the Civil Service Commission. All members voting aye thereon. Motion carried.

Mary Lou Erlacher did not come in and speak with the board regarding workplace learning connection update with Benton County Schools due to weather; she was placed on the January 31<sup>st</sup> agenda.

Moved by Sanders, seconded by Buch to adopt Resolution #12-2 Wage & classification change for Brian Toney. All members voting aye thereon. Motion carried.

RESOLUTION 12-2

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 Toney will be IVD (Maintainer Operator). IVD bas wage for Brian Toney will be \$18.16 per hour. Brian Toney rate change will be effective January 17<sup>th</sup>, 2012.

Signed this 17<sup>th</sup> day of January, 2012

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David H. Vermedahl, Chairman

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Ronald R. Buch

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Jason D. Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Vermedahl to approve 75 hours of vacation for Myron Parizek carry over to be used by April 1<sup>st</sup>, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders to approve and authorize the chair to sign contracts BROS-CO06(83)—8J-06 for bridge replacement on Benton-Iowa Rd and BROS-CO-06(84)—5F-06 for bridge replacement on 50<sup>th</sup> St. All members voting aye thereon. Motion carried.

County Engineer Myron Parizek discussed with the board per capita for the Benton County Landfill. Parizek stated he is not recommending the per capita be changed for the landfill. He did question the Board if there could be maybe an additional fee for furniture. Parizek has seen where other counties have additional charges for furniture. It is harder to maneuver around furniture especially mattresses and box springs. Board stated they would defer this till the next meeting. No action was taken.

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The time of 11:00 a.m. having arrived, and this being the time and date for a public hearing on vacating a part of 16<sup>th</sup> Avenue between Monroe Township Section 1 and Jackson Township Section 6, the board took up the matter for consideration. Myron Parizek stated he contacted the surrounding property owners and did not hear any objections. Moved by Buch, seconded by Sanders, to Adopt Resolution #12-3 Resolution to Vacate a County Road. All members voting aye thereon. Motion carried.

## RESOLUTION 12-3 Resolution to Vacate a County Road

WHEREAS, this being the date and time set for the hearing on the proposed vacation and closure of a portion of Benton County Secondary Road, described as follows:

**That portion remaining on "16<sup>th</sup> Avenue" commencing 1200 feet south of the NW corner of Section 6 T85N R11W, thence north to the south right-of-way line of "56<sup>th</sup> Street". Said road described as being 66 feet wide, lying half in both Jackson and Monroe Township.**

WHEREAS, No objections have been received, either in writing or by persons present.

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that the subject section of road be ordered vacated and closed.

Signed this 17<sup>th</sup> day of January, 2012.

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David H. Vermedahl, Chairman

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Ronald R. Buch

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Jason D. Sanders

ATTEST:

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Jill Marlow, Benton County Auditor

County Attorney David Thompson and Assistant County Attorney Emily Nydle spoke with the board about creation of a new full time position in the County Attorney's office. Thompson explained that his office is currently working with a program with the State that recoup's delinquent fees and fines, 40% of all what the County Attorney's office would collect would go back to the County. His office is currently only dedicating approximately 5 hours a week to work on this program. You have to collect \$25,000 a year to stay in the program. The office started the program in the last week of July, and they have recouped \$36,265.76 as of Jan. 16, 2012. The county has received back \$10,258.55; the State pays a month behind.

When their office started to work on this program there were approximately 5,200 files that the County could collect on. The Attorney's office has been working with Black Hawk County Attorney's office to help get them started; Black Hawk County's office said they have enough work for 2 full-time positions and 1 part-time position. Thompson stated the new position would dedicate 30 hours a week to this program and the rest would be helping out in other areas in the Attorney's office. With the new person dedicating 30 hours per week the money they would be collecting in would compensate their salary and benefits package. Thompson said he anticipates that if they could have a full-time person working on this, he could easily see the County bringing in \$75,000 next year. Thompson stated the people owing these fines, majority of them are working; they can garnish their wages as well to get the fines paid up. They currently have not done any garnishments. Nydle stated it would make the people more "law abiding", they can't register their vehicle or renew their driver's license if they don't pay these fines. If they pay these fines through the County instead of a collection agency, there would not be a 10% charge that collection agencies charge.

Thompson also stated that after the County would collect the first \$100,000.00 there would be an additional 12% of the collections that would go back into the County Attorney's budget. Nydle stated she was very surprised on how easy the money was coming in. They have barely dented the easy part.

Thompson questioned the Board on what they thought of the program, and asked if they approved the hire of a full-time employee if he could advertise to hire right away. It would give time for the new person to get a handle on things before the system resets itself on July 1<sup>st</sup>. He would need a budget amendment for this fiscal year, but he wouldn't need a huge one. Supervisor Vermedahl stated he would like to look at his budget figures and let it soak in a bit before making a decision. Thompson stated that if the Board had any additional questions to contact him or Emily Nydle for further information. No formal action was taken and item was placed on next meeting's agenda.

Not on the agenda. Transportation director Mary Halstead spoke with the Board regarding her Transportation building. Halstead showed the board pictures of snow that came thru the roof on January 12<sup>th</sup>'s snow storm. Halstead stated she might as well leave the buses outside if there is going to be that much snow on the buses inside. Ameristar is supposed to do repairs on the building from the storm damage in July. Halstead also updated the board that she finally got her light over the walkway in front of her door. She also asked the Board if someone could remove the Transportation name from the door at the ICAS building. Board said they would see who they could get to take off the names at the ICAS building door.

Board discussed FY13 Budget work; they set Jan 24<sup>th</sup>, at 1:00p.m. to start working on FY13 budget.

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

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David Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Gina Edler, Clerk

January 24, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of January 14, 2011. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 133789 through 134070, and ACH deposits numbered 13228 through 13341, for payment. All members voting aye thereon. Motion carried.

Brian Gruhn met with the board to update them on the union negotiations with secondary roads. Moved by Buch, seconded by Sanders, to agree with the tentative agreement for one year; however, another strategy is to be presented to the union for consideration. All members voting aye thereon. Motion carried.

The board viewed a demonstration of the Unisyn Election system.

Moved by Buch, seconded by Sanders, to appoint Kelly Geater and Jason Sanders to the Benton County Wellness Committee for 2013. All members voting aye thereon. Motion carried. Additional members will be sought.

Moved by Buch, seconded by Sanders, to appoint Connie Pickering to the Benton County Pioneer Cemetery Commission. All members voting aye thereon. Motion carried.

No action was taken on appointments to the remaining ECICOG committees or the Iowa Valley R. C. & D.

Moved by Buch, seconded by Sanders, to appoint John Stiegelmeier to the Vinton Airport Zoning Commission, and to restate the following appointments:

Vinton Airport Board of Adjustment: Deb Christiansen and Dave Cornell

Vinton Airport Zoning Commission: Gary Marlow

All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to enter into a Data Backup and Disaster Recovery Agreement with ERBs at a cost of \$490.30 per month. This is in addition to the current Data Backup and Disaster Recovery Agreement. Further, to amend the current Management Agreement with ERBs to include managed services for the social services department at an additional cost of \$100 per month. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to adopt Resolution #12-3, SERVICE AREA BUDGET AMENDMENT. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**RESOLUTION #12- 3**

**SERVICE AREA BUDGET AMENDMENT**

BE IT RESOLVED by the Benton County Board of Supervisors that the FY12 budget be amended within service areas as follows:

**WHEREAS**, the Benton County Board of Supervisors adopted the FY2012 budget on March 8, 2011; and

**WHEREAS**, the Board now desires to amend said budget within a service area to reallocate funds;

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the FY2012 county budget is hereby amended within the following service areas:

Service Area 3 – from 31000 to 30000 and 30100 (Public Health)

Service Area 8 – from 81000 to 81010 (Driver's License)

Service Area 4 – multiple activities (Mental Health)

The auditor is directed to make the necessary changes.

Dated this 24<sup>th</sup> day of January 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

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Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Buch, seconded by Sanders, to adopt Resolution #12-4, TRANSFER OF FUNDS AND BUDGET AMENDMENT. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**RESOLUTION #12-4  
TRANSFER OF FUNDS AND BUDGET AMENDMENT**

BE IT RESOLVED that \$3,326.84 be transferred from the General Basic fund to the Land Acquisition Fund.

IT IS FURTHER RESOLVED that the FY12 budget is hereby amended to reflect said transfer.

Dated this 24<sup>th</sup> day of January 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

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Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

The county attorney met with the Board regarding his request for an additional full-time staff to work as a collection agent for Benton County to collect unpaid fines and fees. County Attorney Thompson reported on the amount of funds currently being collected using his current staff for approximately 5 hours per week. That amount should exceed \$25,000.00 this year. Thompson stated that if Benton County collects \$100,000 annually, an additional 12% is then paid to the county but must go towards the county attorney's office. The county's attorney's budget can be reduced dollar per dollar in general fund expense from the amount of the collection funds dedicated to the county attorney. Thompson stated that he believes the county could collect upwards of \$250,000 with 40% of that amount going to the county general fund. Collection of \$250,000 would generate \$100,000 for the county general fund and \$18,000 additional for the county attorney. The cost of adding a full-time employee which includes a salary range of \$26,000 to \$32,000, but that does not include any payroll tax, insurance, or other benefits. Thompson stated that if the board approves the full-time employee, he would eliminate any part-time position within in his budget. Thompson also agreed that if the project did not prove profitable to the county, then he would terminate the position. Thompson stated that any hire would be made aware that this is a pilot project and the position is dependent upon successful collections. The board was not opposed to the project; however was concerned about starting a new hire at \$32,000. Moved by Buch, seconded by Sanders, that the full-time collections position be approved at a salary not to exceed \$30,000. That if additional compensation is required to obtain qualified personnel, then prior approval from the board must be obtained. Further, that any part-time position is eliminated in the county attorney's office as well as funding for the same. That if the collections position does not prove profitable, the board of supervisors will terminate the position. All members voting aye thereon. Motion carried.

The board worked on and met with various departments on their FY13 budget requests.

The auditor voiced concern about the projected ending fund balance for the sanitary disposal fund if the FY13 budget is approved. The auditor stated that the fund balance was dangerously low and would not be adequate to cover unforeseen expenses. The board discussed the current financial situation of the sanitary disposal budget and the life expectancy of the new cell. The engineer stated that the new cell was not totally completed but would ultimately cost around \$650,000, and the life of the new cell was reduced to four to five years. The auditor stated that the county should be considering how they would pay for a new cell in five years based on the funds available. The Board asked that the issue be discussed further at their next meeting.

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

\_\_\_\_\_  
David H. Vermedahl

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

January 27, 2012

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

The board worked on various budgets in the FY13 budget.

The board discussed the continuance of the early retirement incentive. Discussion included the impact the policy had on the county's finances and that the incentive had a positive impact as it resulted in a cost savings in most cases. However, the board requested additional time to consider extending the policy.

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

\_\_\_\_\_  
David H. Vermedahl

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

January 31, 2012

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

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

Mary Halstead and Dana Burmeister met with the board to provide an update on services provided through TMS. Benton County provided 1055 rides through TMS during the 2011 federal fiscal year. Halstead stated that the program brings in additional revenue to the county; however it has also results in a large increase in "dead head" miles. Dead head miles are miles driven that are not reimbursed if there is no passenger on board. The county is not paid for waiting time, but is paid for loading and unloading. The county can be somewhat selective as to the trip destination. Supervisor Vermedahl questioned why the mileage rate varied when calculated each month (Vermedahl was referring to a report distributed to the board members reflecting monthly income from the program). Halstead replied that there is a flat rate for in-town transports, as well as it could appear that the mileage rate varies when more than one client is on board.

Halstead requested permission for her and Burmeister to attend the Routematch Conference in April 23 through the 26th in Atlanta, Georgia. The state picks up 80% of the expense. Halstead stated that the conference provides training on the new Routematch program, which will hopefully be fully upgraded by the time of conference. Supervisor Sanders questioned if it was necessary for two employees to attend the training with the workload of the office. Halstead stated it is easier for two to attend with the third full-time employee on staff. Halstead stated that another part-time driver will be available to help with office duties during their absence. Sanders stated that the part-time help in the office would be an additional expense to the county. Halstead stated that with the new software there would be much more available to the county. Supervisor Vermedahl stated that if it was beneficial to the county then both should be approved to attend. Sanders stated that the conference is beneficial, but again questioned the need for two employees to attend when the department reports about the increased workload. Supervisor Buch commented that with Halstead retiring the first of July that he understood that Burmeister should attend. Buch stated that Halstead was still the department head and should be allowed to go as well. Buch stated that in the future the need for two employees to attend may not be necessary. Moved by Sander to authorize the attendance of one employee to attend the conference and that he would recommend that it be Burmeister. Motion failed for lack of a second. Moved by Buch, seconded by Vermedahl, to approve two employees to attend the conference. Sanders stated that it was not good management by the board of supervisors to allow two employees to attend when the workload of the office. Vermedahl and Buch voting aye. Sanders voting nay. Motion carried.

The board discussed the current situation at the county's landfill. The board questioned the engineer as to why the tarp was not being used as daily cover instead of dirt. The engineer responded that the design of the cell that the sides of the cell required a dirt foundation. Construction on a new cell was started about three years ago at an estimated cost of \$250,000.00. The estimated cost of the completed cell will be approximately \$650,000 with a reduced life span originally planned to be from 10 to 15 years down to four to five years. The increased cost is due primarily to weather, redesign, engineering issues, regulatory issues, etc. The windstorm in July 2011 increased the material placed in the landfill, which impacted the lifespan to some degree. The board discussed the future of the sanitary landfill and the various options. Jennifer Fencl of East Central Iowa Council of Governments explained some of the options to the board, including joining with another county to use and operate the landfill, contracting with another county to take waste to, continuing with the current arrangement, or transferring waste out-of-state. Discussion also included the impact of Fiberight on the landfill and funding streams. If the current operation is to continue, the county will need to begin planning for the construction of a new cell, which will result in increased costs. Moved by Buch, seconded by Sanders, to request that Fencl review the current 28E Agreements for the Solid Waste Commission and to return to a future meeting for further discussion. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to increase the per capita fee for the landfill to \$25.00 per city person and \$30.00 per rural person. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to increase the gate fee at the landfill for construction and demolition waste from \$50.00 per ton to \$60.00 per ton, effective March 1, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize the engineer to purchase six roll-off containers at a cost of \$10,300.00, to be used for the recycling program. All members voting aye thereon. Motion carried.

Mary Lou Erlacher of the Workplace Learning Connection provided an update to the supervisors on WLC's past year's activities. Erlacher reviewed various programs being provided by WLC in Benton County as well as the various job shadowing matches provided to the students. Erlacher stated that WLC is always looking for additional funding and would welcome additional money from Benton County.

The board discussed the early retirement policy. The original policy was for two years and subject to review. The policy is now scheduled for review. The board discussed whether the program had been successful in reducing costs to the county. The board agreed that the policy has provided cost savings, but wanted additional time to consider the potential for future savings.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plan filed by G & R Feeders, Inc. for the facility located at 1179 52<sup>nd</sup> St., La Porte City. All members voting aye thereon. Motion carried.

The board met with various departments to discuss their FY13 budget requests. The board was also informed that the compensation board had recommended a 1.8% across-the-board increase for elected officials.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

February 2, 2012.

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Buch, Vermedahl, and Sanders present. Chairman Vermedahl called the meeting to order at 1:00 p.m.

The Board worked on various budgets, as well as FY13 wage and salaries.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

February 7, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of January 24, 2012, January 27, 2012, January 31, 2012, and February 2, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 134071 through 134302, and ACH deposits numbered 13342 through 13457, for payment. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to adopt Resolution #12-5, TRANSFER OF FUNDS AND BUDGET AMENDMENT. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

RESOLUTION #12-5  
TRANSFER OF FUNDS AND BUDGET AMENDMENT

BE IT RESOLVED that \$317.50 be transferred from the General Basic fund to the Land Acquisition Fund.

IT IS FURTHER RESOLVED that the FY12 budget is hereby amended to reflect said transfer.

Dated this 7<sup>th</sup> day of February 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Buch, seconded by Sanders, to direct the chair to sign the First Amendment to Lease Agreement between Benton County and the Iowa Department of Administrative Services on behalf of and for the benefit of the Iowa Department of Human Services, Targeted Case Management Unit. All members voting aye thereon. Motion carried. The amendment sets forth the current arrangement and clarifies the original agreement relative to janitorial services.

Moved by Buch, seconded by Sanders, to appoint Danelle Fowler and Vicki Schwenker to the Benton County Wellness Committee for 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to appoint Randy Scheel to the East Central Iowa Council of Governments Regional Trails Advisory Committee and Dana Burmeister to the East Central Iowa Council of Governments Passenger Transportation Advisory Committee, both terms expire December 30, 2013. All members voting aye thereon. Motion carried.

Moved by, seconded by, to accept the resignation of Catherine Wilkinson from Benton County Transportation, effective February 6, 2012. All members voting aye thereon. Motion carried.

Halstead stated that she is anticipating another resignation from her department and wanted to clarify that she had the authority to hire two people to replace the resigning employees. The board stated that she could replace current employees but not increase the number employees.

The board met with Mary Halstead and Dana Burmeister to speak about their FY13 budget. The discussion centered on replacement of vehicles in FY13 and the uncertainty involved as the vehicles are purchased through the East Central Iowa Council of Governments with financial participation by the county. The board also spoke about the upcoming retirement of Halstead and filling the director's position. The board spoke about eliminating a full-time position in the transportation department next year. Burmeister did not believe that a reduction in full-time staff should be done due to the workload. The board stated that they had not reached a decision yet on the issue.



# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

147

Moved by Sanders, seconded by Buch, to adopt Resolution #12-6, ABATEMENT OF TAX PENALTY. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

## RESOLUTION #12-6 ABATEMENT OF TAX PENALTY

BE IT RESOLVED by the Benton County Board of Supervisors that the penalty assessed on parcel #870-21200 as of this date in the amount of \$31.00 be abated in full.

Dated this 7<sup>th</sup> day of February 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

The board did not abate the taxes on property purchased by the conservation department as the department had signed a purchase agreement stating they would pay the tax.

The board continued their discussion on the early retirement policy. Moved by Buch, seconded Vermedahl, to continue the policy for non-union employees into future years. The auditor is directed to present a final document detailing various changes relative to years of service, age, as well as other details. All members voting aye thereon. Motion carried.

The board discussed subrogation and hold harmless clauses that the county's insurance carrier wants included in law enforcement contracts. The issue has been discussed previously due to the cities' concern over the language. The board is not necessarily in favor of a waiver of subrogation or in a hold harmless clause being included in the law enforcement contracts. Supervisor Vermedahl is to speak to the Heartland Insurance Risk Pool regarding the board's position.

The board discussed the request from First American Site Acquisition to purchase property from the county for a cellular tower. The property is currently owned by the county and is being used for a secondary road shop; however, the property is large enough that selling a part of it would not hinder the county's needs. The board discussed the possibility of leasing the property versus selling it and asked the county engineer to contact the company and see if they were interested in a lease arrangement.

The county engineer reported that the balance in the landfill account was \$82,856.84 as of January 31, 2012.

The board discussed the salaries for the staff in the county attorney's office. The board stated that the salaries being considered reflect a \$1,050.00 for the staff, except for Jo Kuennen, which will be increased approximately \$1,262.00. County Attorney Thompson stated that he believed that his staff's duties did not compare to other offices and that they should be compensated at a greater salary than other office staff. The county attorney asked if the board would take the raise being considered for Jo Nelson away and leave her salary the same, then divide that amount between the two other staff persons. The board indicated that they are not interested at this time in making changes. Thompson stated that he should be given discretion as to how salaries are divided in his office and that it was poor governance on the part of the supervisors.

Lexa Speidel met with the board for a final review of her FY13 budget request. Speidel asked if the board had acted on the compensation board's recommendation for elected officials (1.8% increase). The board advised that they are required to take action at the public hearing on the budget. Speidel asked the board again if she could carpet the front part of her office using funds in her budget. Speidel stated that she has never gone over budget in the past several years. Speidel asked that the board make a decision so that she can get the carpet before the dye lot changes. Supervisor Buch stated that he had told the recorder "no" to carpeting the front office in the past since it had just been done in 2005, but wondered if the board had the authority to tell her that she could not spend her departmental budget at her discretion. Supervisor Buch stated that the board could not disallow a claim that was for a legal purpose made out of the recorder's budget.

Rick Bramow and Justin Birker met with the board to do a final review of the maintenance budget. The board discussed proposed salaries for the department's personnel. The board had salaries proposed at \$39,860 and \$30,000. Birker stated that Bramow should be paid more as he was well below the state average. Bramow told the board that the state average was \$42,000 and he had 37 years of service and still was not being paid the state average for his position. Bramow also asked the board if he and his staff could be paid for overtime instead of taking time off (compensatory time). The auditor stated that the county's policy already provided that employees could be paid for overtime, but it was at the discretion of the department head, which would be the supervisors. County Attorney Thompson stated that the board could give a blanket approval allowing them to be paid overtime instead of making the employees request overtime pay each time.

Treasurer Kelly Geater met with the board to review her final FY13 budget request. Geater asked if her deputies would still get the additional 5% raise over the regular salary increase that she requested. Geater was told that the board does not set the percentage that deputies get paid (percentage of elected official's salary) within an elected official's office. That the percentages are set by the elected official and the decision is Geater's - provided funds are in her budget. The board stated that other staff members were set at \$31,000.00. Geater questioned if the additional \$3,000 was still in her budget for her driver's license employee. The board indicated that the funds were still in the budget. Geater questioned if the board planned to approve the compensation board's recommendation for elected officials. The board stated that they had not discussed the compensation board's recommendation.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

148

Mary Williams met with the board to review final budget figures. The state has allowed the counties to increase their mental health levy to make up for the shortfall in property tax relief being paid by the state in FY13. The auditor told the board that the budget before them included the levy increase.

Auditor Jill Marlow reviewed the various budgets under her authority. Marlow stated that she had included funds to purchase a new election system in FY13 at a cost of \$175,000. She also had included the cost of a new copy machine. Marlow stated if those two items were removed – her budget request was less than it was for the current year. The board advised that they had set \$31,000 for the elections clerk in the auditor's office for FY13.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

February 10, 2012

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

Steve Meyer and Scott Hansen with Emergency Management met with the Board to discuss the issue of the grant awarded for the construction of the new emergency operations center. The county has incurred the costs for the construction; however, there has not been any funds received as of this date. Hansen stated that new administration at the state level was concerned that the entire law enforcement center was to be under Davis Bacon. A response was received in November 13, 2011, stating that the entire law enforcement center was not subject to Davis Bacon. Hansen stated that he was "on hold" until that time. Hansen stated that he was busy in November with plan updates and did not submit the documentation until recently. Hansen stated that his department still does not have the full match yet, but reimbursement should begin based on the amount of local match received. Hansen stated that any construction used for local match had to be done under Davis Bacon as well. Hansen stated that at this time he has \$94,320 towards the local match from the parking lot, 911-phone system, and geothermal system. Hansen stated that he received a Benton County Community Foundation grant last year for equipping the center for \$9,850.00, but a determination has not been made yet. Hansen stated that he has additional equipment that will be submitted to be used towards the local match. Supervisor Buch questioned how the commission was going to pay the interest accruing towards the money the county has spent towards the project, which amounts to about \$15,000 per year. Meyer stated that this was the first he heard of the issue. Buch advised that the commission entered into an agreement stating that they agreed to pay the county interest. Meyer stated that he did not know where the funding for the interest. The county attorney stated that emergency management is not a bank and the county should adjust the interest payment down. Hansen stated that he had an extra 10,000 in spending authority in his FY13 budget that could be used for the interest payment instead of equipment. The board stated that the commission should not be concerned about the interest due this year. The interest will be added to the interest payment due next year.

Norm Sackett asked who was responsible for the brush cutting in the ditches. Sackett said the cedar trees needed to be addressed in his area (Section 4 of Polk). The engineer replied that the crews have been doing a lot of brush cutting over the winter, but would note Sackett's concern.

The board met with the county engineer to review job performance. Parizek requested the board go into closed session pursuant to Iowa Code 21.5(1)j. Moved by Buch, seconded by Sanders, to enter into closed session. All members voting aye thereon. Motion carried at 10:15 a.m.

Moved by Sanders, seconded by Buch, to return to open session. All members voting aye thereon. Motion carried at 11:05 a.m.

Moved by Sanders, seconded by Buch, to direct the engineer to work towards the various goals discussed and re-evaluate in December 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to increase the engineer's salary, effective July 1, 2012, by \$1050.00. All members voting aye thereon. Motion carried.

The engineer spoke briefly with the Board about the Atkins project and presented plans for their review.

Moved by Sanders, seconded by Buch, to approve the minutes of February 7, 2012. All members voting aye thereon. Motion carried.

The board continued working on the FY13 budget.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

February 14, 2012

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

Moved by Buch, seconded by Vermedahl, to approve the minutes of February 10, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a contract (Option #1) with Ameristar for additional storm related damage to the roof of the transportation building. The work is to replace 15 damaged roof panels for \$3,510.00. Both members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Jacob and Samantha Fish, the board took up the matter for consideration. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a single residential use. A new well and septic would be needed for the residence. Moved by Buch, seconded by Vermedahl, to approve the request for a land use change from agricultural to non-agricultural on approximately one acre for a residential purpose on a parcel generally described as being located in the NW ¼ of the SW ¼ of 23-85-9. Both members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

149

Charles James, Veterans Affairs Director, met with the board to discuss his salary. James presented information regarding what directors from surrounding counties are earning. James is requesting his salary be changed from \$15.32 an hour to \$22.00 an hour, and that it be increased for this fiscal year's budget and FY13. James stated that his commission already approved his budget and salary increase. Buch stated that in the veterans' affairs budget, it looks like he is cutting other services to allow for the wage increase. James confirmed he is redistributing money around to allow for the wage increase. Supervisor Vermedahl stated he would like to defer this decision until next week's agenda to check on procedures for the Veterans Affairs budget and salary.

Moved by Buch, seconded by Vermedahl to accept resignation of Wayne R. McLaughlin Sr. from Benton County Transportation, effective February 14<sup>th</sup>, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to sign the final Iowa Department of Transportation progress voucher for the HMA resurfacing project 8 mile stretch located North of Dysart, North of Black Hawk county line, shared with Tama County. 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, Chairman

ATTEST: \_\_\_\_\_

Gina Edler, Clerk

The board was reconvened at 12:30 p.m. at the Farm Bureau building in Vinton. The board discussed the FY13 budget with members of Farm Bureau, as well as issues currently facing the county. Discussion on the county roads and bridges, mental health regionalization, county employee wages, county landfill, and property taxes was held.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Brenda Sutton, Deputy Auditor

February 21, 2012

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

Moved by Buch, seconded by Vermedahl, to approve the minutes of February 14, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 134303 through 134598, and ACH deposits numbered 13458 through 13573, for payment. All members voting aye thereon. Motion carried.

Representatives of the Garrison library met with the board to update them on the status of the Garrison library, which had been destroyed in July 2011 windstorm. A committee has been formed and has been trying to raise funds and apply for grants. Christy Leckband told the board that the group needs to raise \$100,000 in addition to the \$100,000 that the insurance paid for a new facility. The board stated that they intend to continue to the annual support of the library as done in the past and that said funds are to be directed to the library and may be used towards a new facility and would provide a letter stating the county's intention.

Jennifer Fencel of the East Central Iowa Council of Governments met with the board to continue the discussions on the status of the county's landfill. The board had asked Fencel to research the current administrative arrangements between the county and cities in Benton County relative to the landfill. Fencel reported that the county should update the organizational and administrative documents for the landfill, but did find that the county was the sole administrative authority. Fencel reported on the options available to the county for the future disposal of solid waste and encouraged the board to have a study done to determine the best options for Benton County. The options available included continuing to own and operate a landfill, own and contract out the operation, close the landfill and contract for disposal with another landfill, establish a transfer station only, direct haul with citizen convenience center, direct haul with spot collection trucks for self-haul, direct haul only, close the landfill and assist cities in negotiating agreements in the planning area, maintain recycling and hazardous household waste only services; offer no services, sell the landfill. The board agreed that a study would need to be completed before the county could make a decision on which direction to proceed and asked Fencel to provide an estimate of what the cost of a study would be.

Brian Gruhn updated the board on the labor negotiations with the secondary roads union. The board had previously given tentative approval for a one-year contract; however negotiations were still on-going for a multi-year contract. Gruhn reported that the secondary roads union voted to approve a three-year agreement and presented the parts of the current contract that were changed. Moved by Buch, seconded by Sanders, that the Board of Supervisors approve a contract settlement with the PPME Local 2003 representing Secondary Roads for 2012 through 2015. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

Moved by Sanders, seconded by Buch, to approve the requested submitted by Mike Beumer to carry-over 11 days of vacation. Said vacation carry-over is to be used no later than May 1, 2012. All members voting aye thereon. Motion carried.

The board met with members of the 2012 Grand Jury. The Grand Jury asked about the county's plan for replacing windows in the courthouse and whether the board had to justify the expense prior to replacing the windows. The board advised that many of the windows were inoperable and the seals were broken; however the last bid to replace the windows exceeded \$400,000.00. The county is annually setting aside funds for the window replacement. The board reviewed what their responsibilities were as supervisors and answered various questions presented.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

150

Veterans' Affairs Director Charles James met with the board to request a wage increase, effective immediately. James requested that the board consider increasing his current salary from \$15.32 to \$22.00 per hour. James presented information about salaries being paid to other directors in surrounding counties. Supervisor Sanders stated that he could not approve that large of increase and moved to set the salary of the veteran's affairs director at \$17.50 per hour, effective July 1, 2012. Supervisor Buch seconded said motion. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to adopt Resolution #12-7, ESTABLISHING WAGES AND SALARIES FOR NON-UNION EMPLOYEES FOR FY13. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

## **RESOLUTION #12-7 ESTABLISHING WAGES AND SALARIES FOR NON-UNION EMPLOYEES FOR FY13**

WHEREAS, the Benton County Board of Supervisors establishes wages and salaries for all employees not covered by a collective bargaining agreement; and

WHEREAS, the Board of Supervisors desires to establish the wages for the fiscal year beginning July 1, 2012, for said employees; and

WHEREAS, the Board acts on the annual salaries of elected officials during the public hearing on the fiscal year budget and therefore no action is being taken on those salaries at this time; and

WHEREAS, the deputies in the offices of elected officials are set by the elected official and not by the Board of Supervisors - provided funds are available in their departmental budget;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the wages and salaries for employees of Benton County, except for those employees who are covered by a collective bargaining agreement, who are elected officials, or who are deputies of elected officials, are hereby established for the fiscal year beginning July 1, 2012 as follows:

### **Auditor's Office:**

Gina Edler - \$31,000  
Brad Osborn - \$16.95

### **Treasurer's Office:**

Rosemary Sackett - \$31,000  
Joy McGowan - \$31,000  
Nancy Jorgenson - \$31,000

### **County Attorney's Office:**

Debra Fleming - \$31,762.50  
Jo Kuennen - \$31,000

### **Sheriff's Department:**

Tina Ehrig - \$13.46  
Karen Uthoff - \$43,050  
Bonnie Ehlinger - \$15.28  
Sheriff Reserve Deputies - \$19.29  
Reserve Officers - \$1.00

### **Recorder's Office:**

Melissa Boisen - \$10.27

### **Sanitarian/Land Use:**

Marc Greenlee - \$65,345  
Barbara Greenlee - \$45,050

### **Transportation:**

Dana Burmeister - \$32,318  
Rhonda Westergard - \$12.80  
Part-time Drivers - \$12.12

### **Veterans Affairs:**

Charles James - \$17.50

### **Maintenance:**

Rick Bramow - \$39,860  
Justin Birker - \$30,000  
Beverly Baldwin - \$10.54

### **Social Services:**

Mary Williams - \$50,429.38  
Carol Zander - \$32,858.80  
Patricia Lynch - \$11.10

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

151

Secondary Roads:

- Myron Parizek -\$87,758.81
- Ben Vierling – \$49,050.00
- Christopher Wion - \$18.89
- Penny Applegarth – \$34,050
- Randy Sherwood – \$20.68
- Daniel Higdon – \$20.73
- Pam Gorsh - \$15.78

Dated this 21st day of February 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Buch, seconded by Sanders, to set March 13, 2012, at 9:15 am., as the time and date for a public hearing on the FY13 budget. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize that overtime earned by the courthouse maintenance staff may be paid, in lieu of compensatory time, up to \$500 per year. Any overtime pay, in lieu of compensatory time, that will result in an expense to the department per fiscal year, will requires approval of the board of supervisors. All members voting aye thereon. Motion carried.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

February 28, 2012

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

Moved by Sanders, seconded by Buch, to set March 27, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by Benton Storage Unlimited on a parcel located in the NW/14 of the NW1/4 of 35-83-9. All members voting aye thereon. Motion carried. The applicants are Mark and Valerie DeRycke.

Moved by Buch, seconded by Sanders, to acknowledge the receipt and filing of the following annual manure management plans:

- Swine Designs – 1625 73<sup>rd</sup> St., Keystone, Iowa
- K & W Hogs – 1641 71<sup>st</sup> St., Keystone, Iowa
- Prairieview Hog Farm, Inc – 7311 13<sup>th</sup> Ave., Belle Plaine, Iowa
- McKenna Farms, Inc. – 3145 170<sup>th</sup> St., Dysart, Iowa
- Phillip McKenna – 3110 170<sup>th</sup> St., Dysart, Iowa

All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

152

Moved by Sanders, seconded by Buch, to adopt Resolution #12-8, Budget Amendment within Service Area. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-8  
BUDGET AMENDMENT WITHIN SERVICE AREA

**WHEREAS**, the Benton County Board of Supervisors adopted the FY2012 budget on March 8, 2011; and  
**WHEREAS**, the Board now desires to amend said budget within a service area to reallocate funds;  
**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the FY2012 county budget is hereby amended within the following service areas:  
Be it resolved that the FY12 budget is hereby amended within the following service area:

Service Area #1

The auditor is directed to amend the service area as needed.

Dated this 28<sup>th</sup> day of February 2012.

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David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Buch, to approve the proposal from Tyler Technologies for the Cash Collection module to the new V.X financial system at a price of \$5,538.00 per year. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to authorize ISAC to file on behalf of Benton County in the settlement of the McKesson class action lawsuit. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the contract with Nyhart to prepare the actuarial report for GASB45 compliance for FY12 at a cost of \$3,250.00. All members voting aye thereon. Motion carried.

Amanda Baker with Wellmark updated that board on the ISAC health plan, which the county is participant. Baker reviewed the revenues and expenditures of the group as well as Benton County. Baker explained ISAC's renewals for FY13.

Alberta Reifentahl presented the Benton County Historic Preservation Commission's annual report for approval and signature. Reifentahl updated the board on the various programs that the commission has been working on over the past year as well as plans for next year. Moved by Buch, seconded by Sanders, to direct the chair to sign the Benton County Historic Preservation Commission's annual report. All members voting aye thereon. Motion carried.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

March 6, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of February 21, 2012, and February 28, 2012. All members voting aye thereon. Motion carried.

Sheriff Forsyth requested that Mark Christy be approved for an additional position within his department. Christy is currently a part-time deputy and the sheriff is requesting that he be also approved as a temporary filing clerk. The sheriff advised that he has a large quantity of filing to be completed as a result of moving into a temporary facility and then returning to the new facility. Moved by Buch, seconded by Sanders, to approve the sheriff's request to add a temporary additional filing clerk position to Mark Christy's current employment status. The wage for the filing duties is set at \$10.00 per hour and is effective immediately. Christy is not to work more than 32 hours per week in all duties combined. All members voting aye thereon. Motion carried.

The board discussed a recent invoice from Accurate Controls for adding an intercom/card reader to the parking lot for the law enforcement center. There had been no formal board action approving the additional work. Moved by Buch, seconded by

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

153

Sanders, to approve the quote for the equipment and installation of intercoms/card readers at the law enforcement center parking lot and the payment of \$2,757.40 to Accurate Controls. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize the chair to sign the Federal-Aid Agreement between Benton County and the Iowa Department of Transportation for the HMA resurfacing project on V37 – State Agreement #6-12-STPS-06 and federal #STP-S-CO06 (86)—5E-06. All members voting aye thereon. Motion carried.

The engineer reported that the balance in the landfill account on February 29, 2012, at the Blairstown Bank was \$86,844.52.

The engineer spoke to the board about obtaining an analysis on the options available for the future of solid waste disposal in Benton County. The board would like a broad approach taken as to the possible options, yet have some parameters so that there is no time spent on unrealistic possibilities. The board would like options to include the plasma arc facility in Marion, Fiberright, as well as other possibilities. The board requested that the engineer contact a possible consultant and have him/her meet with the board.

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

March 13, 2012

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Buch and Sanders present. Supervisor Vermedahl was absent. Vice-Chairman Sanders called the meeting to order at 9:05 a.m.

Marc Greenlee presented an application for a farm exemption submitted by Stanley Robert Coberly, Jr. The applicant is involved in a farming operation, owning and farming 71 acres in a corn and soybean rotation and hay/CRP. Moved by Buch, seconded by Sanders, to approve a farm exemption as provided for in the Benton County Agricultural Land Use Preservation Ordinance for the purpose of constructing a building on a parcel described as being a part of the SW1/4 of the NE1/4 of Section 25-85-9. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a Class C liquor license submitted for Tara Hills County Club. Both members voting aye thereon. Motion carried.

Supervisor Vermedahl telephoned at 9:10 a.m. and was placed on speaker phone to allow his participation in the FY13 budget hearing. Vermedahl was out-of-state and unable to attend in person. The speaker phone was positioned so that all persons present could hear his comments and vice versa. Vermedahl did allow the vice-chair to continue to preside over the meeting.

The time of 9:15 a.m. having arrived and this being the date and time set for a public hearing on the FY13 budget, the board took up the matter for consideration. There were five members of the public present and two members of the media. The board responded to questions concerning wages of non-elected officials and current union negotiations. There were various questions and comments centering on the secondary road budget, local option sales tax revenue, as well as other expenses. It was expressed that the borrowing of money should only be done in times of emergency, and should not be a mechanism for funding expenses. The auditor advised that when the budget was developed and published there was an anticipated shortfall in state funding for mental health services. The county was able to raise the levy for those services to offset the shortfall; however, the state subsequently appropriated money to fully fund their share and therefore it was necessary to reduce the county's levy. The board also considered the recommendation of the county compensation board of a 1.8% increase in salaries for elected officials. There were no comments heard either for or against the salary recommendation. There were no formal objections heard to the FY13 budget proposal. Hearing no further comment, Vice –Chair Sanders declared the public hearing closed.

Moved by Buch, seconded by Vermedahl, to approve the recommendations of the Benton County Compensation Board of a 1.8% salary increase for all elected officials. All members voting aye thereon. Motion carried.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Vermedahl, seconded by Buch, to adopt Resolution #12-9, ADOPTION OF THE FY13 COUNTY BUDGET. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

## RESOLUTION #12-9

### ADOPTION OF THE FY13 COUNTY BUDGET

**BE IT REMEMBERED** that on this, the 13th day of March 2012, 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 2012-13 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 Star Press Union, Cedar Valley Times, and Vinton Eagle, official newspapers published in Benton County.

The budget was then taken up and considered. The public was provided an opportunity to speak.

The County Compensation Board recommendation for FY13 salaries for elected officials was approved as follows:

County Auditor - \$65,480

County Treasurer - \$61,318

County Recorder - \$61,318

County Attorney - \$89,045

County Sheriff - \$74,648

County Supervisor - \$37,857

**BE IT FURTHER RESOLVED** that a committed fund balance designation of the ending fiscal year fund balance be established for the following purposes:

General Basic - \$245,000 – Vehicle Replacement

General Supplemental - \$50,000.00 – Emergency Response and \$7,000 election equipment replacement

Rural Services - \$8,000 Vehicle Replacement

Other (Closure/Post Closure) - \$1,438,238

**FURTHER** the designation of unreserved fund balances indicates that Benton County prefers to use available financial resources for the specific purposes set forth above, and although designated, the funds are to remain an integral part of the spendable or appropriate resources of Benton County.

The budget as adopted will approve the following property taxes for fiscal year 2012-13.

General Basic	\$4,102,015
General Supplemental	\$1,301,136
Mental Health Services	\$ 883,703
Rural Services Basic	\$2,135,620
Debt Service	\$ 0.00



**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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It is noted

**IT IS THEREFORE RESOLVED**, by the Benton County Board of Supervisors that the FY13 budget is hereby adopted.

Dated this 13<sup>th</sup> day of March 2012.

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ronald Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Supervisor Vermedahl left the meeting immediately following the action on the FY13 budget.

Moved by Buch, seconded by Sanders, to approve the minutes of March 6, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the applications for fireworks permits submitted by Charles Yedik. The dates approved are as follows: April 7<sup>th</sup>, 2012 from 4:00 p.m. to 10:30 p.m.; May 26, 2012, approximately 3:00 p.m. to 10:30 p.m. and May 27, 2012, approximately 3:00 p.m. to 10:30 p.m. – primarily evenings, after dark, with some daytime testing displays; July 28, 2012, show at dusk; and October 27, 2012, with mainly evening testing, after dark, until 10:30 p.m.. The board stipulates that all permitted activity must end by 10:30 p.m. for each event. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the receipt of the annual manure management plan filed by J & S Hogs for the facility located at 7363 13<sup>th</sup> Avenue, Belle Plaine, Iowa. Both members voting aye thereon. Motion carried.

The time of 9:30 having arrived, the board proceeded with canvass of the Special Shellsburg City Election held on March 6, 2012. Moved by Buch, seconded by Sanders, that all spellings for Shadoe Vogt be counted as being cast for Shadoe Vogt. Further, having canvassed the votes cast, the Board finds the votes are as follows:

Danny Roehr –67

Shadoe Vogt – 66

Sharon Heneghan - 34

Further the board declares that Danny Roehr is the winner of of the Shellsburg City Special Election mayoral election held on March 6, 2012. The auditor is to notify the City of Shellsburg and record the official results in her office. Both members voting aye thereon. Motion carried.

Randall Forsyth, Benton County Sheriff, met with the board regarding the purchase of vehicles. Forsyth reported that he requested quotes from Thys Automotive, Grovert Motors, Greider Chevrolet, and Junge Motors. Forsyth stated that in addition the state bid from Karl Chevrolet was to be considered. The only quote received was from Karl Chevrolet as follows: Chevrolet Impala - \$21,357.00 and Chevrolet Tahoe (2WD) - \$26,359.00.

Moved by Buch, seconded by Sanders, to purchase two Chevrolet Impalas and one Chevrolet Tahoe from Karl Chevrolet under the state bid. Both members voting aye thereon. Motion carried.

Forsyth spoke to the board about the disposition of the vehicles being replaced. Forsyth stated that Karl Chevrolet would take the cars on trade, but that the original quote had not been requested with trade-in consideration. The board advised that

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Forsyth should advertise the sale of the cars; however if the trade-in value was higher than any offers to buy, then the vehicles should be traded-in.

The auditor presented the contract addendum between Benton County and Tyler Technologies for the purchase of the cash receipting and fixed assets modules of the new financial program. The matter had been previously approved by the board and today's action is to formalize the contract addendum. Moved by Buch, seconded by Sanders, to authorize the vice-chair to sign the Addendum to the Contract #2011-0158, issued 8/19/11, between Benton County, Iowa and Tyler Technologies, Inc. Both members voting aye thereon. Motion carried.

Nathan Hesson of Vinton Unlimited met with the Board to discuss a new tourism program for Vinton. Hesson advised that a new committee has been formed under Vinton Unlimited known as Destination Vinton. The purpose of the committee is to promote and assist with tourism activities in Vinton. The committee is proposing an organized tour of various places of interest in Vinton for bus tours, etc. The committee would like to place the courthouse on the tour. The committee would provide the tour guides, tours would not be disruptive to work being conducted in the courthouse, and would be during normal hours the courthouse is open. The Board stated that they supported the efforts of the new committee and welcomed visitors to the courthouse.

Hesson spoke briefly about other upcoming events in Vinton including RAGBRAI, Boomfest, and Party in the Park.

Moved by Buch, seconded by Sanders, to approve checks numbered 134599 through 134953, ACH deposits numbered 13574 through 13688, for payment. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to authorize the vice-chair to sign the renewal contract between Benton County, Iowa and Employee Benefits Systems for Administration of Benton County's partial Self-Funding Health Insurance for FY13. There is no cost increase over the current year with the amount at \$6.50 per month per contract. Both members voting aye thereon.

No action was taken on entering into contracts relative to the windstorm damage with the Iowa Economic Development Authority and East Central Iowa Council of Governments. The county is still waiting on clarification of various issues in the contract proposals.

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

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Jason Sanders, Vice- Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

March 20, 2012

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

Moved by Sanders, seconded by Buch, to set April 17, 2012, at 9:15 a.m. as the time and date for a public hearing on a land use change requested by Brandon Bos on a parcel located in the SE1/4 of the NW1/4 of 32-85-9, and April 17, 2012, at 9:30 a.m., as the time and date for a public hearing on a land use change requested by Don and Virginia Becker on a parcel located in the SE1/4 of the SE1/4 of 2-83-11. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the use of the courthouse lawn on the following dates and by the respective organizations: Vinton Unlimited –July 26, 2012; Vinton Parks & Recreation - June 21, 2102; and July 21, 2012 – Vinton Cruise Committee. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to accept the resignation of Michael Wood from the Benton Development Group Board of Directors, effectively immediately. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the receipt of the annual manure management plan filed by Derek Vopelak, for the facility located at 5641 14<sup>th</sup> Avenue, Garrison, Iowa. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Drew Fish, the board took up the matter for consideration. Marc Greenlee presented that technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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single residential use. Greenlee reported that the land is not in production as evidenced by a stand of mature trees. The area being proposed is not a large area with two deep ravines on either side. There are no issues anticipated with the access and will need a well and septic. The parcel is a piece of family owned property, with two of the adjacent neighbors being family members. Moved by Buch, seconded by Sanders, to approve the request for a land use change from agricultural to non-agricultural on approximately three acres for a residential purpose on a parcel generally described as Lot 3 of Red Brush Estates located in 23-85-9. All members voting aye thereon. Motion carried

Moved by Buch, seconded by Sanders, to approve the minutes of March 13, 2012. All members voting aye thereon. Motion carried.

Rick Bramow and Justin Birker met with the board about repairs to the DHS building. Bramow questioned whether a part of the brick should be painted stating that it would be difficult to match the brick. Bramow also reported that gutter repair was needed. The board stated that the cost to match the brick in comparison to painting was not fiscally responsible and directed Bramow to proceed with the painting option.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-10, CANCEL OUTSTANDING WARRANTS. Vermedahl, Sanders, and Buch voting aye. Nays none. Motion carried.

## **RESOLUTION #12-10**

**WHEREAS**, Iowa Code 331.554(7) provides for the cancellation of outstanding warrants; and

**WHEREAS**, the Benton County Auditor has requested that outstanding checks issued prior to March 20, 2011, be cancelled,

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the following checks be and are hereby cancelled. Each check shall be credited to the fund upon which the check was drawn. Further, a person may file a claim with the auditor for the amount of the cancelled check within one year from this date, and upon showing of proper proof that the claim is true and unpaid; the auditor shall issue a check drawn upon the fund from which the original cancelled check was drawn.

### **General Basic Fund**

11/10/2009	#117591	\$209.45	Fareway Stores, Inc.
07/27/2010	#123095	\$ 10.00	ISACA Treasurer
02/22/2011	#127350	\$ 10.00	Greg Benesh
		_____	
Fund Total		\$229.45	

### **General Supplemental Fund**

08/12/2008	#114967	\$5.00	Kyle Dhonte
08/11/2009	#115698	\$5.40	Jessica Albertson
09/08/2009	#116250	\$26.00	Eric Bervid
03/09/2010	#120129	\$85.60	Angela Marie Eldridge
		_____	
Fund Total		122.00	

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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**Mental Health Fund**

10/13/2009	#116972	\$134.00	Keith Nemecek
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Fund Total		<u>\$134.00</u>	
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**Grand Total:** \$435.45

This resolution adopted on the 20<sup>th</sup> day of March, 2012.

Benton County Board of Supervisors

\_\_\_\_\_  
Ronald R. Buch, Chairman

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David Vermedahl

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Sanders, seconded by Buch, to approve the issuance of an \$850.00 check to the State of Iowa for the annual audit filing fee. All members voting aye thereon. Motion carried.

Don Knaack, Marty Junge, and Ralph Savoy, met with the board to request a local match for a Vision Iowa Community Attraction Grant, for a new library and community center. The city has bonded up to \$400,000 for the project. Junge stated that city hall would move to the current library facility, construct a new library building at the old Bobcat Den site, and construct a community room on the west side of the fire station. Savoy stated that the total estimated cost of the project is in \$1,200,000. They would like to raise 800,000 to 900,000 in donations. Moved by Buch, seconded by Vermedahl, to commit \$1,000 per year to the Van Horne community facilities project, for a period of ten years, contingent upon Van Horne successfully obtaining a Community Attraction Grant. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the utility permit requested by Mediacom to place utility lines in the county's right-of-way in sections 28 and 29 of Iowa Township. All members voting aye thereon. Motion carried.

The county attorney met with the board regarding the hire of a full-time employee. The individual being considered was present and requested that the board go into closed session pursuant to Iowa Code 21.5(1)j. Moved by Sanders, seconded by Buch, to enter into closed session. All members voting aye thereon. Motion carried at 10:21 a.m.

Moved by Buch, seconded by Sanders, to return to open session. All members voting aye thereon. Motion carried at 11:00 a.m.

The Board discussed entering into an employment contract with Jacqueline Michael to fill the Collections Paralegal position in the county attorney's office. Moved by Buch, seconded by Sanders, to enter into an Employment Agreement between Benton County, Iowa and Jacqueline Michael. All members voting aye thereon. Motion carried. Said agreement sets forth, in part, that Michael will fulfill the duties set forth in the Iowa Code relating to the collection of court fines and associated costs, and the duties of the job description. Michael will be compensated at \$34,000 annually, with a \$5,000 bonus being paid if the county's share of the collection money equals or exceeds \$125,000 in a fiscal year, and a \$2,500 additional bonus if the county's share of collections exceeds \$175,000 in a fiscal year. Michael will receive two weeks of vacation after six months of employment, and 3 weeks of vacation after one year. The vacation per year is set at 3 weeks, unless otherwise changed by the Board of Supervisors. Michael is an at-will employee. The position may be eliminated if it does not prove to be a financial benefit to the county, as determined by the Board of Supervisors.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to adopt Resolution #12-11, WAGE AND CLASSIFICATION CHANGE FOR GABE MCGOWAN. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-11

WAGE AND CLASSIFICATION CHANGE FOR GABE MCGOWAN

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

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the Labor Grade classification of Gabe McGowan will be VD (mechanic.) VD base wage for Gabe McGowan will be \$18.32 per hour. Gabe McGowan rate change will be effective March 14, 2012.

Dated this 20<sup>th</sup> day of March 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ronald Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Buch, to approve 64.5 hours of vacation carry-over requested by Penny Applegarth. Said carry-over is to be used no later than June 30, 2012. All members voting aye thereon. Motion carried.

The engineer spoke to the board about advertising for part-time weed truck drivers. The engineer stated that annually seasonal part-time positions were advertised and filled. The board agreed that the engineer should advertise to fill the positions.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

March 27, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of March 20, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to set April 24, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by Pat Ferguson on a parcel located in the NW1/4 of the SE1/4 of 10-85-10. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the hire of the following persons as part-time drivers in the transportation department: Niles Bierschenk, Timothy Stiles, and Chris Behrens, effective this date, at a wage of \$11.80 per hour. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Benton Storage Unlimited, LLC (Mark and Valerie DeRycke), the board took up the matter for consideration. Marc Greenlee presented that technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a commercial use. Greenlee reported that access is pre-existing and meets all county criteria. There is currently a well on site. The soil may not be suitable for a conventional septic system due to the high water table and will be subject to permit. The site was used by the Iowa Department of Transportation when they made Highway 30 into a four-

## **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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lane and subsequently used as a parking lot by other owners. The land is not in production and the fill material placed on the parcel is thick and impenetrable with a tile rod. The proposed use is for commercial storage buildings. Kenneth Krug and Vernon McClintock were present as adjacent property owners. Krug stated his concerns, which included in part, the increased traffic and increased road dust, trash, and water run-off. McClintock voiced concern about removing property from agricultural use. The board responded that the property had been taken out of agricultural use when the Department of Transportation used it. DeRycke stated that he would sealcoat the gravel from Highway 30 to the entrance to the property at his own expense. DeRycke also added that the area would be fenced, which would catch any trash that may be left on the property. Krug reiterated his concern about the increased road dust and the amount of traffic already on the gravel road. Moved by Sanders, seconded by Buch, to approve the request for a land use change from agricultural to non-agricultural on approximately 3.21 acres for a commercial purpose on a parcel generally described as being a located in the NW1/4 of the NW1/4 of 25-83-9. All members voting aye thereon. Motion carried.

Kyle Helland and Mark Jensen met with the Board to request a variance to the Benton County Subdivision Ordinance on Parcel A in the W1/2 of the SW1/4 of 16-83-9. Parcel A currently has a residence as well as an outbuilding that contains living quarters. Jensen would like to divide the parcel to allow the residence and outbuilding to be separated. Jensen explained that the division was necessary for him to continue with estate planning, as well as would allow him to sell the residence in order to pay medical bills. The board discussed the request at length with specific discussion centering on whether a hardship existed, which would allow for the board to waive the subdivision ordinance or parts thereof. Moved by Buch, seconded by Sanders, to waive the ordinance in its entirety for a single division of Parcel A, located in the W1/2 of the SW1/4 of 16-83-9, as a hardship exists based on the unique circumstances of the owners and the immediate need to put their estate in order. Further, the structures exist currently and there will be no further development, except for the installation of a second septic system. Voting aye were Vermedahl and Buch. Sanders voting nay, noting that he was not comfortable with the waiver not because of the situation but because of the precedence. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plan filed by Interstate Swine for the facility known as Pig Palace, LLC located at 5192 30<sup>th</sup> Avenue, Walker, Iowa. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Treasurer Kelly Geater met with the board concerning the abatement of taxes. Moved by Sanders, seconded by Buch, to adopt Resolution #12-12, ABATEMENT OF TAX. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-12

ABATEMENT OF TAX

WHEREAS, the Benton County Treasurer has requested that the Board of Supervisors abate tax pursuant to Iowa Code 445.16; and

WHEREAS, the Board finds that the taxes should be abated,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that pursuant to Iowa Code Section 445.16, the following taxes, interest, and penalty, are abated in full:

270-05880	2009	\$587.00
270-12941	2010	\$ 17.00
370-1551	2009	\$118.00
370-1551	2010	\$212.00
370-1551	2011	\$185.00
370-1551	2012	\$155.00
370-14866MH	2010	\$105.00
370-14866MH	2011	\$185.00

Dated this 27<sup>th</sup> day of March 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Buch, to approve the hire of Jack Harris and Renee Geiger, as part-time correction officers in the sheriff's department, effective this date, at a wage of \$11.57 per hour. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the change in employment status of Simon Gunderson from part-time to full-time, effective this date, at a wage of \$13.80 per hour. All members voting aye thereon. Motion carried. The board did not take action on the approval of the hire of Simone Gunderson as a reserve deputy, depending further discussions with the sheriff.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to adopt Resolution #12-13, CANCEL OUTSTANDING CHECKS. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-13

CANCEL OUTSTANDING CHECKS

**WHEREAS**, Iowa Code 331.554(7) provides for the cancellation of outstanding warrants; and

**WHEREAS**, the Benton County Auditor has requested that outstanding checks issued prior to March 20, 2011, be cancelled,

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the following checks be and are hereby cancelled. Each check shall be credited to the fund upon which the check was drawn. Further, a person may file a claim with the auditor for the amount of the cancelled check within one year from this date, and upon showing of proper proof that the claim is true and unpaid; the auditor shall issue a check drawn upon the fund from which the original cancelled check was drawn.

**Co-Insurance Fund**

07/08/2009	#2626	\$ 7.30	Mark Merchant
09/03/2009	#2740	\$ 11.00	Larry Andreesen
01/20/2010	#2832	\$ 20.20	Randall Forsyth
04/07/2010	#2946	\$ 11.00	Larry Andreesen
02/10/2010	#2855	\$ 7.45	Carol Zander
02/16/2011	#3234	\$ 27.60	Melinda Schoettmer
12/09/2009	#3783341	\$286.33	MR Associates
		_____	
	Fund Total	\$370.88	
	<b>Grand Total:</b>	\$370.88	

This resolution adopted on the 27<sup>th</sup> day of March, 2012.

Benton County Board of Supervisors

\_\_\_\_\_  
Ronald R. Buch, Chairman

\_\_\_\_\_  
David Vermedahl

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

Moved by Buch, seconded by Sanders, to set the share of health insurance monthly premium for employees not covered by a bargaining agreement at \$15.00 for a single plan and \$160.00 for a family plan beginning with fiscal year 2013. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, that the cost of health insurance to county departments for FY13 is reduced by \$50.00 per plan per month. All members voting aye thereon. Motion carried.



# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Buch, seconded by Sanders, to approve payment of checks numbered 135056 through 135295, and ACH deposits numbered 13805 through 13922. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by Alliant Energy to place utility lines in the county's right-of-way in Eldorado Township in Sections 8 and 17, on 70<sup>th</sup> Street. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to set the cost of county-applied dust control for 2012 at \$1,150.00 for two applications of MC-70, for a distance of 400 feet. Each additional foot is \$2.30, for two applications. All members voting aye thereon. Motion carried.

Brian Hartoon met with the board to discuss consulting services relative to the county's solid waste facility and program. Hartoon is to prepare a proposal for services and return to the board.

Dana Burmeister, Assistant Transportation Director, updated the board on a minimum mileage requirement needed on the county's transportation vehicles. The mileage requirement is needed if the county is to remain in the rotation for new federally subsidized transportation vehicles. Burmeister stated that one of the county's vehicles does not have the minimum number of miles on it and asked if the board would be interested in allowing another county to use the bus in order to get the necessary miles. The board indicated that they would consider the option.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

April 3, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of March 27, 2012. All members voting aye thereon. Motion carried.

The board went into exempt session pursuant to Iowa Code Chapter 20. 17(3), to discuss union negotiations between the county and the sheriff's union. The board returned to regular session at 9:20 a.m. Moved by Buch, seconded Sanders, to approve the tentative agreement and labor contract between Benton County Sheriff's Department and Chauffers, Teamsters & Helpers Local No. 238, An Affiliate of International Brotherhood of Teamsters, Chauffers & Helpers of America representing the Benton County Sheriff's Department employees, for the period beginning July 1, 2012 through June 30, 2013. All members voting aye thereon. Motion carried. The agreement provides, in part, for an approximate 2.35% wage increase, a change in meal allowances, and clothing allowances for correctional officers.

Moved by Sanders, seconded by Buch, to approve the decategorization payments presented by Tammy Wetjen-Kestersen for submittal to the state. The invoices are for services rendered for the period July 2011 through March 2012, for \$2,586.50 per month (9 months). All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a contract amendment for Decategorization Services, to provide for an increase in funding to Wetjen-Kestersen from \$31,040 annually to \$32,592.00 annually. All members voting aye thereon. Motion carried. Funding for Wetjen-Kestersen is from a pass-through grant, sponsored by Benton County, with no county tax funds involved. Increases to Wetjen-Kestersen are established by the Iowa/Benton Decategorization Board.

Moved by Buch, seconded by Sanders, to allow Jones County Transportation to use Benton County's transportation bus #206, for the period April 9, 2012 through July 6, 2012. The arrangement has been approved by East Central Iowa Council of Government and Jones County has agreed to provide proof of insurance. Benton County Transportation is to notify the auditor's office prior to its return to Benton County to allow Benton County to re-insure the vehicle. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plan filed by Cedar Valley Egg Farm LLP, for the facility located at 5143 22<sup>nd</sup> Ave., Mt. Auburn, Iowa. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to contract with McKenna Lawn Care for three applications of chemicals to the courthouse lawn at a cost of \$511.50. All members voting aye thereon. Motion carried. O'Grady Chemical submitted a quote of \$603.73.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Buch, seconded by Sanders, to acknowledge the hire of the following persons as seasonal employees with Benton County Conservation: Ralph Jones, effective April 9, 2012, at a wage of \$10.30 per hour; Craig Brunssen, effective April 9, 2012, at a wage of \$9.52 per hour; Chad Galli, effective May 7, 2012, at a wage of \$9.27 per hour; David Ervin, effective April 9, 2012, at a wage of \$9.00 per hour; and Emily Higgins, effective April 9, 2012, at a wage of \$9.00 per hour. All members voting aye thereon. Motion carried.

The board met with the owner of parcel 270-01501 regarding delinquent taxes. The owner presented a petition pursuant to Iowa Code section 427.8, and requested that the board suspend taxes. The treasurer stated that she had met with the county attorney, who advised that the owner could pay the taxes over a period time, i.e. payment plan. The auditor stated that Iowa Code section 427.8 did not provide for a payment plan per se on delinquent taxes and only provided for the suspension and/or abatement of tax, penalty, etc. A person can pay current year tax on a monthly basis without board action. The petition is required to be submitted by March 1. The treasurer stated that the property was a building on leased land and that the only option the county would have is to get a court order and that the courts would probably allow for a payment plan. The board discussed the various possibilities with the overall intention to work with the owner to get the taxes paid. Moved by Sanders, seconded by Vermedahl, to waive the March 1<sup>st</sup> deadline for the submission of a petition under Iowa Code 427.8 based on the county attorney's advice to the treasurer, and to accept the petition submitted by the owner, duly sworn to, as evidence of the owner's inability to contribute to the public revenue. Further, the interest due on the current tax on parcel 270-01501, is suspended in full until April 30, 2012. If the current tax is paid in full by April 30, 2012, any penalty and interest assessed for the current year is abated. Further, prior year(s) delinquent tax, interest, and penalty are suspended pursuant to Iowa Code 427.8. It is the understanding of the Board of Supervisors that the owner will work with the county treasurer to pay prior year tax. The Board will revisit the abatement of prior year(s) interest and penalty, once those taxes have been paid in full or in part. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to rescind the suspension of taxes on parcel 240-87350, at the request of the owners. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to enter into the Iowa Economic Development Authority Community Development Block Grant Tornado & Wind Damage Assistance Program Contract 11-OT-001. All members voting aye thereon. Motion carried. The grant is in the amount of \$500,000 and is to assist uninsured and underinsured property owners who sustained damage in the windstorm of July 11, 2011.

Moved by Buch, seconded by Sanders, to enter into the Contract for Housing Fund Administrative Services with East Central Iowa Council of Governments, relative to CDBG Contract 11-OT-001. All members voting aye thereon. Motion carried.

Dean Studer met with the board to discuss compressed natural gas (CNG) as an alternative fuel. Studer informed the board about the availability of CNG and that the approximate cost per gallon would be \$.28. Studer stated that CNG could be used in current vehicles (modifications required) currently using diesel or new vehicles could be purchased that were factory built to use CNG as an alternative fuel source. Studer stated that has been meeting with local government agencies and requesting that they seriously consider looking at CNG when making future vehicle purchases.

Moved by Sanders, seconded by Buch, to approve the auditor's quarterly report for the period ending March 30, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve a utility permit requested by South Slope Cooperative Communications Co. to place utility lines in the county's right-of-way in Eldorado, Fremont, Eden and Canton Townships. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the Federal Aid Agreement for the County Highway Bridge Program Project BRS-CO06 (87)-60-06 for the bridge on V37 north of Dysart. All members voting aye thereon. Motion carried.

The engineer reported that the landfill balance on March 30, 2012, in the Blairstown bank was \$93,184.40.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

April 10, 2012

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

## **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

165

Moved by Sanders, seconded by Buch, to set May 8, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by Marvin L. Lorenz on a parcel in the E1/2 of the NE1/4 of 19-82-11, and to set May 15, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by Larry Yaeger on a parcel located in the NW1/4 of the SE1/4 of 10-85-10. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the receipt of the annual manure management plan filed by Pig Palace, LLC for the facility located at 5192 30<sup>th</sup> Avenue, Walker, Iowa. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to suspend the tax on parcel 030-43450, pursuant to Iowa Code 427.9. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the recorder's quarterly report for the period ending March 31, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the minutes of April 3, 2012. All members voting aye thereon. Motion carried.

The treasurer requested a change in the manner that the employee(s) in her office who conduct drives for driver's license purposes is compensated. Treasurer Geater requested that it be changed from \$3,000 added to the annual salary to a \$15.00 per drive basis. Moved by Buch, seconded by Sanders, to change the compensation to employees conducting drives for driver's licenses to \$15.00 per drive, effective this date, as requested by the treasurer. The treasurer's budget must accommodate the change without amendment. The \$3,000 annual compensation option is abolished, effective immediately. All members voting aye thereon. Motion carried.

The treasurer submitted the quarterly investment report for the board's review. No action is required.

Moved by Sanders, seconded by Vermedahl, to approve checks numbered 135297 through 135586, and ACH deposits numbered 13923 through 14040, for payment. All members voting aye thereon. Motion carried.

The auditor spoke to the board about a complaint she received regarding the leased areas between the Cedar Valley Ranch and the farm tenant. The Ranch believes that the farming activities are encroaching on their leased area. Supervisor Sanders is to speak with both parties to resolve the matter.

The auditor spoke to the board about scheduling a meeting with the departments regarding the new financial system, as well as various other issues. The board directed the auditor to schedule the meeting for April 17, 2012.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

166

Moved by Buch, seconded by Sanders, to adopt Resolution #12-14, SERVICE AREA BUDGET AMENDMENT. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-14

SERVICE AREA BUDGET AMENDMENT

BE IT RESOLVED by the Benton County Board of Supervisors that the FY12 budget be amended within service areas as follows:

**WHEREAS**, the Benton County Board of Supervisors adopted the FY2012 budget on March 8, 2011; and

**WHEREAS**, the Board now desires to amend said budget within a service area to reallocate funds;

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the FY2012 county budget is hereby amended within the following service areas:

Service Area 3 – from 30100 to 30000 (Public Health)

Service Area 4 – multiple activities (Mental Health)

Service Area 6 – from 60000 to 601000 (Conservation)

Service Area 9 – from 922000 to 92300 (Insurance)

The auditor is directed to make the necessary changes.

Dated this 10<sup>th</sup> day of April 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

Brian Hartoon of Foth Infrastructure met with the Board regarding an analysis of the county's landfill options. The board had met previously with Hartoon and requested that he provide a proposal for services. Hartoon reviewed his company's proposal, which included a life cycle cost analysis to determine if there is a long-term deficit, review of current agreements, and an analysis on future expansion of the existing facility, closure of the existing facility and contracting with other facilities, and providing a transfer station and bulk waste collection. The cost of the professional services is not to exceed \$22,500 and is on an hourly basis. The hourly rate varies dependent on the individual performing the work.

Moved by Buch, seconded by Sanders, to enter into an Agreement for Professional Services with Foth Infrastructure & Environment to complete a life cycle cost analysis on the county's landfill, as well as an analysis of options including expanding the current landfill, constructing a transfer facility, or transferring responsibility for waste disposal to each community. The cost of the analyses is not to exceed \$22,500.00 and will be billed on a per hour basis. The analysis should be completed by June 30, 2012. All members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

167

Moved by Buch, seconded by Sanders, to approve the placement of an advertisement in the official newspapers of Benton County regarding roadside spraying for 2012; the adoption of Resolution #12-15 DESTRUCTION OF NOXIOUS WEEDS; and to approve the notice to organic farmers and vineyard owners regarding the 2012 spraying program and direct that it be published in the official newspapers of Benton County. Voting aye were Sanders, Vermedahl and Buch. Nays none. Motion carried.

RESOLUTION #12-15

## **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, 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 May 11, 2012 and as often thereafter as is necessary to prevent seed production:

**Group 1. Leafy Spurge, Perennial Peppergrass, Sour Dock, Smooth Dock, Sheep Sorrel, and Purple Loose Strife.**

Group 2. Canada thistle, Russian Knapweed, Wild Mustard and Buckthorn.

Group 3. European Morning Glory or 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, Shattercane 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 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, Musk Thistle, European Morning Glory or Field Bindweed, Horse Nettle, Leafy spurge, Perennial Peppergrass, Russian Knapweed, Buckthorn, Purple Loose Strife, and all other species of thistles belonging in general of Cirsium and Carduus.
- (b) Secondary Noxious Weeds: Butterprint, Cocklebur, Wild Mustard, Puncture Vine, Teasel, Wild Carrot, Buckthorn, 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 fail 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 Engineer 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 10th day of April 2012.

\_\_\_\_\_  
David Vermedahl, Chairman

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ron Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Buch, to approve the hire of the following seasonal drivers for roadside spraying: Robert Byers, at a wage of \$10.55 per hour and Donovan Merchant, at a wage of \$10.30 per hour. Both hires are effective April 16, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the Iowa Department of Transportation Secondary Road Budget for FY13. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the Iowa Department of Transportation Secondary Road Construction Program for FY13. All members voting aye thereon. Motion carried.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

April 17, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of April 10, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to set May 15, 2012, at 9:30 a.m., as the time and date for public hearing on land use change requested by Ryan Gager and Billy Johnson, on a parcel located in the NE1/4 of the SW1/4 of 25-86-9. All members voting aye thereon. Motion carried.

The board did not take action on setting a public hearing for Cedar Valley Farms Dairy Farm construction permit application as the notification from the Department of Natural Resources as of today.

Moved by Sanders, seconded by Buch, to approve checks numbered 135887 through 135717, for payment. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Brandon Bos, the board took up the matter for consideration. Marc Greenlee presented that technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to add a second residential use to the parcel. Greenlee reported that access is pre-existing and can be used; however sight distance is only 450 feet and may request that it be relocated. A new septic will be needed and the existing well may be used or a second well drilled. The new use is to allow the applicant's parents to reside on the property. There will be no dividing of the current parcel. Greenlee reported that the applicant could have an agricultural building without approval, but making it a residence is a new non-agricultural use. Moved by Buch, seconded by Sanders, to approve the request for a land use change from agricultural to non-agricultural on approximately one acre for a residential purpose on a parcel generally described as being a Part of SE1/4 of the NW1/4 of 32-85-9, with the restriction that the new residential use is restricted to family members only. 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 Don and Virginia Becker, the board took up the matter for consideration. Marc Greenlee presented that technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a single residential use. Greenlee reported that the site was once a farmstead as shown in photographs from the 1930's; however the buildings have since been razed over the years. The applicants are losing their current residence due to the Highway 30 expansion project. Greenlee reported that there would be no issues with well, septic, or driveway placement. Moved by Buch, seconded by Sanders, to approve the request for a land use change from agricultural to non-agricultural on approximately two acres for a residential purpose on a parcel generally described as being a Part of SE1/4 of the SE1/4 of 2-83-11. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a Class B liquor license requested by Bloomsbury Farm. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the filing of the annual manure management plan of Pig Palace, LLC for the facility located at 5192 30<sup>th</sup> Avenue, Walker, Iowa. All members voting aye thereon. Motion carried. The board had previously acknowledged the filing of the annual manure management plan for this facility; however, the facility had to make changes to said plan and re-file.

The board discussed the request to abate penalty on property taxes owed by Abernathy Farms, LLC and Braniac. The county has been notified that the taxes were timely mailed; however no postage was placed on the envelope resulting in \$333.00 in penalty being assessed. The supervisors stated that taxes are actually due on March 1<sup>st</sup>, with a 30 day grace period. The board also questioned the precedent that would be set should they abate penalty for failure to affix postage. Moved by Sanders, seconded

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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by Buch, to deny the request to abate the penalty assessed on parcels 34105950, 35003501, 38000500, 38004150, 3901490, 39001750, 39004350, 39004400, 39014550, 39019760, 44007600, 69007820, 81000900, 87035950 and 79023800, as the tax was due March 1<sup>st</sup> and there is no statutory authority to abate the penalty. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to set April 27, 2012, at 9:00 a.m., as the time and date for a special board meeting. All members voting aye thereon. Motion carried. The purpose of the meeting is to approve checks for payment. The county is converting to a new financial system and the special pay run will provide an opportunity to test the system.

The board discussed the FY13 budget appropriations. The auditor explained that all salary and health insurance expenditures had been reduced to reflect prior action taken by the board. The board discussed the upcoming vacancy in the transportation director position due to the retirement of the current employee. The board asked for a copy of the current job description and if after reviewing the same, there are no changes then the auditor is directed to advertise to fill the position. The board directed the auditor to reduce the FY13 appropriation in that department by one full time employee pending filling the director's position.

Moved by Sanders, seconded by Buch, to approve the utility permit requested by Van Horne Cooperative Telephone Company to place utility lines in the county's right-of-way in Big Grove, Union, Eldorado, and Eden Townships between 17<sup>th</sup> Avenue and 24<sup>th</sup> Avenue, and along 65<sup>th</sup> Street and 70<sup>th</sup> Street. All members voting aye thereon. Motion carried.

The board then met with the departments. Discussion included the new financial system and claim submittal, conflict of interest laws, new employment application forms, new employee physical forms, FMLA forms, I-9 forms, veteran's preference law requirements, and other various issues.

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

April 24, 2012

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

Moved by Buch, seconded by Sanders, to exercise the option to extend the agreement with EideBailly, LLP for audit services for FY13 and FY14 at a base cost of \$48,000 and \$50,000, respectively. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the request to use the courthouse lawn on May 3, 2012, for National Day of Prayer. All members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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Moved by Buch, seconded by Sanders, to adopt Resolution #12-16, AMEND BUDGET WITHIN SERVICE AREA. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

## RESOLUTION #12-16

### SERVICE AREA BUDGET AMENDMENT

BE IT RESOLVED by the Benton County Board of Supervisors that the FY12 budget be amended within service areas as follows:

**WHEREAS**, the Benton County Board of Supervisors adopted the FY2012 budget on March 8, 2011; and

**WHEREAS**, the Board now desires to amend said budget within a service area to reallocate funds;

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the FY2012 county budget is hereby amended within the following service areas:

Service Area 7 – multiple activities (Secondary Roads)

Service Area 9 – 922000 to 921000 (\$129.00)

The auditor is directed to make the necessary changes.

Dated this 24<sup>th</sup> day of April 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Pat Ferguson, the board took up the matter for consideration. Marc Greenlee presented that technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a commercial use with a proposed use of a gun shooting/training range. The applicant and one other person were present. There are no proposed structures. Equipment is kept in a portable semi-trailer so that it can be readily moved in the event of flooding. The land is not in current agricultural production. The Department of Natural Resources and the Army Corp of Engineers have reviewed the permits and have no objections. There will be no septic or water systems installed. The property owner located within 350 feet has provided a written waiver to allow for discharging a firearm within two hundred yards of a residence. There were no objections heard. Moved by Sanders, seconded by Buch, to approve the request for a land use change from agricultural to non-agricultural on approximately one-half acre for a commercial purpose on a parcel generally described as being a Part of the NW1/4 of the SE1/4 of 10-85-10. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the rates for client services at the Cedar Valley Ranch, effective July 1, 2012, through June 30, 2013, as follows: \$79.70 per day for residential care, \$79.70 per day respite care, \$15.00 per hour for adult day care, and 50.5 cents per mile and \$15.00 per hour for transportation services. All members voting aye thereon. Motion carried.

Representatives of the Cedar Valley Ranch spoke with the Board about constructing a new garage for the facility. The current garage is one stall and is in poor condition. There was concern about the future of the Ranch due to legislation reforming mental health in the state and whether a new garage should be constructed. The board advised that even if the Ranch no longer rented the facility, that the county would still have a facility that they would need to do something with and the garage would be used by whoever would take over the facility. The board requested that the Ranch submit a proposal for a new garage that would meet their needs and the county will consider the proposal. The county will then obtain proposals for the construction of the same.

Herb Boots met with the board regarding the current status of the county's landfill. Boots reported that he had been told the landfill would be closed by the end of the week. The board advised that there were no plans to close the landfill at this time. Boots stated that the portion of the current cell, which is the newly constructed cell, is about full and that there has been no movement towards opening the north side of the cell. Boots commented that it was dangerous to dump as the trucks had to back



# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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up a steep incline to get to the area to dump. County Engineer Myron Parizek acknowledged that the south part of the cell was filling up, but that an additional layer could be done. Parizek stated that an access road would have to be constructed in order to accommodate another layer. Parizek added that the northern part of the cell still needed a liner and rubber chips. It was asked why the entire cell was not constructed all at once. Parizek replied that the engineering firm that designed the cell recommended that the cell be constructed in two stages due to storm water issues and DNR concerns. Boots stated that the county needed to resolve the landfill issues and in the event he is forced to dump elsewhere, he will expect the county to reimburse him for his mileage costs.

Moved by Sanders, seconded by Buch, to approve utility permits requested by Farmers Mutual Telephone to place utility lines in the county's right-of-way in Benton Township, Section 23, along 59<sup>th</sup> Street Trail, and in Canton Township, Section 9, 15, and 16, for approximately 1500 feet along 64<sup>th</sup> Street. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by Poweshiek Water Association to place utility lines in the county's right-of-way in Leroy Township, Section 34. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the minutes of April 17, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to amend the minutes of April 3, 2012, to reflect that the bus transportation is loaning to Jones County is #209 and not #206, as reflected in the minutes. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to designate Jill Marlow, Benton County Auditor, as the county representative relative to the Community Development Block Grant for the Timber Ridge water supply. All members voting aye thereon. Motion carried.

The Board reviewed the job description for the transportation director. Moved by Sanders, seconded by Buch, to amend the job description for the transportation director by adding various requirements, including but not limited to, computer related skills. Further, the auditor is directed to advertise the position in the official publications of the county, as well as the Livewire and 4-County Market. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to enter into closed session to discuss a client appeal of denial of services. All members voting aye thereon. Motion carried at 11:01 a.m.

Moved by Buch, seconded by Sanders, to return to open session. All members voting aye thereon. Motion carried at 11:30 a.m.

No action was needed as a result of the closed session.

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

April 27, 2012

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

Supervisors Buch and Sanders attended by telephone placed on speaker/conference call mode. The conversations could be heard by all board members simultaneously, as well as any public in attendance. The purpose of the meeting was to approve claims for payment, as the county is converting to a new financial system and payment of claims outside of the normal board meeting day was necessary to test the software program.

Moved by Sanders, seconded by Buch, to approve the payment of checks numbered 200001 through 200095, and payroll numbers 135718 through 135814, and ACH deposits numbered 14041 through 14161, for payment. All members voting aye thereon. Motion carried.

Dr. Abbie Clark was in attendance. Dr. Clark voiced concern on the intersection improvement project at 33<sup>rd</sup> Avenue and 72<sup>nd</sup> Street. Dr. Clark was concerned about the lack of communication with residents in the area about the project and the amount of private property involved. Dr. Clark stated that there was one meeting in February; however little, if any, information was provided. Dr. Clark stated that she spoke with Supervisor Buch about her concerns, and that she had seen nothing in the board minutes regarding the project. Supervisor Buch stated that he spoke privately with the engineer about the need for a meeting and

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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that he needed to follow up with him. The board agreed that they would schedule a meeting with the property owners to discuss the project and requested that the matter be placed on the next agenda. Letters will be sent to the affected property owners as to when and where the meeting will be held.

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

\_\_\_\_\_  
David H. Vermedahl

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

May 1, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of Tuesday April 24, 2012 and Friday April 27, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve Class B Liquor License for Watkins Community Athletic Association. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt and filing of the annual manure management plan submitted by Kerkman Livestock for the facility located at 7027 31<sup>st</sup> Ave., Atkins, Iowa. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize the auditor to destroy unused pre-numbered check stock. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to enter into the Wellmark Renewal Binder for employee health insurance for fiscal year 2013. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the receipt and filing of the annual manure management plan submitted by D & M Hogs for the facility located in the NW of the NW of Section 33-83-12. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize the chair to sign the Certification of Cost Allocation Plan. Voting aye were Sanders, Buch and Vermedahl. Nays none. Motion carried.

Myron Lown, owner of Lazy Acres RV Park, and adjoining business owner, Rick Primmer, discussed their concerns about the dust control on the road accessing his property. The engineer was also present for the discussion. Lown's first proposal was that he and Primmer would purchase asphalt chips from Wendling Quarries when they are freshly ground and have them delivered and scattered on the public roadway. The cost to be borne 100% by Lown and Primmer. He requested that the time span be extended before having the material graded up as he intends to start staying open all year round in versus the 7 months he has been in the past. Lown's second proposal was to be able to seal coat the public road entirely and that he bear 100% of the costs as well so that he can aim for a 10 year life span instead of the yearly one. He is also willing to maintain the road himself. The Board explained that there is a similar situation in another part of the county where the property owners had a special assessment applied to their taxes to cover the costs of the road. After hearing Lown's proposals, the Engineer gave permission for Lown to go ahead and apply the chips to the road now; however, any seal coating won't be done until weather permits. The intentions are to have it all done before Memorial Day Weekend. Also if Lown is still interested in on going forward with something more permanent, then they would definitely need to allow more time to work out all the details and procedures for a special assessment for the road.

Moved by Sanders, seconded by Buch, to accept the resignation of Dan Carroll from secondary roads effective May 29, 2012. All members voting aye thereon. Motion carried.

The board discussed some concerns they've heard regarding the intersection improvement project at 33<sup>rd</sup> Avenue and 72<sup>nd</sup> Street. The board stated that primarily the concerns from property owners are about the lack of information. The board was updated by the engineer about other feedback from property owners that he had received after the property owners were contacted by the company conducting the appraisal of the individual properties. After further discussion, the board agreed that the engineer should schedule another meeting with the property owners to discuss the project and requested that the engineer mail letters to the affected property owners as to when and where the meeting will be held.

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

\_\_\_\_\_  
David H. Vermedahl

ATTEST: \_\_\_\_\_

Hayley Rippel, Deputy Auditor

May 8, 2012

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

Moved by Buch, seconded by Vermedahl, to approve the minutes of May 1, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to acknowledge the receipt of the annual manure management plan filed by Christensen Farms for the facility located at 1819 56<sup>th</sup> Street, Vinton, Iowa. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve checks numbered 200096 through 200252, payroll checks numbered 136020 through 136039, and ACH deposits numbered 14162 through 14282, for payment. Both members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Move by Buch, seconded by Vermedahl, to approve an additional employment classification of "part-time reserve officer" for Simon Gunderson, effective this date. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-17, TRANSFER OF FUNDS. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

RESOLUTION #12-17

TRANSFER OF FUNDS

Be it resolved by the Benton County Board of Supervisors that \$8,265.78 be transferred from the TIF Fund to the Secondary Roads Fund.

Dated this 8<sup>th</sup> day of May 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Marvin L. Lorenz and Mary Lorenz, the board took up the matter for consideration. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a single residential use. Greenlee reported that the parcel is an old homestead site, with existing farm buildings. The access is pre-existing and can be used; however secondary roads will not participate in any improvements and would prefer that the drive be moved. There is rural water eliminating the need for a well and there are no problems anticipated with a septic system. Moved by Buch, seconded by Vermedahl, to approve the request for a land use change from agricultural to non-agricultural on approximately two acres for a residential purpose on a parcel generally described as being a Part of the W1/2 of the NE1/4 of 19-82-11. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-18, ABATEMENT OF PENALTY. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

RESOLUTION #12-18

ABATEMENT OF PENALTY

WHEREAS, the treasurer has advised that a clerical error occurred in her office resulting in the assessment of penalty on parcel #350-14700, and

WHEREAS, the treasurer requests that the county abate the penalty as it was through no fault of the property owner that the error occurred,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the penalty assessed against parcel #350-14700, in the amount of \$71.00 is abated.

Dated this 8<sup>th</sup> day of May 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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Mary Halstead, Transportation Director, and Dana Burmeister, provided an update on the Route Match conference they attended. Halstead stated that the conference provided a tremendous amount of training on the software programs that her department uses. Burmeister stated that it was beneficial to have two persons attend so that all of the sessions that are held simultaneously can be attended by someone. Halstead advised that the cost of the conference was minimal as approximately \$943.00 is reimbursed through East Central Iowa Council of Governments resulting in a total county expense of less than \$200.00.

Halstead and Burmeister also stated that the advertisement for a new transportation director requiring the director to have or obtain a Class A commercial driver's license was erroneous. The director should be required to have or obtain a Class C commercial driver's license with a passenger endorsement. The auditor responded that the requirement was taken from the job description that was prepared and approved several years ago by the transportation director and the board of supervisors. The job description was reviewed by the supervisors prior to the ad being placed in the papers and no change to that requirement was made. Supervisor Buch requested that the matter of amending the job description be placed on the next agenda and that the position be advertised again. The auditor stated that the June 1<sup>st</sup> deadline would have to be extended.

Halstead asked about the last ECICOG meeting attended by Vermedahl. Vermedahl stated that he did not remember any discussions regarding funding for transportation being held at that meeting.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

May 15, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of May 8, 2012. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Larry Yaeger, the board took up the matter for consideration. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a commercial use. Greenlee reported that the applicant currently resides in a residential subdivision and is requesting to enlarge an existing building on his property and use it for firearm instruction classes and possible retail. The new use would be related to the shooting range business that is adjacent to his property. The access is pre-existing, a new septic system will be installed and the existing well will be used. The current classification of the parcel is residential. There were no comments either for or against the proposal. Moved by Buch, seconded by Sanders, to approve the request for a land use change from residential to commercial on approximately one acre on a parcel generally described as being a Part of Lot #2 of Ferguson's First Addition to Benton County, Iowa. 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 Ryan Gager, the board took up the matter for consideration. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a single residential use. The parcel is currently in alfalfa with a CSR of 60. The access is pre-existing and the site will need a well and septic system. Greenlee reported that the site is approximately 1.25 miles from a hard surface road and that there is a large amount of traffic on the gravel road; however, the county does not intend to improve the road from its current gravel surface. Moved by Sanders, seconded by Buch, to approve the request for a land use change from agricultural to non-agricultural on approximately three acres for a residential purpose on a parcel generally described as being located in the NE1/4 of the SW1/4 of Section 25-86-9. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to appoint Mary Williams to the Passenger Transportation Advisory Committee for East Central Iowa Council of Governments. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a Class B Liquor License requested by Blairstown Sauerkraut Days Beer Tent. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to amend the job description of the transportation director by removing the requirement for a Class A commercial driver's license and in lieu thereof inserting the requirement for a Class C commercial driver's license with passenger endorsement. All members voting aye thereon. Motion carried.

The board discussed the proposed lease agreement for office space between Benton County and the State of Iowa Department of Human Services Case Management. The State had presented a proposed lease agreement for consideration by the county. Auditor Jill Marlow advised that she had reviewed the proposal and recommended that the county reject the proposed agreement. Marlow stated that the proposal removed all protection from legal actions yet retained all protection for the state, the proposal required the county pay the state liquidated damages in certain circumstances, required some remodeling, as well as other changes. The proposal did not include any increase in rent. Moved by Buch, seconded by Sanders, to reject the proposed lease agreement prepared by the State of Iowa. Further, to offer a one-year extension of the current agreement with a 3 percent increase in rental rate. All members voting aye thereon. Motion carried.

The board discussed the rates for health insurance for FY13. The board had previously taken action on March 27, 2012, setting the FY13 employee contribution rates and reducing the departmental expense by \$50.00 per plan per month. The county has been notified of an additional reduction in insurance premiums from the Iowa State Association of Counties due to employee participation in wellness activities. The auditor questioned if she was to reduce the departmental budgets to reflect the lower premium. The board also discussed at length the employee share of a family plan if there are two married employees. The auditor

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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explained that the county had offered a reduced premium to married employees; however, there was no language in current policy that provided for the reduction. The auditor explained that if the county offered a reduction similar to what was done in the past – a family plan would cost a married couple \$52.00 per month versus the \$160.00 set by the board. The auditor stated that the reduced rate would result in the county paying approximately \$1,300 more per year for that plan. The auditor stated that there were no current plans with the reduced premium; however, her office has been asked if it is available. Moved by Sanders, seconded Buch, to set the monthly rates for health insurance for FY13 are as follows: Single Plan - Departmental cost - \$501.30 and employee cost - \$15.00; Family Plan – Departmental cost - \$1,050.97 and employee cost - \$160.00. There are no reduced costs for married employees. Retirees remaining on the county's health insurance pay 100% of the plan rate except those under the early retirement incentive. The auditor is directed to reduce the FY13 budget to reflect the new health insurance premiums. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the utility permit requested by ITC Midwest to place utility lines in the county's right-of-way in Canton Township along the Linn Benton line southeast of Shellsburg. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the utility permit requested by ECI REC to place utility lines in the county's right-of-way in sections 19 and 20 of Polk, along 29<sup>th</sup> Avenue. All members voting aye thereon. Motion carried.

The engineer reported that the balance in the Blairstown bank landfill account on April 30, 2012, was \$104,007.14.

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

May 22, 2012

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

Moved by Buch, seconded by Sanders, to set June 19, 2012, at 9:15 a.m., as the time and date for a land use change requested by Michael Gardemann on a parcel located in the SW1/4 of the SE1/4 of 14-83-10. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the receipt of a new manure management plan filed by D & M Hogs for a new operation located in the NW1/4 of the NW1/4 of 33-83-12, on 12<sup>th</sup> Avenue. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the minutes of May 15, 2012. All members voting aye thereon. Motion carried.

Marc Greenlee presented an application for a farm exemption submitted by Wade Hennings. The applicant is involved in a farming operation, farming 200 plus acres in a corn and soybean rotation and livestock operation. Moved by Buch, seconded by Sanders, to approve a farm exemption as provided for in the Benton County Agricultural Land Use Preservation Ordinance for a single residential use on a parcel described as being a part of the SW1/4 of Section 15-85-12. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize the chair to sign the Determination of Level of Review – Environmental Review Record and the Civil Rights Impact Analysis Certification. All members voting aye thereon. Motion carried. The documents are relative to the Community Development Block Grant for the Wind and Tornado Damage of July 11, 2011.

Jill Marlow, Auditor, advised that she had been working with the State of Iowa on the lease agreement for DHS Case Management. Marlow stated that the State agreed to the county's counter proposal of a 3% increase in rent and a one-year lease extension. Marlow stated that the State is still requesting that the door be changed as well as an outlet moved, but that she did not want those items as a part of the lease agreement. Moved by Buch, seconded by Sanders, to approve entering into a one-year lease extension with a three percent increase in rental fees with the Iowa Department of Human Services Case Management. Further, that the door entering the office area is to be changed or modified and one electrical outlet is to be moved at the lessee's request. All members voting aye thereon. Motion carried.

Myron Parizek, County Engineer, presented three bids for the HMA resurfacing on V37 from Dysart north for eight miles. Three bids were received as follows:

River City Paving - \$1,969,369.16; Aspro, Inc. - \$1,990,594.24; Manatt's - \$2,243,270.96.

Moved by Buch, seconded by Sanders, to accept the bids for the resurfacing project on V37 for project STP-S-CO06(86) and to award the bid to River City Paving at a cost not to exceed \$1,969,369.16. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 200259 through 200472, payroll checks numbered 136040 through 136066, and ACH deposits numbered 14283 through 14404, for payment. All members voting aye thereon. Motion carried.

Andy Lent, Vinton City Coordinator, met with the board regarding RAGBRAI going through Vinton in July 26, 2012. Lent advised that they expect approximately 10,000 riders, who will generate a significant amount of garbage. Lent requested that Benton County waive any tipping fees relative to the event in Vinton. Lent stated that the city will have four roll-off containers for waste, as well as recycling receptacles. Moved by Sanders, seconded by Buch, that the landfill fill fees relative to the garbage from the RAGBRAI event in Vinton is to be waived. All members voting aye thereon. Motion carried.

Andy Lent advised that the city is beginning to receive more complaints about downtown parking. Nathan Hesson of Vinton Unlimited stated that the city, county, and businesses, need to work together to solve the problem. The auditor commented that the county has always encouraged employees to park on the north and east sides of the courthouse, adding that it was her understanding that the county paid to widen the street on the north side of the courthouse to provide for employee/county parking. Lent stated that the city is using some of the flood lots as parking areas and county employees are encouraged to use those as well. Lent reported that the EMA trailers could be moved to one of those areas as well and free up additional parking across from the courthouse.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

May 29, 2012

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

Ron Boyer met with the Board to request that the subdivision ordinance be waived to allow for a third division in the NE1/4 of the SE1/4 of 4-84-9. Boyer stated that the owner would like to retain ownership of the grain bins and split the remaining part to allow to a transfer of ownership. The grain bins would remain with one hundred plus acres of agricultural in the adjoining parcel to the south. Supervisor Sanders expressed concern about granting a waiver stating that each time the ordinance is waived the supervisors are weakening the ordinance. Supervisor Vermedahl stated that the county protects agricultural use, yet has another ordinance that is making it difficult to parcel off a piece to keep it agricultural. Boyer stated that he is unable to get the other party in the forty acre to sign a statement that his parcel will always remain agricultural. Marc Greenlee, Land Use Administrator, stated that the parcel will not allow for an agricultural exception to the ordinance. Supervisor Sanders reiterated his concern about whether the ordinance could be varied. Having fully discussed the provisions of the ordinance and the request, it was moved by Sanders, seconded by Vermedahl, to waive the Benton County Subdivision Ordinance relative to a division in the NE1/4 of the SE1/4 of Section 4-84-9, as the parcel is to remain in an agricultural use. Both members voting aye thereon. Motion carried.

Trent Jacobi of the Benton County Conservation Board tendered his resignation to the Board of Supervisors. Jacobi stated that he enjoyed serving Benton County, adding that he has spent a lifetime of service – serving in the armed forces, the fire department, and other community events. Jacobi stated that after in-depth thought about his current service on the conservation board, he has decided that he cannot continue due to the legal exposure and risk that he is putting him and his family in. Jacobi stated that the service on the board has been enjoyable and offered his best wishes for the continued success of the conservation board and department. Moved by Sanders, seconded by Vermedahl, to reluctantly accept the resignation of Trent Jacobi from the Benton County Conservation Board, effective immediately. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to approve the minutes of May 22, 2012. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to acknowledge the receipt of the annual manure management plan filed by RnK Farms, LLC for the facility located at 2907 62<sup>nd</sup> St. Trl, Shellsburg, Iowa. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to authorize the chair to sign Addendum #2 of the Lease Agreement between Benton County and the State of Iowa Department of Human Services for office space at the Governor Sherman building. The Board further agrees to install a new door to the office space and move an electrical outlet as requested by the Department of Human Services. The Addendum provides for a three percent increase in rent and is for one year. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize the chair to sign the Letter of Understanding for Audit Services with EideBailey. Both members voting aye thereon. Motion carried.

Sheriff Randy Forsyth met with the board to discuss legal language to be included in the law enforcement contracts between Benton County and cities within the county. The county's insurance carrier is requesting language to protect the county in the event of a claim. Forsyth presented the proposal to the board and stated that he would be sending new contracts to the cities. Moved by Sanders, seconded by Vermedahl, to approve the change in law enforcement contracts, effective July 1, 2012, to include the language, "No agreement has been reached between the parties concerning which party is required to defend and indemnify the other party for any claim or suit arising from law enforcement services provided under this contract. The question is expressly reserved for decision by the courts on an appropriate occasion." If councils do not meet prior to that date, current contracts are to be extended for one month. Both members voting aye thereon. Motion carried.

Sheriff Forsyth advised that he may need a budget amendment prior to the end of the fiscal year. The auditor stated that it was too late for a full budget amendment, but a service amendment could be done, if needed. Forsyth stated that his budget would be close and he would have a better idea closer to the end of June.

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

June 5, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of May 29, 2012. All members voting aye thereon. Motion carried.

Nancy Farmer and Scott Hansen met with the Board to discuss the Public Health Emergency Response Plan. Farmer explained that annually the Plan is brought to the board for approval. Farmer stated that the Plan has changed to incorporate national standards that have been adopted. There are fifteen capabilities with functions, performance measures, tasks, etc. Each year a different capability will be addressed to verify that the county has met the requirements. For fiscal year 2012, the Information Sharing capability was addressed, as well as Emergency Coordination. The emergency coordination is done through the emergency management commission/coordinator unless it is specific to medical and public health needs. Farmer stated that coalitions are to be expanded to include larger area and regions, although Benton County has already established good relationships as proven during past disasters – adding that outside assistance is readily available from other communities outside of our local community. Moved by Buch, seconded by Sanders, to approve the Public Health Emergency Response Plan. All members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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Rick Bramow and Justin Birker met with the Board regarding the purchase of new lawn and snow removal equipment for the courthouse. Quotes were obtained for a John Deere Model X748 tractor/mower with a 60" deck, 54" blade, 54" snow blower, and cab. Two quotes were received as follows: Keystone P & K - \$19,512.14 and Rowley Equipment - \$18,221.00. Moved by Buch, seconded by Sanders, to approve the purchase of the John Deere Model X748, plus equipment, from the company with the lowest price. The maintenance department is to ask if either of the companies can lower their quote. Both members voting aye thereon. Motion carried.

The Board discussed the FY12 law enforcement contract between Benton County and the City of Urbana. There is no record of an agreement being approved by Benton County for FY12; however Urbana had signed an agreement on August 24, 2011. The agreement did not contain the required county signatures. After discussing the issue with the sheriff, it was determined that police protection services have been provided and that the county should be compensated for said services. Further, the agreement had been approved by the City of Urbana. Moved by Sanders, seconded by Buch, to retroactively approve the law enforcement agreement between Benton County and the City of Urbana for ten hours per week at \$22.00 per hour, for the months of July and August 2011. The remainder of the FY12 is to be billed at five hours per week at \$22.00 per hour. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to enter into a law enforcement contract with the City of Urbana, for the period July 1, 2012 through, June 30, 2013, for 260 hours annually of police protection, at a cost of \$5,720.00 to be paid quarterly. All members voting aye thereon. Motion carried.

Mary Williams, Social Services Director, updated the board on the mental health redesign legislation.

Mary Williams, Social Services Director, and Kathy Jordan, Department of Human Services Case Management, met with the board regarding the designation of a case management unit for the period ending July 1, 2012 through June 30, 2014. DHS Case Management services provide additional management services for individuals in residential care facilities and various venues. The county will determine which clients that case management services will be provided. Moved by Buch, seconded by Sanders, to enter into a two-year agreement with the Iowa Department of Human Services Case Management for case management services. All members voting aye thereon. Motion carried.

Dave Thompson, Emily Nydle, and Jackie Michael, of the county attorney's office met with the board to provide an update on the fine collection system. Thompson reported that with the hire of Michael as a full-time employee, it is not his FY12 budget to cover the salary and he will need a budget amendment. Thompson reported that the collections total an aggregate of \$95,460.00. The amount that will be realized by the county should be \$27,819.16. Thompson requested that \$5,000.00 be amended into his budget to cover what was lost from his budget due to the additional salary. The \$5,000 does not include that additional funds needed for the employee benefits in the general supplemental fund. The board agreed to amend the budget during the normal service area amendment to be done later in the month.

Moved by Buch, seconded by Sanders, to authorize the chair to sign the State Historical Preservation Office documentation relative to the Tornado and Wind Damage Community Development Block Grant for repairs to a residence. All members voting aye thereon. Motion carried.

The engineer reported that the balance in the landfill account at the Blairstown bank on May 31, 2012, was \$116,738.35.

The engineer reported on the Atkins roadway project and reminded the board that there will be a supervisors' meeting on June 6<sup>th</sup> at 5:30 at the Atkins Pavilion. The format of the meeting will be informal with people coming and going at their convenience. The right-of-way is being expanded from 33 feet to 60 feet.

The auditor presented a quote for a microwave dish system to provide connectivity between Secondary Roads and the courthouse. The system would allow for secondary roads to access the courthouse computer system, internet, and telephone system. The estimated cost is \$37,605.00. The auditor explained that she had requested a disinterested party to review the quote and was informed that the quote was not out of line with current prices and would provide the needed connectivity.

Moved by Buch, seconded by Sanders, to approve the purchase of a microwave network system between the courthouse and the secondary roads office. All members voting aye thereon. Motion carried.

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

June 6, 2012

The Benton County Board of Supervisors met in special session with Supervisors Vermedahl, Buch and Sanders present. Chairman Vermedahl called the meeting to order at 5:30 p.m. at the Atkins Park Pavilion, Atkins, Iowa. Supervisor Sanders left at 6:10 p.m.

The purpose of the meeting was to meet with the affected property owners and other interested individuals about the improvements to 33<sup>rd</sup> Avenue between Highway 30 and Atkins. The project will include widening shoulders, improving sight distance, and eliminating snow trap problems, as well as improvements to the 33<sup>rd</sup> Avenue and 72<sup>nd</sup> Street intersection. There were approximately 20 interested persons in attendance. The engineer explained that the improvements to the curve/intersection and approximately six hundred feet north and south of the intersection was being financed with mostly federal funds. The improvements along 33<sup>rd</sup> Avenue were being paid with local funding. The improvements will generally require a new sixty-foot right-of-way on each side of road, which will allow for wider shoulders and flatter slopes. The engineer explained that re-seeding of the area can either be in native seed or grass seed and will be paid by the county.

The county engineer explained the project and the reasons for the improvements. The engineer also responded to various questions and concerns involving the project. The comments listed are not all-inclusive of those voiced.

1. Reduction of speed limit – the engineer responded that the a reduced speed limit would only be effective if there was a law enforcement presence twenty-four hours a day/seven days a week. That speed study could be done when the project is completed to assess whether a speed limit would be appropriate.
2. Comments about the number of accidents that have occurred at the intersection and if the improvements were necessary with the suggestion that a four-way stop along with speed reduction be implemented instead of the improvement project. –

## **BENTON COUNTY BOARD OF SUPERVISORS RECORD “M-M”**

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- the engineer responded that the four-way stop could be reviewed but that the design and change in the roadway is the best option.
3. Rick Nolan reported that a similar project had taken place south of Van Horne, where he was an adjacent landowner. Nolan stated that the county was very accommodating and that the improvements reduced the snow collection on the roadway as well as the number of accidents.
  4. Questions as to funding – the engineer stated that \$500,000 was coming in the form of federal funding for the intersection improvements with any costs above that being the responsibility of the county. The federal funding took into account the number of accidents that have occurred at the intersection when being granted. The federal funding has certain constraints and redesign of the intersection was done with those constraints in mind.
  5. Questioned if the project was beyond the point of no return. – the engineer responded that the project design can be changed at this time, but the termination of the project itself was not an option.
  6. Comments that if simply plowing the road more often would address the snow issues versus redesigning the roadway. Possibly stationing a snow plow in Atkins to provide for quicker response time and possibly addressing parts of the road instead of the entire road. Additionally, that the worst place for snow collection was by Highway 30 and that the county was proposing to change the whole length of roadway for a small problematic area. – the engineer responded that the county has limited resources, that having the trucks stationed out of Vinton does allow the mechanics to work on the vehicles more easily when necessary. The engineer added that the improvement project south of Van Horne was very successful.
  7. Questions when there will be another route out of Atkins instead of using 33<sup>rd</sup> Avenue – the engineer responded that a sealcoat on the road east of Atkins was done and 33<sup>rd</sup> Avenue had been under the Iowa DOT's jurisdiction until nine years ago when the legislature transferred it to the county.
  8. Comment that the snow collection wasn't as bad when snow fences were used and questioned if the county could use living barriers. – The engineer responded that he has been with the county for twenty-four years and the county has never used snow fence during that time. The engineer stated that some property owners put up snow fence on their own, but that the cost to the county has not been worth the benefit and that it might not solve the problem with snow.
  9. Questioned if the county could make it a policy to plow the road more often. – The engineer responded that the county has a policy to plow snow between 4:30 a.m. and 6:30 p.m., however daylight hours is the most effective. After dark the only light for the plow drivers come from the equipment and is very difficult to see. Currently the plow driver for this area hits this road first.
  10. Comment that snow plows need to operate later at night with a suggestion of 10:00 p.m. – The engineer responded that Benton County only has one shift and that is about 14 hours a day during a snow event. The county could hire more employees but that would take additional funding. The engineer added that the DOT had to cut its workforce by 50% to meet budget.
  11. Concerns about the amount of land being taken for the project including lawns and trees.
  12. Questioned the costs of Phase 2 of the project (widening of right-of-way). The engineer responded that the grading is less than \$100,000 but that does not include right-of-way purchase or shoulder rock.
  13. Request for the appraisal process to be explained. The engineer stated that the appraiser will contact each property owner, meet with them and view the property, prepare a report and submit it to the consultant /county. The county meets with the owners with the consultant to negotiate a purchase price and address other concerns. If no agreement is reached, the county can proceed with condemnation.
  14. It was commented that the county hadn't given the property owner their rights and that is required if condemnation of the property occurs.
  15. Concerns were heard that property owners received a letter from the appraiser with a two-day notice, but then were never contacted.
  16. Comments that removal of trees in the current right-of-way would not be compensated. The engineer confirmed that only removal and/or damage of trees outside of the current right-of-way would be compensated.
  17. Concerns about the number of trees and amount of land being taken were heard. The engineer responded that the county was open to modification to a point, but that the county was moving ahead with the project. The assistant engineer advised that the photos that the property owners received initially were not an exact representation and that the amount of land and trees subject to the project as shown in those photos was not accurate but rather just an initial representation. Photos available at this meeting of each property was a more accurate representation. The engineer added that the photographs show a worst-case scenario for compensation purposes. The appraiser will provide a maximum amount for compensation and then if modifications are made the cost could be reduced.
  18. Questions as to whether the road would be elevated and resurfaced. – The engineer reported that the existing road would be torn up resurfaced at the intersection only. 72<sup>nd</sup> Avenue would be elevated approximately 3 feet for three hundred feet east-west at the intersection. 33<sup>rd</sup> Avenue will be resurfaced with the type of resurfacing material undecided at this time.
  19. Concerns about access to property during the project. The engineer responded that access would be provided to each residence during the project although the access may be inconvenient.
  20. Questions if the road would be closed. The engineer responded that the 33rd Avenue intersection would be closed during the entire time. The road would not be closed for the widening project; however it may be reduced to one lane.
  21. Questioned about the roadway inside the city limits. – The engineer responded that the county has no jurisdiction over the road inside the City of Atkins.
  22. Questioned if county was open to compromise on landscaping issues. The engineer responded that the county may compromise as to landscaping provided the purpose of the project is not compromised. The engineer added that the width of the right-of-way may be adjusted in areas, citing the Brunssen property that the project can miss the concrete pillars but would need fifty feet of right-of-way on the north third of the property but less on the south third as an example.
  23. Questioned if road would be elevated above grade by Highway 30. The engineer replied that the slope of the shoulders would be re-worked but that the road would not be elevated.



# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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24. Questioned if the improvement projects were a "done deal". Supervisor Vermedahl responded that the intersection improvement project was moving forward and that it was the intention of the board of supervisors to go ahead with the right-of-way improvement project due to the concern about safety.
25. Comment that if county had not received federal funding that the project would not have taken place. Supervisor Buch responded that the supervisors had given thought to the project prior to getting the federal funding. Buch stated that the board gets the most complaints on this road and that the county was going to improve the road anyway but that when the money was granted for the intersection it was decided to proceed with that project as well.
26. Questioned as to the current status of the road project. The engineer explained that the appraiser would contact those not already contacted, provide a report to the county, and then the county or their representative would meet with each landowner to discuss the purchase proposal. The county must have the purchase proposal before it can proceed to the next step. No trees would be removed until the property has been purchased.
27. Questioned if the engineer could meet with each landowner and view the property first hand and adding that it may make the landowner a little more accommodating. The engineer responded that he or his assistant could meet with each landowner.
28. Ken Larsen a property owner on Ben-Linn Road questioned if rock and dust control would be provided on his road due to the increased detour traffic. Supervisor Vermedahl responded that the county generally provides dust control.

The engineer stressed that there would be an improvement to the snow on the roadway and emphasized the success of the Van Horne project. Rick Nolan echoed that engineer's comments specific to the Van Horne project.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

June 11, 2012

The Benton County Board of Supervisors met in special session with Supervisors Vermedahl and Buch present. Chairman Vermedahl called the meeting to order at 6:00 p.m. at the Health and Human Services Building at 855 South Dubuque Street, Iowa City, Iowa.

Supervisor Sanders arrived at 6:40 p.m.

The board met in joint session with representatives of Johnson County, Linn County, Iowa County, Jones County, Louisa County, Muscatine County, and Washington County, for the purpose of discussing the mental health redesign legislated during the 2012 legislative session. Legislation has passed requiring that counties form regions for the delivery of mental health services. The various attendees discussed various issues that would need to be addressed when forming regions. The purpose of the meeting was to begin the initial steps in determining which counties will join to form regions. Discussion included the services required, funding, and governance.

The group discussed the timeline for development of the regions and various steps needed to be taken.

Discussion included the types of services required as well as if additional services were allowable. The funding for mental health services under the new legislation, the state's financial involvement, and the pooling of county financial resources for mental health services.

The discussion also included the type of governance of a region, including whether the larger counties would have more voting power than smaller counties.

A second meeting will be held in August for further discussion.

The Johnson County auditor's office was responsible for taking the detailed minutes and a copy of those minutes is available from the Johnson County Auditor's Office.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

June 12, 2012

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

Moved by Sanders, seconded by Buch, to set July 10, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by James and Nina Goersch, on a parcel located in the NE1/4 of the SE1/4 of the NW1/4 of 29-85-9. All members voting aye thereon. Motion carried.

Rich Bramow and Justin Birker met with the Board regarding the repairs to the Department of Human Services building. The Board had directed that window replacement and brick repair be done after July 1<sup>st</sup>. Quotes for the work were received as follows:

Schoonover Tuckpointing - \$12,145 (no window replacement included in quote)

Bascom Tuckpointing - \$12,987.00 (no window replacement included in quote)

McDowell's - \$8,060.83 – window replacement only

Janssen Waterproofing - \$17,782.00 (includes brick repair and window replacement).

Moved by Buch, seconded by Sanders, to award the quote for repairs to the Department of Human Services building to Janssen Waterproofing at a cost not to exceed \$17,782.00. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 200474 through 200796, payroll checks numbered 136067 through 136087, and ACH deposits numbered 14405 through 14525, for payment. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a fireworks permit requested by J & M Displays for a display on July 3, 2012, located north of Newhall by the lift station. All members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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The auditor told the board that an inspection of the large oak tree on the southwest corner of the courthouse lawn has resulted in a written recommendation that the tree be removed due to liability. The tree has a split that has gotten larger putting the tree in the high risk category for falling. Bramow and Birker explained that a rod was inserted through the entire crack and revealed that there was a lot of decay. Moved by Buch, seconded by Sanders, that the tree be removed. The auditor is directed to speak with conservation and determine if the tree can be utilized for lumber for the nature center. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge receipt of the annual manure management plan filed by Rick Pickering for the facility located at 1531 69<sup>th</sup> Street, Keystone, Iowa. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to enter into Law Enforcement Agreements with the City of Mt. Auburn for 26 hours annually of coverage at a cost of \$572.00, and the City of Shellsburg for 260 hours annually of coverage at a cost of \$5,720.00. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the hire of Megan Louise Barske, as a part-time correctional officer in the sheriff's department, at a training wage of \$11.57 per hour, effective this date. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to adopt Resolution #12-19, AMENDING THE FY12 BUDGET WITHIN SERVICE AREA. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

## RESOLUTION #12- 19 SERVICE AREA BUDGET AMENDMENT

BE IT RESOLVED by the Benton County Board of Supervisors that the FY12 budget be amended within service areas as follows:

**WHEREAS**, the Benton County Board of Supervisors adopted the FY2012 budget on March 8, 2011; and

**WHEREAS**, the Board now desires to amend said budget within a service area to reallocate funds;

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the FY2012 county budget is hereby amended within the following service areas:

Service Area 0 – Debt Service, Transfers  
Service Area 1 - County Attorney, Medical Examiner  
Service Area 3 – Veterans Affairs, Transportation  
Service Area 6 – Animal Control, TIF  
Service Area 9 – General Services, Planning and Management

Departments listed above include the larger amendments within the service area. Amendments are not limited to the departments listed. The auditor is directed to make the necessary changes.

Dated this 12<sup>th</sup> day of June 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

The time of 9:30 a.m. having arrived, the Board proceeded with the canvass of the Primary Election held on June 5, 2012. The results were reviewed and verified by the Board. Moved by Sanders, seconded by Buch, to approve the canvass of the June 5, 2012, Primary Election and to declare the results official and declare the following candidates as winners of said election:

Democrat:

Congressional District – Bruce Braley  
State Senate – Shelley Parbs  
State Representative – Sandra K. Cronbaugh  
County Supervisor II – Terry Hertle  
County Supervisor III – Donald H. Frese  
County Auditor– Jill Marlow  
County Sheriff – Vincent Snyder

Republican:

Congressional District – Ben Lange  
State Senate – Tim Kapucian  
State Representative – Dawn Pettengill  
County Supervisor II – Richard A. Primmer  
County Supervisor III – Patrice Ann Smith  
County Auditor– Melissa Mosher  
County Sheriff – Randall L. Forsyth

The auditor is directed to file the results in the records of the Benton County Auditor's Office. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to approve the minutes of June 5, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-20, changing the labor grade classification of Eric Hummel. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

RESOLUTION #12-20

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 Eric Hummel will be VE (telescoop operator with one year working with the machine). VE base wage for Eric Hummel will be \$18.19 per hour. Eric Hummel rate change will be effective June 2, 2012.

Signed this 12<sup>th</sup> day of June, 2012.

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: \_\_\_\_\_  
Benton County Auditor

Moved by Buch, seconded by Sanders to direct chair to sign contract and bond for HMA resurfacing on V37 (STP-S-C006 (86)—5E-06 North of Dysart). All members voting aye thereon. Motion carried.

Parizek presented five bids for white goods recycling and disposal. A-Line Iron & Metals bid a \$6.30 revenue, while Weikert Iron & Metal Recycling had a \$2.50 charge. The county is currently paying \$4.00. Parizek stated that the committee that looked into these contractors did not recommend A-Line Iron & Metals. The Board questioned if the agreement could be terminated if the contract is awarded to A-Line Iron & Metals. Parizek stated he would have to look further into it but believed there was a 30 day termination clause. It was reported that Jones and Tama counties are looking into using A-Line Iron & Metals. Moved by Buch, seconded by Sanders to accept the bid from A-Line Iron & Metals for the recycling and disposal of white goods and enter into an agreement for the same. Voting aye were Sanders and Buch. Vermedahl voting nay. Motion carried.

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

\_\_\_\_\_  
David H. Vermedahl Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

June 19, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of June 6, 2012, June 11, 2012, and June 12, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set July 17, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by John Fetzer on a parcel located in the SE1/4 of 29-86-11. Both members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Michael Dean Gardemann, the board took up the matter for consideration. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a non-agricultural use. There will be no well and a holding tank will be used in place of a septic system. The holding tank will be pumped periodically and disposed of at a treatment plant. The requested use is for a storage shed and shop (private owner use only). Moved by Buch, seconded by Vermedahl, to approve the request for a land use change from agricultural to non-agricultural on approximately .6 (six tenths) of an acre on a parcel generally described as being located in the SW1/4 of the SE1/4 of 14-83-10. Both members voting aye thereon. Motion carried

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-21, APPROPRIATIONS. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

**RESOLUTION # 12-21  
APPROPRIATIONS**

**WHEREAS**, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2012, 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 service area to each department on the budgets filed in the office of the county auditor on July 1, 2012 are hereby appropriated. Federal and State grants and/or reimbursements expendable during the fiscal year are hereby appropriated to the designated departments or offices. For purposes of this resolution all departments relating to elections are considered one department.

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, effective July 1, 2012.

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 2012-2013 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 2012-2013 budget year.

Section 6. Tax Increment payments, which are subject to annual appropriation are authorized.

Section 7. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2013.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 29, 2012.

Benton County Board of Supervisors

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

183

Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-22, BANK DEPOSITORIES. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

Resolution #12-22  
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 2013.

US Bank	
Vinton	\$ 500,000
Farmers Savings Bank & Trust	
Vinton/Traer	\$ 15,000,000
Midwest One Bank & Trust	
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
Regions 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	\$ 3,000,000
Bank Iowa	
Norway	\$ 2,000,000
Watkins Savings Bank	
Watkins	\$ 1,000,000
Cedar Valley Bank & Trust	
La Porte City/Mt. Auburn	\$ 5,000,000
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
United Security Bank	
Urbana	\$ 1,000,000
Security State Bank	
Independence	\$ 500,000

Signed this 19th day of June 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

184

Moved by Buch, seconded by Sanders, to adopt Resolution #12-23, INTERFUND OPERATING TRANSFERS. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

**RESOLUTION #12-23**  
**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 2012-2013 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, 2013, 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	\$ 152,518.00
General Basic	General Supplemental	\$ 300,000.00
General Basic	Debt Service	\$ 264,625.00
General Basic	Land Acquisition	\$ 0.00
Rural Services Basic	Secondary Road	\$ 2,003,354.00
Rural Services Basic	Sanitary Disposal	\$ 271,800.00
Sanitary Disposal	Closure/Post Closure	\$ 80,000.00

Section 2. The auditor shall order a transfer each quarter of fiscal year 2012-2013 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). The amount of the transfers, if any, required in Section 1 to the Conservation Land Acquisition fund shall be derived from conservation fees deposited into the general fund and said transfer shall not exceed the amount of fees deposited.

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. 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 Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 19, 2012.

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David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

185

Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-24, COUNTY OFFICIAL DEPOSITORIES. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

## RESOLUTION #12-24 COUNTY OFFICIAL DEPOSITORIES

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 2013:

Lexa Speidel, Recorder	
Farmers Savings Bank & Trust – Vinton	\$150,000
Randall Forsyth, Sheriff	
Farmers Savings Bank & Trust – Vinton	\$ 250,000
Randall Forsyth, Sheriff	
US Bank	\$ 1,000
Randall Forsyth, Sheriff	
Regions Bank	\$ 100,000
Jill Marlow, Auditor	
US Bank	\$ 5,000
Farmer's Savings Bank	\$ 5,000
Myron Parizek	
Benton County State Bank	\$250,000

Signed this 19th day of June, 2012

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

The Board met with Mary Williams, Social Services Director, and Cindy Kaestner, Abbe Center Executive Director. Williams and Kaestner spoke to the board about the mental health redesign legislation and the uncertainty on how and what services will be provided in the future by the county and the service providers. The creation and make-up of regions was briefly discussed. Kaestner stated that she would return in the fall with more detail but that the county must still affiliate with a mental health center. Williams also requested that the board approve contracts with mental health providers for fiscal year 2013. Moved by Buch, seconded by Vermedahl, to approve the following provider contracts for the period July 1, 2012 through June 30, 2013:

1. Abbe Center for Community Mental Health - \$210,000 annually
2. Mercy Medical Center (related to commitments) – Prehearing - \$540.00/day; Post hearing - \$575.00/day
3. Abbe Center for Community Care – RCF \$110.00/day; RCFPMI \$149.00/day
4. Area Substance Abuse Council – Related to Commitments - \$36.63/day; Dual Diagnosis Program - \$138.11/day; Halfway House - \$55.64/day; On-site Assessment - \$100.00/ 1 visit; Dual Diagnosis Day Treatment - \$76.95/day.
5. Covenant Hospital – (related to commitments) – Prehearing - \$636.00/day; Post Hearing - \$236.00/day.

Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into the Purchase of Service Agreement for FY13 between Benton County and the East Central Iowa Council of Governments for transportation services. Said agreement sets forth that medical trips within the region will be free of charge and not considered an additional service. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into a one-year maintenance agreement with Midwest Alarms for the alarm systems at the courthouse, law enforcement center, and transportation building, at a cost of \$5,425.00. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into a three-year maintenance agreement with Accurate Controls for the control system at the law enforcement center at a cost of \$24,809.25 per year. The agreement provides for twenty-four hour service and one annual inspection. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into a one-year software maintenance agreement with J2 Software Solutions at a cost of \$10,875.00 per year. J2 Software Solutions maintains the civil records software in the sheriff's department. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into a one-year consultant agreement with Frieltech for computer network management services in the law enforcement center at a cost of \$10,000. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into a law enforcement agreement with the City of Atkins for 936 hours of coverage annually at a fee of \$20,592.00. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to enter into a law enforcement agreement with the City of Van Horne, for 780 hours of law enforcement coverage annually at a fee of \$17,160.00. Both members voting aye thereon. Motion carried.

Representatives of ERB's Business met with the board to discuss the management services being provided for the courthouse computer system. ERB's has been providing maintenance services since December 2010 when the board decided not to staff an information technology office. ERB's had met with the board earlier in the year and was asked to put the managed

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

services agreement on a fiscal year and to return with an update on the services being provided. Brad Svoboda and Jim Koch informed the board that since the initial management agreement in December 2010, the county has added the social services department, two additional services, and placed the transportation department on the courthouse network. Transportation has implemented a new software program for RouteMatch, which required considerable assistance from ERB's. The company also has a person on-site one day every other week to work on the general system maintenance and be available for the various offices to contact if they are experiencing difficulty. ERB's has responded to network issues on-site occurring in the middle of the night, after contacting the auditor for approval. The auditor stated that just about the entire courthouse offices (except the county attorney) have had new desktops installed in the past year or will be installed shortly after July 1<sup>st</sup>. Supervisor Vermedahl stated that he believed the outsourcing of the management of the IT department was working and ultimately saved the county money, but stressed that the key to success was communication and response. Moved by Buch, seconded by Vermedahl, to renew the Management Consultant Agreement between Benton County and ERB's for Information Technology Management Consultant Services, for the period July 1, 2012 through June 30, 2013, at a cost of \$2,843.00 per month. The new management agreement will include Symantec renewal, which had previously been approximately 1,200.00 annually. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the salary certifications for deputies and assistants in the following offices for FY13:

Auditor – Brenda Sutton and Hayley Rippel – 80% of the elected official.

Treasurer – Kim Staab – 85% of the elected official; Melinda Schoettmer – 75% of the elected official; Michele Sauer – 65% of the elected official.

Recorder – Rachelle Berry – 80% of the elected official.

County Attorney – Emily Nydle – 85% of the elected official; Jo Nelson - \$58,963.00.

Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to re-appoint Ed Landuyt to the Veterans Affairs Commission for a three-year term. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a cigarette permit for Kimm's Sinclair for the period July 1, 2012 through June 13, 2013. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to renew the county's flood insurance with American Bankers Insurance Company and the excess flood insurance policy with Arthur J. Gallagher Risk Management Services for the law enforcement center. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-25, TRANSFER OF FUNDS. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

**RESOLUTION #12-25  
TRANSFER OF FUNDS**

BE IT RESOLVED by the Benton County Board of Supervisors that the following fund transfers be approved:

Sanitary Disposal to Closure/Post Closure - \$80,000

Local Option Sales and Services Tax to Rural Services - \$192,870.98

Local Option Sales and Services Tax to Secondary Roads - \$231,445.18

General Basic to Debt Service - \$3461.34

General Basic to Land Acquisition - \$2,500.00 (ReLeaf Proceeds)

Dated this 19<sup>th</sup> day of June 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST:

\_\_\_\_\_  
Jill Marlow, Auditor

June 26, 2012

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

Moved by Sanders, seconded by Buch, to set July 17, 2012, at 9:30 a.m., as the time and date for a public hearing on construction permit application submitted by Cedar Valley Farms located in the NE 1/4 of 25-82-11. All members voting aye thereon. Motion carried.

Judy Funk presented renewal documents for the Heartland Insurance Risk Pool. Funk reviewed the insurance premiums for FY13, which total \$497,762 or a 5.04% increase. Funk reviewed the types and amounts of coverage as well as the county's loss history. Moved by Buch, seconded by Sanders, directing the chair to sign the Authorization to Bind Coverage with Heartland Insurance Risk Pool for fiscal year 2013. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to designate the Abbe Center as the Community Health Center Affiliation with Benton County for FY13. All members voting aye thereon. Motion carried.



**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Mary Williams and Carol Zander of the Social Services Department met with the Board to provide an update on the redesign of mental health.

Moved by Sanders, seconded by Buch, to approve a fireworks permit requested by Chris Herr, for an event to be held in Watkins on July 7, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-26, SERVICE AREA AMENDMENT. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

RESOLUTION #12-26  
SERVICE AREA BUDGET AMENDMENT

BE IT RESOLVED by the Benton County Board of Supervisors that the FY12 budget be amended within service areas as follows: **WHEREAS**, the Benton County Board of Supervisors adopted the FY2012 budget on March 8, 2011; and **WHEREAS**, the Board now desires to amend said budget within a service area to reallocate funds; **NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the FY2012 county budget is hereby amended within the following service areas:

- Service Area 0
- Service Area 1
- Service Area 4
- Service Area 7
- Service Area 8
- Service Area 9

The auditor is directed to make the necessary changes.

Dated this 26<sup>th</sup> day of June 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

Moved by Sanders, seconded by Buch, to approve checks numbered 200797 through 201033, and payroll checks numbered 136088 through 136200, and ACH deposits numbered 14526 through 14644, for payment. This action includes approval for checks to be issued on June 29, 2012, or before, for treasurer office printers, supervisor expense reimbursement, and architectural services for conservation. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the Law Enforcement Agreement between Benton County and the City of Blainstown, providing for 780 hours of coverage annually at a cost of \$17,160.00. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the Law Enforcement Agreement between Benton County and the City of Luzerne, providing for 26 hours of coverage annually, at a cost of \$572.00. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to adopt Resolution #12-27, RESOLUTION COMMITTING FUND BALANCES. Voting aye were Buch and Vermedahl. Nays none. Motion carried.

**RESOLUTION #12-27**

**RESOLUTION COMMITTING FUND BALANCES IN ACCORDANCE WITH GASB 54**

WHEREAS, the Governmental Accounting Standards Board has adopted statement #54 (GASB 54); and WHEREAS, Benton County desires to commit a portion of fund balances in accordance with GASB 54,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the following funds are committed as of June 30, 2012:

**COMMITTED FUND BALANCES:**

**General Fund:** \$8,000 sanitarian vehicle replacement; \$192,000 election equipment replacement; \$50,000 emergency response; \$275,000 courthouse renovation; \$75,000 DHS building repairs

**Rural Services Fund** - \$8,000 land use administrator vehicle replacement

**EMS Revolving Loan Fund** – 46,477 for emergency services loans

BE IT RESOLVED that committed fund balances established prior to June 30, 2012, are hereby uncommitted as of June 30, 2012, and the committed fund balances stated above are established in lieu thereof.

BE IT FURTHER RESOLVED that the designation of committed fund balances indicates that Benton County prefers to use available financial resources for the specific purposes set forth above, and although committed, the funds are to remain an integral part of the spendable or appropriable resources of Benton County

Dated this 26<sup>th</sup> day of June 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Buch, seconded by Sanders, to acknowledge the receipt of the annual manure management plan filed by Porken Farms, for the facility located at 6168 Highway 21, Dysart, Iowa. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the receipt of notice of 100% voluntary annexation by the City of Van Home for land located in sections 12 and 14 of Union Township. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, directing the chair to sign the contract between Benton County and the Iowa Economic Development Authority for the Community Development Block Grant Contract #12-WS-024. All members voting aye thereon. Motion carried. The grant is to provide water to the Timber Ridge mobile home park.

Moved by Sanders, seconded by Buch, the following:

1. To enter into the 3<sup>rd</sup> Amendment to the Program Administration for Benton/Iowa Decategorization Project contract with the State of Iowa,
2. To enter into the Contract for Decategorization Program Administration between the Benton County Board of Supervisors and Benton/Iowa Decat and Tammy Wetjen-Kesterson,
3. To authorize a claim for \$3,104.50 for April and May 2012 services be submitted to the state for reimbursement.

All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the filing of the following sheriff's quarterly reports for the periods ending: Amended January 2011 through March 2011, April 2011 through June 2011, September 2011, October 2011 through December 2011, and January 2012 through March 2012. The board notes that the sheriff has identified certain issues on the following reports: amended January 2011 through March 2011, April 2011 through June 2011, and January 2012 through March 2012. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Buch, seconded by Sanders, to adopt Resolution #12-28, TRANSFER OF FUNDS AND BUDGET AMENDMENT. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**RESOLUTION #12-28  
TRANSFER OF FUNDS**

BE IT RESOLVED that the following funds transfers are hereby authorized:

General Basic to Capital Projects - \$78,278.33  
General Basic to Conservation Land Acquisition - \$533.35

Dated this 26<sup>th</sup> day of June 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

The Board discussed filling the vacancy on the conservation board. The term expires on December 30, 2012. The auditor stated that general an ad is placed in the official newspapers in October seeking applicants for board appointments. The board directed the auditor to place the ad in September and indicate that the conservation board appointment would be to fill the vacancy and the succeeding 5-year term.

The Board discussed filling the vacancy on the Benton Development Group Board. Supervisor Buch stated that the position could remain unfilled until January 2012, citing that the last several meetings of the Benton Development Group board had been cancelled due to lack of a quorum.

The auditor requested that the board speak with the East Central Iowa Council of Governments (ECICOG) regarding the Connect Iowa program. The program studies broadband availability in rural areas. Supervisor Vermedahl advised that he would contact ECICOG to find out more about the program.

The Board discussed filling the transportation director's position. Supervisor Buch has reviewed the applications. Supervisor Sanders agreed to review the applications and then return them for Supervisor Vermedahl to review prior to next week's meeting. The board would then discuss the applications and determine an interview schedule.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

July 3, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of June 19, 2012 and June 26, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to set July 31, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by Gary Beyer on Parcel F of the W1/2 of the NW1/4 of 25-85-10. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of a new manure management plan filed by Brad Zieser for a facility to be located in the SE1/4 of the SW1/4 of 15-86-9. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to allow the use of the courthouse on July 26, 2012, as an emergency shelter for RAGBRAI. The facility may be opened for shelter purposes after 4:30 p.m. by the emergency management coordinator in the event of an emergency only. The emergency management coordinator is responsible for security of the facility during and after the emergency event. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the auditor's quarterly report for the quarter ending June 30, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to enter into a law enforcement agreement with the City of Norway for 520 hours of coverage annually at a cost of \$11,440.00. All members voting aye thereon. Motion carried.

Jerry Petermeier met with the board about the construction of a new garage for the facility at the Cedar Valley Ranch. The board had agreed to budget for the project this fiscal year. The estimated cost is \$57,000 for a three-stall structure 36 foot by 40 foot. Petermeier stated that he is reviewing modifications to reduce the overall cost. Petermeier stated that he will return with a more definitive plan.

Jerry Petermeier asked the board about developing a plan for the law enforcement center in the event of another flood event. Petermeier stated that certain steps should be taken and that a plan should be developed now. The board agreed that a plan should be developed.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to change the employment classification of Dakota Rundlett from part-time correctional officer to full-time correctional officer, effective this date. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to adopt Resolution #12-29, ABATEMENT OF TAX. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**RESOLUTION #12-29  
ABATEMENT OF TAX**

Whereas, the City of Vinton has acquired the property located at 814 B Avenue, Vinton, under Iowa Code 657A; and

WHEREAS, the court has issued an order stating that the property is acquired free of encumbrances,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that all tax and penalty assessed on parcel 240-37000 is hereby abated in full.

Dated this 3rd day of July 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Sanders, seconded by Buch, to approve a utility permit submitted by Poweshiek Water Association to place lines in the county's right-of-way in Fremont along 31<sup>st</sup> Avenue north of 71<sup>st</sup> Street. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit submitted by Poweshiek Water Association to place utility lines in the county's right-of-way in Kane Township along 12<sup>th</sup> Avenue just south of Highway 30. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve a utility permit submitted by ITC Midwest to place utility lines in the county's right-of-way in Florence Township along 76th St., 32<sup>nd</sup> Avenue, 77<sup>th</sup> St. Dr., and 77<sup>th</sup> St. Trail. All members voting aye thereon. Motion carried.

The engineer reported that the balance in the Benton County State Bank in Blainstown landfill account on June 30, 2012, was \$1,035.21.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-30, ROAD CLOSURE. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**RESOLUTION #12-30**

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from July 16, 2012, through the completion of the project.

From 19<sup>th</sup> Avenue thence east one (1) mile to 20<sup>th</sup> Avenue in Section 03-T86N-R11W along 50<sup>th</sup> Street in Cedar Township.

Signed this 3rd day of July, 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

The engineer updated the board on the Atkins intersection project. The appraiser has put together a report, pursuant to Iowa DOT regulations, and has reported a cost of \$12,500 per acre. Offers will be presented to land owners beginning next week.

Supervisor Buch questioned the status on replacing the recycling trailers and the number of locations. The engineer advised that the decals were being placed on the recycling receptacles and that there would be six recycling locations around the county. The board also questioned the status of the report on the landfill being prepared by Foth Engineering. The engineer advised that the report should be done towards the end of July or the first part of August.

The Board reviewed the applications submitted for the transportation director. The county attorney spoke briefly with the board about the need for conducting prudent background checks on the applicant being considered, prior to offering that person the position.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

July 5, 2012

The Benton County Board of Supervisors met in special session with Supervisors Vermedahl and Buch present. Supervisor Sanders was absent. Chairman Vermedahl called the meeting to order at 2:30 p.m. in the community room of the Jones County Courthouse, Anamosa, Iowa.

The board met with representatives of Jones and Linn counties to discuss the redesign of the county mental health system. The state legislated that counties join and create regions for the purpose of delivering county funded mental health services. Benton, Jones, and Linn counties have expressed an interest in pursuing the development of a region comprised of these counties.

Discussion included the possible governance of the region, services provided, and funding. Discussion about each county continuing to operate independently within the region was an option or whether the regional governance would manage the services throughout the region.

Supervisors Vermedahl and Buch agreed that a region consisting of the counties present would provide the best services for Benton County, citing that many residents currently obtain services in Linn County and that Jones County is very similar to Benton County in size and all counties have a general agreement on the goals for the region.

Supervisor Vermedahl requested that that matter be placed on the board's agenda for further action as to Benton County's intention to form a region with Jones and Linn counties. The action is to be non-binding at this time, but that Benton County should move forward with Linn and Jones counties for the creation of a region at this time.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

July 10, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of July 3, 2012 and July 5, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve checks numbered 201034 through 201250, payroll checks numbered 136201 through 136222, and ACH deposits numbered 14645 through 14763, for payment. All members voting aye thereon. Motion carried.

Moved by Sanders, Seconded by Buch, to acknowledge receipt of the annual manure management plan for Cedar Valley Farms located in section 25-82-11. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by James and Nina Goersch, the board took up the matter for consideration. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to be able to put another residential dwelling on approximately one acre of the ten acres they currently own. A new well and septic would be needed for the second residence. The CSR is 25, driveway already met the requirements. After no further discussion, public hearing was declared closed at 9:27 a.m. Moved by Buch, seconded by Sanders, to approve the request for a land use change from agricultural to non-agricultural on approximately one acre for a residential purpose on a parcel generally described as being located in the NE ¼ of the SE ¼ of 29-85-9. Voting aye were Sanders, Buch and Vermedahl. No nays. Motion carried

Moved by Sanders, seconded by Buch, to approve the law enforcement contract with the city of Garrison for the period beginning July 1, 2012 and ending June 30, 2013. The total yearly sum of \$3,432.00 to be paid quarterly for providing police protection not to exceed 3 hours a week. All members voting aye thereon. Motion carried. Moved by Buch, seconded by Sanders, to approve the law enforcement contract with the city of Newhall for the period beginning July 1, 2012 and ending June 30, 2013. The total \$17,160 yearly sum to be paid quarterly and protection of up to 15 hours a week. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the use of the courthouse lawn for Allen Merchant to place electric pop coolers on the lawn during the cruise on July 21, 2012. All members voting aye thereon. Motion carried. The board understands that the Vinton Cruise Committee is aware of this request.

Moved by Sanders, seconded by Buch, to rescind prior action on September 20, 2011, of the county's intent to form a mental health region with Johnson County and others. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to authorize the chair to approve and sign a non-binding letter of intent to form a mental health services region consisting of Benton, Jones and Linn Counties. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize the chair to sign a contract to enter into an agreement with ECICOG for CDBG administration for CDBG contract # 12-WS-024. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve and authorize the chair to sign the plan sheet for box culvert design on V37: BROS-CO06 (87)06-06 for the Highway Bridge Projects north of Dysart. All members voting aye thereon. Motion carried.

Moved by Sanders, Seconded by Buch, to adopt a Right-of-Way Acquisition policy the same as Tama County, for right-of-way, fence and incidentals dealing with right-of-way negotiations, set forth below. All members voting aye thereon. Motion carried.

Right-of-way – 3.32 times assessed valuation.

Borrow areas and slope easements – 1.66 times assessed valuation

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Fence – to be repaired by Benton County  
Crop loss – corn @ \$1200.00 acre, beans @ \$800.00 acre, oats & seed @ \$800.00 acre, hay and pasture @ \$100.00 acre

Damages for fruit and ornamental trees, buildings, wells, etc. are to be negotiated.  
Moved by Buch, seconded by Sanders, to adjourn. All members voting aye thereon. Motion carried.

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Deputy Auditor

July 17, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of July 10, 2012. Further, to amend the minutes of June 19, 2012, to reflect that Vermedahl (not Sanders) seconded two motions (approving minutes and adoption of Resolution #12-23, INTERFUND OPERATING TRANSFERS) – the remainder of the two actions is correct and remains in full force and effect. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by John Fetzer, the board took up the matter for consideration. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to allow for a gun smith shop and shooting range. The proposal does not require a septic or well. The shop will be located in an existing building on the applicant's property and the range will also be located on property owned by the applicant. Greenlee advised that the proposed use does not take any agricultural land out of production as the range utilizes a waterway and creek area. Supervisor Vermedahl commented that the county may want to consider minimum standards for shooting ranges as there have been several proposals for ranges recently. The applicant assured the board that the facility would follow strict safety procedures and carry insurance. Hearing no further comment, Supervisor Vermedahl declared the hearing closed. Moved by Buch, seconded by Sanders, to approve a land use change from agricultural to non-agricultural on approximately one-half acre for the purposes of a gun smith shop and shooting range on a parcel generally described as being located in the SE1/4 of 29-86-11. The original application was for one-fourth acre but is approved for one-half acre. 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 the construction permit application filed by Cedar Valley Farms on a parcel located in the NE1/4 of 25-82-11, the board took up the matter for consideration. Notice of the hearing had been published in the Star Press Union on July 3, 2012. Marc Greenlee, Land Use Administrator and Sanitarian, presented the information. There were no members of the media or public present. Leon Tellinghuisen was present on behalf of the applicant. The construction permit, if granted, will provide for a four-hundred free-stall dairy, two two-hundred head heifer barns, and seventy calf huts. The facility currently is permitted for 3,150 head of mature cows and will increase to 3,250, and 580 immature head that will increase to 1100 head. The proposed facility will eliminate the open lots. Greenlee stated that he has reviewed the application and does not dispute any of the points taken on the application. Greenlee presented a scoring summary as follows:

## **MASTER MATRIX REVIEW AND EVALUATION**

### **BENTON COUNTY BOARD OF SUPERVISORS SCORING SUMMARY**

Applicant: Cedar Valley Farms

Facility Location: NE1/4, Section 25, T82N, R11W (Leroy TWP.)

Benton County scoring summary of each criterion selected by the applicant:

1. The proposed facility appears to be greater than 500ft. more than the minimum requirement from the nearest residence.
2. The proposed facility appears to be greater than 2 miles from the nearest public use area.
3. The proposed facility is approximately 1 mile from the nearest religious or commercial institution.
5. The proposed facility is more than 300 feet south of the nearest county road.
6. The proposed facility appears to be greater than 2 miles from the closest critical public use area.
7. The proposed facility is greater than two times the required distance from all private and public wells.
8. There appear to be no known agricultural drainage wells, sinkholes or major water source within a mile of the proposed facility.
9. It appears that there is no other confinement facility other than the existing portion of this proposed facility that has an MMP within  $\frac{3}{4}$  of a mile.
10. According to IDNR document 117: 3-2003 there are no high quality, high quality water resource waters, or protected water areas in Benton County.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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- 12. According to the construction permit application documents the liquid manure storage is covered.
- 19. According to the construction permit application the applicant plans to have a suitable truck turnaround area on site.
- 22. The applicant claims that a homestead tax exemption application has been filed for the site. However, the owner/operator's residence is the closest to the proposed structures.
- 26. The construction permit applicant has chosen to take points within the master matrix system under the **Proposed Site Operation and Manure Management Practices** section, items #26e, 27, 31, 32, 33, 35, 39, and 40. Benton County has no dispute with claiming points for each of those items. As the applicant has chosen to take the points it is anticipated that each requirement will be a condition of the permit should it be approved by the IDNR.

The overall scores based upon the evaluation are as follows:

Total Score = 440	Total Needed = 440
Air Score = 121.75	Total Needed = 53.38
Water Score = 119	Total Needed = 67.65
Community Score = 201	Total Needed = 101.13

Tellinghuisen told the board that the two new barns are for the health of the livestock. Hearing no further comment, Supervisor Vermedahl declared the public hearing closed at 9:50 a.m.

Moved by Sanders, seconded by Buch, to approve the master matrix scoring as submitted on the construction permit application. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, that due to no public opposition or concern, and the permit application meets the required matrix scoring, that the Benton County Board of Supervisors recommend approval of the construction permit. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plan filed by Cedar Valley Farms for the facility located at 2188 78<sup>th</sup> Street, Blainstown, and the plan filed by Brad Zieser for the facility located in the SE1/4 of the SW1/4 of 15-86-9. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to rescind the action of June 19, 2012, wherein the salaries of deputies in the offices of elected officials was set for FY13, and adopt in lieu thereof Resolution #12-31, SETTING SALARIES OF DEPUTIES IN ELECTED OFFICES. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

RESOLUTION #12-31

SETTING SALARIES OF DEPUTIES IN ELECTED OFFICES

WHEREAS, Iowa Code 331.904(1) and 331.904(3) sets forth that the board shall set certify the base salaries of deputies in the offices of auditor, treasurer, and recorder and the assistants in the county attorney's office; and

WHEREAS, the auditor, treasurer, recorder, and county attorney have certified the base salaries to the board of supervisors for FY13; and

WHEREAS, the amounts so certified are within the parameters of Iowa Code,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the following base salaries are hereby certified to the county auditor for FY13, effective July 1, 2012:

- Auditor – Brenda Sutton and Hayley Rippel – 80% of the elected official.
- Treasurer – Kim Staab – 85% of the elected official; Michele Sauer – 75% of the elected official; Melinda Schoettmer – 65% of the elected official.
- Recorder – Rachelle Berry – 80% of the elected official.
- County Attorney – Emily Nydle – 85% of the elected official; Jo Nelson - \$58,963.00.

Dated this 17<sup>th</sup> day of July 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Buch, to approve the recorder's quarterly report for the period ending June 30, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the sheriff's quarterly report for the period ending June 30, 2012. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to adopt Resolution #12-32, TRANSFER OF FUNDS. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

**RESOLUTION #12-32  
TRANSFER OF FUNDS**

BE IT RESOLVED by the Benton County Board of Supervisors that the following fund transfers be approved:

Debt Service to General Basic - \$5,259.25  
General Basic to Land Acquisition - \$24,538.18

Dated this 17<sup>th</sup> day of July 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Buch, seconded by Sanders, to approve the law enforcement contract between Benton County and the City of Keystone, providing for 260 hours of law enforcement coverage annually, at a cost of \$5,720.00. All members voting aye thereon. Motion carried.

Mary Williams, Social Services Director, met with the Board to discuss entering into a contract with St. Luke's Hospital for mental health commitment services. The proposed contract is for \$532.54 per day for committal and/or voluntary admission exclusive of medical doctor charges, with various limitations. Williams explained that the proposal varies from what other counties are paying. The board requested that Williams arrange for a meeting between the board and St. Luke's officials for further discussion.

Steve Meyer, Garrison Fire Chief, met with the board to request that \$20,000 of the local option sales tax money be committed to the Garrison Fire Department for costs incurred in constructing a new fire station and replacement equipment. Meyer stated that at this time he doesn't have the necessary documentation but wanted to make sure the funds would be available. Moved by Buch, seconded by Sanders, to set aside \$20,000 of local option sales tax funds for the Garrison Fire Department. All members voting aye thereon. Motion carried. The board advised that the actual request for funds would need to be recommended by a township; however the board is considering changing the requirement that the actual funds go through the township. The auditor also explained to Meyer that the county had a revolving loan fund for emergency services that may be an option as well.

Moved by Buch, seconded by Sanders, to recess until 1:00 p.m. All members voting aye thereon. Motion carried at 11:45 a.m.

Supervisor Vermedahl reconvened the board at 1:00 p.m. for the purpose of interviewing candidates for the position of transportation director. The board interviewed various candidates throughout the afternoon.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST:

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Jill Marlow, Benton County Auditor

July 24, 2012

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

Jerry Petermeier presented an updated draft/proposal for a three-stall garage at the county care facility. Petermeier explained that the building was made smaller than the initial proposal and the cedar siding was being replaced with vinyl siding. The estimated cost is \$46,000. Petermeier discussed the placement of windows in the overhead doors. The cost for the windows is approximately \$900.00. There are no other windows planned for the structure. Petermeier left it to the board to determine if windows should be installed. The board determined that no windows were needed. Petermeier asked the board when the project should be started. The board discussed quoting the project separately or as one project. Iowa law states that a project cannot be broken up to avoid bid letting laws; however the estimated cost of the entire project is well below the formal quoting and/or bidding threshold. The board stated that the project should be bid separately, but that any part that exceeds \$25,000 will require bonding.

Dale Henry of the VFW requested the use of the courthouse lawn on a fundraiser for the VFW. The organization plans to sell hotdogs, beverages, chips, etc. The board advised that the organization is responsible for enforcing the no smoking policy and clean up the area afterwards. Moved by Buch, seconded by Sanders, to approve the use of the courthouse lawn as requested by the VFW on August 24, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the minutes of July 17, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve 28 hours of vacation carry-over requested by Rick Bramow. Said carry-over is to be used no later than November 1, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the Benton/Iowa Decategorization Project invoice to the State of Iowa Department of Human Services in the amount of \$3,104.50 for June 2012. Both members voting aye thereon. Motion carried.



# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Buch, seconded by Sanders, to approve checks numbered 201251 through 201441, payroll checks numbered 136223 through 136244, and ACH deposits numbered 14764 through 14882, for payment. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a fireworks permit requested by Chuck Betterton for an event to be held on August 11, 2012 at 6081 32<sup>nd</sup> Avenue, Shellsburg, Iowa. Both members voting aye thereon with the stipulation that if a burn ban is in effect the permit is null and void. Motion carried.

Moved by Buch, seconded by Sanders, to approve and direct the vice-chair to sign the FY2012 Equitable Sharing Agreement and Certification for federal forfeiture activities. Both members voting aye thereon. Motion carried.

Supervisor Sanders temporarily suspended the Board of Supervisors meeting at 10:00 a.m. and convened the Benton County Conference Board of which the board is a member. The purpose of the meeting was to take action on creating an Assessment Fund and combining the Assessor's Fund and Appraisal Fund into the Assessment Fund due to new legislation. The action is retroactive to July 1, 2012. The official action taken by the conference board is a part of the conference board minutes maintained by the assessor, but includes merging the appraisal fund into the assessment fund, formerly known as the assessor's fund,. The merger also requires the transfer of funds from the appraisal fund to the assessment fund in the amount of \$308,834.09. The appraisal fund is abolished effective July 1, 2012. The auditor is to change the financial records to reflect the changes and to implement requirements to comply with the legislation.

The board immediately reconvened the Board of Supervisors meeting at 10:05 a.m.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by Poweshiek Water Association to place utility lines in the county's right-of-way in Monroe Township, under 13<sup>th</sup> Avenue in Section 15 and 16. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by Windstream Communications to place utility lines in the county's right-of-way in Iowa Township, along the east corporate limits of Belle Plaine on 77<sup>th</sup> Street Drive to 14<sup>th</sup> Avenue. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve and direct the vice-chair to sign the Title Sheets for V37 bridge replacement projects (north of Dysart) numbered BRS-CO06 (85)—60-06 and BRS-CO06 (87)—60-06. Both members voting aye thereon. Motion carried.

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

\_\_\_\_\_  
Jason Sanders, Vice-Chairman

ATTEST:

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Jill Marlow, Benton County Auditor

July 31, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of July 24, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the receipt of the (changed) annual manure management plan filed by Cedar Valley Farm for the facility located at 2188 78<sup>th</sup> Street, Blainstown, Iowa. Both members voting aye thereon. Motion carried. It is noted for public record that the annual manure management plans when changed must be filed again.

Moved by Buch, seconded by Sanders, to serve notice on Timothy Sage for termination of the farm lease agreement for the county's farm ground by the landfill (35-82-11). Both members voting aye thereon. Motion carried. The current lease expires March 2013.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Gary Beyer, the board took up the matter for consideration. Marc Greenlee presented that technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to allow for a gunsmith shop, bike repair, and gun sales in an existing building. Greenlee reported that access is pre-existing and meets all requirements. There will be no need to septic or well with the new proposed use. There were no comments heard prior to or at the hearing. Moved by Buch, seconded by Sanders, to approve the request for a new non-agricultural use on 2.5 acres to allow for a gunsmith shop, gun sales, and bike repair on a parcel generally described as being a Part of Parcel F in the W1/2 of the NW1/4 of 25-85-10. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the final plans for a new three-stall garage at the Cedar Valley Ranch. The quotes for the facility may be submitted separately for demolition and foundation work, structure, and electrical or for the entire project with an alternate quote for windows. The quotes are due by 4:30 p.m. on August 20, 2012, with the quotes being opened and awarded at 9:30 a.m. on August 21, 2012. Both members voting aye thereon. Motion carried.

Mary Williams, Social Services Director, met with the Board to provide additional information about a client services contract with St. Luke's hospital. Williams stated that she spoke with Kent Jackson regarding a new contract. Williams stated that at this time St. Luke's is not willing to change the proposed contract. Williams stated that the county could contract and pay \$554.00 per day as well as additional unreimbursed costs or pay the non-contracted \$610 per day plus unreimbursed costs for the duration of the client stay. Moved by Buch, seconded by Sanders, to pay the no-contract cost of \$610.00 per day to St. Luke's Hospital for

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pre-hearing days, and that post-hearing days will be decided on a case-by-case basis. Both members voting aye thereon. Motion carried.

Steve Meyer, Fire Chief of the Garrison Fire Department, met with the board to discuss a loan from the local option sales tax fund for emergency services. Meyer requested a loan in the amount of \$100,000, to assist with reconstruction and repairs to the Garrison fire department facility destroyed by the July 11, 2011, windstorm. The board indicated that they would agree to loan money to the Garrison Fire Protection Agency, contingent on all legal details being worked out. The auditor will work with Meyer and the county attorney to draft loan documents for the board's final approval.

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

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Jason Sanders, Vice-Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

August 2, 2012

The Benton County Board of Supervisors met in special session with Supervisors Vermedahl, Buch and Sanders present. Chairman Vermedahl called the meeting to order at 2:15 p.m.

Moved by Sanders, seconded by Buch, to go into closed session pursuant to Iowa Code 21.5(1) c, to discuss pending litigation. All members voting aye thereon. Motion carried at 2:20 p.m.

Moved by Buch, seconded by Sanders, to return to open session. Motion carried at 3:20 p.m.

Moved by Sanders, seconded by Buch, to follow the recommendation of the attorney relative to the pending litigation. All members voting aye thereon. Motion carried.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

August 7, 2012

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

Moved by Buch, seconded by Vermedahl, to approve the minutes of July 31, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve checks numbered 201442 through 201605, and payroll checks numbered 136245 through 136263, and ACH deposits numbered 14883 through 15002, for payment. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to acknowledge the receipt of the annual manure management plan filed by Brad Zieser located in the NW1/4 of the SW1/4 of 15-86-9. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-33, ABATEMENT OF TAX. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

**RESOLUTION #12-33  
ABATEMENT OF TAX**

BE IT RESOLVED by the Benton County Board of Supervisors that \$277.21 of the 2011 tax be abated on parcel #580-22250 as the property has been purchased by Benton County.

Dated this 7<sup>th</sup> day of August 2012.

Benton County Board of Supervisors

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David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Buch, seconded by Vermedahl, to authorize the chair to sign the Lead Federal Agency Designation for 36 CFR Part 800, Section 106 Compliance relative the CDBG contact #12-WS-024, designating the Iowa Department of Natural Resources. 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 providing for 520 hours of coverage at a cost of \$11,440. Both members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-34, TRANSFER OF FUNDS. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

## RESOLUTION #12-34 TRANSFER OF FUNDS

BE IT RESOLVED by the Benton County Board of Supervisors that \$1,831.50 be transferred from the General Basic Fund to the Conservation Land Acquisition Fund.

Dated this 7<sup>th</sup> day of August 2012.

Benton County Board of Supervisors

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Benton County Auditor Jill Marlow spoke with the Board regarding amendment of the FY13 county budget. Marlow advised that the board's recent action to proceed with loaning local option sales tax funds to the Garrison Fire Protection Agency would require an amendment of the county's budget. Marlow stated that she wanted to make sure the board was aware of the need to amend. The board stated that Marlow should proceed with steps to amend the budget.

Moved by Buch, seconded by Vermedahl, to approve a utility permit submitted by Poweshiek Water Association to place utility lines in the county's right-of-way in Iowa Township along 76<sup>th</sup> Street in sections 12 and 13. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve a utility permit submitted by South Slope Cooperative Communications Company to place utility lines in the county's right-of-way in the east half of St. Clair Township and all of Florence Township. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the Federal-Aid Agreement for the County Highway Bridge Program Project BROS-CO06 (88)—8J-06, DOT Agreement #6-12-HBPS-22, for the bridge on 25<sup>th</sup> Avenue over Mud Creek at an estimated cost of \$505,000.00. Both members voting aye thereon. Motion carried.

The county engineer reported that the balance in the Blairstown bank landfill account on July 31, 2012, was \$11,766.94.

The board met with Assistant Transportation Director Dana Burmeister regarding filling the position of director.

Burmeister requested that the board go into closed session. Moved by Buch, seconded by Vermedahl, to enter into closed session pursuant to Iowa Code 21.5(1)j. Both members voting aye thereon. Motion carried at 10:10 a.m.

Moved by Buch, seconded by Vermedahl, to return to open session. Both members voting aye thereon. Motion carried at 10:20 a.m.

Moved by Buch, seconded by Vermedahl, to offer the position of Transportation Director to Dana Burmeister, effective this date, at a salary of \$41,000 per year. Burmeister responded that she did not believe that offer was sufficient due to the fact that the previous director was making \$43,500 and that Burmeister would be doing the same work with one less full time person. Supervisor Vermedahl responded that the previous director had been in the position for a number of years before reaching that salary. Supervisor Buch commented that Burmeister had been working in the department for a number of years as well; however Vermedahl responded that it was those years in the department that resulted in her being offered the job as there were other well qualified applicants as well. Vermedahl added that he did not expect the offer to become a bargaining session. Supervisor Buch then moved to withdraw his motion and Vermedahl seconded. Motion carried.

Moved by Buch, seconded by Vermedahl, to offer the director's position to Dana Burmeister, effective immediately, at an annual salary of \$43,000.00, with no change in benefits, and the duties are as set forth in the job description. Both members voting aye thereon. Motion carried. Burmeister accepted the job offer as presented.

Burmeister asked if Rhonda Westergard would be raised in salary since she was taking Burmeister's old position. The auditor stated that the issue of Westergard was not on the agenda and therefore the board could not consider it at this meeting. The matter is placed on a future agenda for consideration by the board.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

August 15, 2012

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

Moved by Sanders, seconded by Buch, to authorize the chair to sign a draw request of CDBG funds in the amount of \$8,961.00 and to authorize that the auditor be named as an alternate signatory for CDBG contract #12-WS-024. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the request to close 26<sup>th</sup> Avenue in Watkins on September 8, 2012 from 2<sup>nd</sup> Street to Railroad Street from 11:00 a.m. to 4:00 p.m. for the Watkins Car Show. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a Class B Liquor License for Blairstown Sauerkraut Days Beer Tent. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to acknowledge the receipt of the following manure management plans filed with Benton County:

Cedar Valley Farms for the facility located in the E1/2 and SW14 of the NE1/4 of 25-85-11 (this is an amended plan)

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Ritscher Farms, Inc. for the facility located at 1826 73<sup>rd</sup> Street, Van Horne, Iowa  
Prairieview Hog Farm, Inc. for the facility located at 1652 72<sup>nd</sup> Street, Keystone, Iowa  
J & R Pigs, LLC for the facility located at 1840 69<sup>th</sup> Street, Keystone, Iowa

All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve a utility permit submitted by ITC Midwest to place utility lines in the county's right-of-way along 60<sup>th</sup> Street Drive, in section 25 of Jackson Township. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the filing of the March 30, 2012, Veterans Affairs quarterly report. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-35, TRANSFER OF FUNDS. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

RESOLUTION #12-35  
TRANSFER OF FUNDS

BE IT RESOLVED by the Benton County Board of Supervisors that \$25,944.96 be transferred from the General Basic Fund to the Capital Projects Fund, and \$8,961.00 be transferred from the General Basic Fund to the CDBG Fund.

Dated this 15<sup>th</sup> day of August 2012.

Benton County Board of Supervisors

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David H. Vermedahl, Chairman

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Jason D. Sanders

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

Moved by Sanders, seconded by Buch, to suspend taxes on parcel 090-10500, pursuant to Iowa Code 427.9. All members voting aye thereon. Motion carried.

Matt Purdy, Director of Benton County Conservation, met with the board to discuss increasing the limit on his department's credit card. The board advised that the credit card limit would need to be set by the Benton County Conservation Board.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

Moved by Sanders, seconded by Buch, to adopt Resolutions #12-36 and 12-36A, Amending Resolution #08-66 Establishing a Revolving Loan Fund and Parameters for Gifting Local Option Sales and Services Tax Money for Emergency Services Equipment by Repealing and Readopting Resolution #12-36A . Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-36  
AMENDING RESOLUTION #08-66

ESTABLISHING A REVOLVING LOAN FUND AND PARAMETERS FOR GIFTING LOCAL OPTION SALES AND SERVICES TAX MONEY FOR EMERGENCY SERVICES EQUIPMENT BY REPEALING AND READOPTING RESOLUTION #12-36A WHEREAS, the Benton County Board of Supervisors adopt Resolution #08-66, Establishing a Revolving Loan Fund and Parameters for Gifting Local Option Sales and Services Tax Money for Emergency Services Equipment on December 9,2008; and WHEREAS, the Board of Supervisors desires to amend said resolution by repealing it in its entirety and adopting in lieu thereof the following:

Resolution #12-36A

Establishing a Revolving Loan Fund and Parameters for Gifting Local Option Sales and Services Tax Money for Emergency Services Equipment

WHEREAS, the voters of the unincorporated areas of Benton County, Iowa, voted to initiate a local option sales and services tax and the Benton County Board of Supervisors passed Ordinance #56, An Ordinance Imposing A Local Option Sales And Services Tax Applicable To Transactions Within And For Use By The City Of Atkins, City Of Blirstown, City Of Norway, City Of Urbana, City Of Shellsburg, City Of Vinton, and the Unincorporated Area Of Benton County, All Situated in Benton County, Iowa, on March 6, 2008, and

WHEREAS, the Benton County Board of Supervisors has dedicated a portion of the revenue received from the local option sales and services tax to assist in the purchase of emergency equipment that benefits the unincorporated areas of the county; and WHEREAS, the Board of Supervisors desire to establish parameters for gifting and loaning a portion of the local option sales and services tax funds to local jurisdictions,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors the following:

1. That the amount of funds received from the Local Option Sales and Services Tax (LOSST) for the purchase of emergency services equipment shall be determined by the Board of Supervisors on, at the minimum, an annual basis. The amount of LOSST to be dedicated for said purpose shall be at the sole discretion of the Benton County Board of Supervisors.
2. Only townships may request funds on behalf of emergency service providers for the purchase of emergency service equipment from the Board of Supervisors. The requests shall be made in writing or at a board meeting of the Benton County Supervisors.
3. Emergency Service Equipment may include construction and equipping of facilities needed to house emergency service equipment.
4. All gifts and loans are limited to services providing direct emergency services to rural residents in Benton County, and excludes hospitals, doctor's offices, city facilities (other than fire stations, ambulance garages, etc.). The list of exclusions is not all-inclusive and the Board of Supervisor reserves all rights and authority to determine if an emergency provider meets the intent of this resolution.
5. Benton County may provide funds to emergency service providers whose principal domicile is outside of Benton County but who provides emergency services to Benton County rural residents. The provision of funds, if any, is at the sole discretion of the Board of Supervisors. The amount of funds may be reduced from the 10% depending on the number of residents and/or area served by said emergency service provider.
6. That the amount of said funds provided to townships and/or the townships' designee(s), may be in the form of a gift or loan at the sole discretion of the Board of Supervisors and contingent upon available funds.
7. Gifts to townships and/or their designee(s) shall not exceed 10% of the cost of the equipment.
8. Funds provided under this resolution may be paid directly to the organization providing the emergency services.
9. Terms of loans made pursuant to this resolution shall be as follows:
  - a. Amount of loans shall be determined and at the sole discretion of the Board of Supervisors
  - b. The interest rate shall be 1.5% above the current money market rate being paid to the county.
  - c. Loans are contingent upon the availability of funds allocated for said purpose.
  - d. Repayment schedule for loans shall be determined by the Board of Supervisors.
  - e. There will be no penalty for early re-payment.
  - f. Proceeds received from the repayment of loans shall be deposited into an interest-bearing special revenue fund. Said fund is to be used for future financing of emergency equipment requested by townships.
10. The Benton County Board of Supervisors retains all right to approve or deny any and all requests for gifts and/or loans, in part or in full.

FURTHER, this resolution sets out the basic guidelines to gift and loan funds to townships and/or their designees for emergency equipment and is subject to legal review.

Dated this 15<sup>th</sup> day of August 2012.

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David H. Vermedahl, Chairman

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Jason Sanders

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Ronald R. Buch

ATTEST:

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Jill Marlow, Benton County Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to adopt Resolution #12-38, GIFTING LOCAL OPTION SALES AND SERVICES TAX FUNDS TO THE GARRISON FIRE PROTECTION AGENCY. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

**RESOLUTION #12-38**

BE IT RESOLVED that the Benton County Board of Supervisors approves and authorizes the Chairperson to sign an Emergency Services Equipment Gift Agreement with the Garrison Fire Protection Agency in the amount up to \$20,000 for the purchase of labor, material and equipment for a new fire station. Said gift is at the recommendation of and supported by the Jackson Township Trustees.

Adopted this 15<sup>th</sup> day of August 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

Attest: \_\_\_\_\_  
Jill Marlow, County Auditor

**EMERGENCY SERVICES EQUIPMENT GIFT AGREEMENT**

In consideration of the mutual benefits to be derived from the performance of this agreement, it is hereby agreed by and between Benton County, acting through the Benton County Board of Supervisors ("County") and the Garrison Fire Protection Agency, serving Jackson, Monroe and Homers Townships, governmental subdivisions, acting through its authorized officers ("Agency"), as follows:

1. The County agrees to gift to the Agency the sum of \$20,000 or 10% of the price of the equipment, whichever is less.
2. The Agency agrees that said amount shall be used to purchase the following described equipment and for no other purpose:  
  
Construction and equipping a new fire station.
3. The Agency agrees to promptly submit to the County any relevant reports or information that the County may request relative to this agreement, including but not limited to, invoices reflecting the actual cost of the equipment, when available.
4. The County will release said funds upon the written request of the Agency with supporting documentation. The request shall include either a signed purchase order or actual invoice for the construction labor, material, and/or equipment.
5. In the event that the funds received pursuant to this agreement exceed the 10% limitation stated in Paragraph 1, the Agency will promptly refund the amount over 10% to the County.
6. The Agency agrees that the construction labor, material, and/or equipment obtained with the proceeds of this gift shall be devoted principally to rural fire protection and life support operations, consistent with the intended use of the money from the Benton County Emergency Services Equipment Fund.

\_\_\_\_\_  
David Vermedahl, Chairman  
Benton County Board of Supervisors

\_\_\_\_\_  
Chairman  
Garrison Fire Protection Agency

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Benton County Auditor

Attest: \_\_\_\_\_  
Secretary

Date: \_\_\_\_\_

Date: \_\_\_\_\_

The Board met with representatives of Linn and Jones Counties for continuing discussion on the formation of a three-county mental health services region. The Iowa legislature passed legislation redesigning the delivery of mental health services in Iowa. The group discussed core services being provided by each of the counties and current service commonalities between the counties. Regional funding of mental health services and the pooling of funds was briefly discussed with the overall thought that counties would not pool their funds. The state has not provided final rules on the regions management, services, and funding restrictions making it difficult to provide definitive plans. There was discussion on providing a letter of intent to the State outlining the creation of a region comprised of Benton, Jones, and Linn counties. The state may then provide technical assistance with the development of a 28E Agreement. The group directed the central point coordinators from each of the counties to continue working together on the regionalization project and to request technical assistance from the state for the development of a 28E Agreement as well as other issues relative to the region formation. Discussion on each county's role in the administration of the region was held with no decisions made – stating that the 28E Agreement should be in place as that may dictate future steps. The group also discussed the possibility of other counties wanting to join. It was decided that if any county is contacted by another about joining the region that the matter should be brought to the group for discussion. The group asked that one member from each county board of supervisor be appointed to attend all regional work meetings and that financial personnel from each county attend when needed.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

201

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

August 21, 2012

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

Moved by Buch, seconded by Vermedahl, to approve the minutes of August 2, 2012, August 7, 2012 and August 15, 2012. Both members voting aye thereon. Motion carried.

Marc Greenlee, Land Use Administrator, met with the Board regarding the final construction permit for Cedar Valley Farms. Greenlee reported that the board had held a public hearing and taken action previously regarding the permit application. The county had reviewed the initial permit and did not object. Greenlee stated that the Iowa Department of Natural Resources now requires that the county waive their right to appeal. Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-37, APPROVAL OF WAIVER OF BENTON COUNTY'S RIGHT TO APPEAL THE ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF A CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

RESOLUTION #12-37

BENTON COUNTY BOARD OF SUPERVISORS

APPROVAL OF WAIVER OF BENTON COUNTY'S RIGHT TO APPEAL THE ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF A CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.

BE IT RESOLVED by the Benton County Board of Supervisors as follows:

WHEREAS, the Benton County Board of Supervisors has received notice from the Iowa Department of Natural Resources (Iowa DNR) that Cedar Valley Farms has been issued a draft permit for the construction of a confined animal feeding operation buildings at 2188 78<sup>th</sup> Street, Blainstown, Iowa in unincorporated Benton County, and

WHEREAS, the Benton County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on July 17, 2012,

NOW, THEREFORE, BE IT RESOLVED THAT the Benton County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit, and

IT IS FURTHER RESOLVED that the Benton County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver, and

IT IS FURTHER RESOLVED that the Benton County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

This resolution shall take effect immediately.

Dated this 21<sup>st</sup> Day of August, 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Steve Scott of Scott Survey, Inc. met with the board on behalf of his client, Glen Cumberland, to request a variance to the county's subdivision ordinance. Cumberland has asked to divide his property in order to gift parts to his children. Due to the existing roadway one parcel will be landlocked without creating a parcel to provide access. The other parcel will be a strip of timber that lies in the middle of a 40-acre aliquot part and parceling it will create three or more splits. The board discussed the request at length with specific discussion centering on whether a hardship existed, which would allow for the board to waive the subdivision ordinance or parts thereof. Moved by Buch, seconded by Vermedahl, to approve a variance to the Benton County Subdivision Ordinance in the NE1/4 of the NW1/4 of Section 1-85-9, on property owned and waive the requirements of said ordinance noting that the subdivision must still comply with state law for subdivision plats. It is determined that strict compliance to these requirements would create an undue hardship as the parcels created are not to be marketed, but to allow the owner to gift property to family members. Both members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

202

The time of 9:30 a.m. having arrived, the board took up the matter of opening and awarding quotes for the demolition of an existing garage at the Cedar Valley Ranch and constructing a new structure. The county had advertised the project and invited interested parties to quote. Quotes were received as follows:

#1 – Demolition and removal of the old garage and pouring new concrete foundation:

Mullenix Construction - \$1,650.00 – demolition only – no concrete work

Greg's Construction Service - \$21,592.00

Gill Construction - \$12,568.77

#2 – Construction of a 36 ft. x 32 ft. garage:

McDowell's - \$22,670.00

Gill Construction - \$24,431.23

#2 – Alternate – construction of a 36 ft. x 32 ft. garage with windows:

McDowell's - \$22,720.00

Gill Construction - \$24,431.23

#3 – Electrical Installation:

Elwick Electric - \$4,750.00 (State of Iowa permits/inspections included)

Moved by Buch, seconded by Vermedahl, to award #1 to Gill Construction at a cost of \$12,568.77. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to award #2 with Alternate to McDowell's at a cost of \$22,720.00. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to award #3 to Elwick Electric at a cost of \$4,745.00. Both members voting aye thereon. It is noted that Supervisor Vermedahl disclosed that he has a business relationship with Elwick Electric; however Elwick Electric was the sole bidder on the electrical work.

Steve Meyer and Scott Hansen representing the Emergency Management Commission met with the Board regarding the commission's trailer parking. The City of Vinton had met with the supervisors and requested that the county encourage employees to park in areas other than on the south and west sides of the courthouse. The city suggested that county employees utilize the county parking lot located east of the courthouse. However, the board stated that there wasn't much parking available in that lot. It was discussed that Emergency Management could move the two trailers currently located east of the courthouse to the parking area on the north side of the sheriff's fenced parking area. The city stated that they would allow the trailers to be parked at that location. The supervisors subsequently asked the emergency management commission to meet with them to discuss the matter. The commission stated that security at that parking lot was a concern as it was not lighted. Andy Lent, Vinton City Coordinator, stated that the city would put a street light up at the lot to address those concerns. Meyer stated that the commission wanted the lot fenced. Supervisor Buch responded that the trailers are currently in a parking lot that isn't fenced. Lent stated that the city would probably not pay to fence the lot. Supervisor Vermedahl stated that if a light were installed there would be no difference between the two lots as far as security. Meyer requested that a fence be considered. Lent again stated that the city would not pay for a fence around the lot but would put in a light. Meyer stated that he would address the matter at the next executive committee meeting of the emergency management commission.

Moved by Buch, seconded by Vermedahl, to approve checks numbered 13624 through 136288, payroll checks numbered 201606 through 201611, 201612 through 201792, and ACH deposits numbered 15003 through 15123, for payment. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to set September 18, 2012, at 9:30 a.m., as the time and date for a public hearing on amending the county's FY13 budget. Both members voting aye thereon. Motion carried.

Chad Foust of Secure Tech Systems spoke to the board about a new courthouse security system. The system provides for emergency messages to be transmitted directly to an officer's radio instead of going through dispatch. The board did not take any action.

Moved by Buch, seconded by Vermedahl, to change Rhonda Westergard to Assistant Transportation Director and set her salary at \$31,824.00 annually, effective this date. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the utility permit submitted by CIPCO to place utility lines in the county's right-of-way in Section 25 of Benton Township and Section 10 of Canton Township. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the utility permit submitted by Poweshiek Water Association to place utility lines in the county's right-of-way in sections 26 and 27 of St. Clair Township. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to go into closed session pursuant to Iowa Code 21.5(1) c. Both members voting aye thereon. Motion carried at 11:35 a.m.

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

Moved by Buch, seconded by Vermedahl, to support the recommendation made by legal counsel regarding the matter. 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, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor



**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

203

August 28, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of August 21, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to set September 25, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by Steven Moretz on a parcel located in the SW1/4 of the SW1/4 of 32-86-10. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to adopt Resolution #12-39, APPOINTMENT OF DEPUTY. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

**RESOLUTION #12-39**

WHEREAS, the Board of Supervisors has, by resolution, set the number of deputies in the auditors office at four full-time deputies, and

WHEREAS, the auditor has requested the approval of a deputy appointment, and

WHEREAS, said appointment will not exceed the maximum number set by the Board of Supervisors,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the appointment of Gina Edler be approved as deputy auditor, effective this date.

Date this 28th day of August 2012.

BENTON COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ronald Buch

Attest: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Buch, seconded by Sanders, to adopt Resolution #12-40, CERTIFICATION OF DEPUTY SALARY. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**RESOLUTION #12-40**

**SETTING SALARIES OF DEPUTY IN AUDITOR'S OFFICE**

WHEREAS, Iowa Code 331.904(1) and 331.904(3) sets forth that the board shall set certify the base salaries of deputies in the offices of auditor, treasurer, and recorder and the assistants in the county attorney's office; and

WHEREAS, the auditor has certified the base salaries to the board of supervisors for Gina Edler; and

WHEREAS, the amounts so certified are within the parameters of Iowa Code,

BE IT RESOLVED that the certification of salary of Gina Edler be set at 53% of the Auditor's annual salary, effective this date.

Date this 28th day of August 2012.

BENTON COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ronald Buch

Attest: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Buch, seconded by Sanders, to acknowledge the receipt of the annual manure management plan filed by SMT Pork, LLC for the facility located at 2850 65<sup>th</sup> Street, Shellsburg, Iowa. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to table adoption of a resolution of Intent to Form Mental Health Region. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the resignation of Paul McIntire as a Reserve Sheriff's Deputy, effective this date. All members voting aye thereon. Motion carried.

Jennifer Draper, ASAC Prevention Services, Keiaffa Green, Benton County Above the Influence Coalition, Nancy Farmer and Heidi Schminke, met with the Board regarding the adoption of a

Social Host Ordinance. The ordinance would create civil penalties for persons allowing illegal underage drinking on their property and would apply to unincorporated property only. The county attorney stated that it could be advantageous in situations when criminal charges may not be possible. Moved by Sanders, seconded by Buch, to direct the auditor to begin the necessary steps for the passage and adoption of a Social Host Ordinance. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

204

Jerry Petermeier met with the board regarding a change order to the Cedar Valley Ranch garage project. Petermeier advised that it is necessary to put plywood on the garage roof instead of just 2 x 4's due to moisture condensation on the inside of the structure. Moved by Buch, seconded by Vermedahl, to approve changing the project from a 2 x 4 roof to a plywood roof at an additional cost of \$1,018.00. All members voting aye thereon. Motion carried.

Kyle Helland of Helland Engineering met with the board to request a variance to the county's subdivision ordinance on behalf of his client, Daniel Kearns. The request is to allow lots within a pre-existing subdivision to be divided. The subdivision was approved prior to the adoption of any subdivision ordinances. Moved by Buch, seconded by Sanders, to waive and vary the requirement that the RePlat of Lots 1 and 2, of Kearns Second Addition to Benton County, Iowa, comply with the Benton County Subdivision Ordinance. The waiver/variance is granted as Kearns Second Addition to Benton County, Iowa, was filed in 1978, which is prior to adoption of any county subdivision ordinances and was therefore designed under the standards at that time. Compliance with the requirements under the current subdivision ordinance now would create an undue hardship due to the subdivision's location and layout. All members voting aye thereon. Motion carried.

Sheriff Forsyth met with the board regarding the payment of credit card bills. Forsyth advised that a credit card statement was not able to be submitted in time for the last payment of bills and requested that the board authorize a hand written payment. Moved by Sanders, seconded by Buch, to authorize the auditor to issue payment of the credit card invoice. All members voting aye thereon. Motion carried. Forsyth advised that any late payment penalties would be paid by him personally.

Moved by Buch, seconded by Sanders, to approve the contract between Benton County and A-Line Iron and Metals for white good & scrap metal removal and recycling. All members voting aye thereon. Motion carried.

The engineer updated the board on the Atkins intersection project. The engineer reported that discussions have been continuing with the property owners, as well as the current status of the project.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

August 30, 2012

The Benton County Board of Supervisors met in special session with Supervisors Vermedahl, Buch and Sanders present. Chairman Vermedahl called the meeting to order at 11:30 a.m. at the East Central Iowa Council of Governments office at 700 16<sup>th</sup> St. NE, Suite 301, Cedar Rapids, Iowa.

The meeting was a joint session with Jones County and representatives of Linn County. The purpose was to discuss regionalization of mental health services and the formation of a region consisting of Benton, Jones, and Linn counties. The meeting was called in response to a meeting held by Linn County and Johnson County. It was reported that that Linn County would potentially join Johnson County in a region and Jones and Benton counties asked for clarification. At the last meeting of representatives of Benton, Jones, and Linn it was decided that if any other counties wanted to join the region that they would have to approach the group as a whole and not approach individual counties. Linn County Supervisor Linda Langston explained the events leading to the Linn/Johnson meeting as well as the discussion held during the meeting. Benton and Jones counties expressed their displeasure with Linn county – adding that this was what concerned both Benton and Jones counties – that Linn County would try to make decisions for the group without

September 4, 2012

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

Moved by Sanders, seconded by Buch, to adopt Resolution 12-41, ABATEMENT OF TAX. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

**RESOLUTION #12-41  
ABATEMENT OF TAX**

WHEREAS, the city of Vinton obtained property through the flood buy-out program; and  
WHEREAS, the city intends to use the property as green space; and  
WHEREAS, taxes were levied on said property on the 2011 assessment; and  
WHEREAS, the City of Vinton has requested that the Board of Supervisors abate the tax,  
NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the taxes owing on parcel #240-45600, are hereby abated in full pursuant to Iowa Code 445.63.

Dated this 4<sup>th</sup> day of September 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plans filed by Rebut Feeders, Inc. for the facility located at 1230 51<sup>st</sup> Street, La Porte City, Iowa, and Dennis Zieser for the facility located at 5299 33<sup>rd</sup> Avenue, Center Point, Iowa. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to appoint Ron Buch to the Benton/Tama County Empowerment Board, for a three-year term. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

205

Sandra Cronbaugh, candidate for state representative, met with the board to introduce herself. Cronbaugh told the board about her personal business interest, prior government involvement, and asked for the board's position on various legislative efforts being considered. Commercial property tax and mental health redesign were two primary areas of discussion.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-42 A RESOLUTION OF THE BOARD OF SUPERVISORS OF BENTON COUNTY APPROVING PARTICIPATION IN PLANNING. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-42

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BENTON COUNTY APPROVING PARTICIPATION IN PLANNING

WHEREAS, the Iowa Legislature passed and the Iowa Governor signed SF2315, an Act relating to the Redesign of Publicly Funded Mental health and Disability Services; and

WHEREAS, SF2315 expresses that the intent of the legislature is that mental health and disability services shall be provided by counties operating together as regions; and

WHEREAS, the Benton County Board of Supervisors finds it is in the public's best interest to make informed decisions on entering into a region, which is based on sound planning; and

WHEREAS, Benton, Jones and Linn Counties have begun planning for the development and delivery of mental health and disability services through a regional structure:

NOW, THEREFORE BE IT RESOLVED that Benton County commits to participate in the planning and development of a Mental Health and Disability Services Region, which includes Benton, Jones and Linn counties; and

BE IT FURTHER RESOLVED that Benton County hereby authorizes the county's central point coordinator and delegate Supervisor Sanders and Dave Vermedahl as alternate to attend and participate in all planning meetings throughout the planning process; and

IT IS FURTHER RESOLVED that Benton County understands that this is a non-binding agreement and is for planning purposes only. The decision to join a region will be made upon the receipt and review of a 28E agreement between the counties.

Dated this 4th day of September 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Buch, seconded by Sanders, to authorize the chair to sign a letter notifying Johnson County that Benton County will no longer be pursuing the formation of a mental health region with Johnson County as originally intended. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the minutes of August 28, 2012. All members voting aye thereon. Motion carried.

Supervisor Buch presented a letter to the Board from Gary Bierschenk regarding placing a V66 overpass on Highway 30. Bierschenk is requesting a letter of support from Benton County to the Iowa Department of Transportation for the project. The engineer discussed alternatives and safety at the intersection. Moved by Buch, seconded by Sanders, to refer the request to the county engineer for review and to make a recommendation to the board of supervisors as to whether the overpass would be in the best interest of the county and the traveling public. All members voting aye thereon. Motion carried.

Moved by, seconded by, to approve a utility permit requested by Farmers Mutual Telephone to place utility lines in the county's right-of-way in Polk Township, Sections 15 and 22, along/under 53<sup>rd</sup> Street. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-43, BRIDGE CONSTRUCTION ROAD CLOSURE in BIG GROVE TOWNSHIP. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

R E S O L U T I O N #12-43

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from August 30, 2012, through the completion of the project.

From 20<sup>th</sup> Avenue Drive thence east 1.0 mile to 21<sup>st</sup> Avenue Drive along 65<sup>th</sup> Street in Big Grove Township.

Signed this 4<sup>th</sup> day of September, 2012.

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

206

The engineer reported that the balance in the Blairstown bank landfill account on August 31, 2012, was \$44,603.94.

Moved by Sanders, seconded by Buch, to authorize the auditor to destroy election-related materials for the 2010 Primary and General elections, all school and city elections held prior to March 4, 2012, and financial records for fiscal year 2002, as provided by law. All members voting aye thereon. Motion carried.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

September 11, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of August 30, 2012 and September 4, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 201793 through 202012, payroll checks numbered 136289 through 136314, and ACH deposits numbered 15124 through 15242, for payment. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the hire of Steven Fischer as a part-time correction officer, effective this date, at a wage of \$13.13 per hour. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to enter into maintenance agreement with Wahltek Corporation for a one-year service contract on the sheriff's department's recording system at a cost of \$1,600.00 per year. All members voting aye thereon. Motion carried.

The board discussed the disposition of the air conditioners installed at the ICAS building when the county rented office space at the facility. It was determined that the cost to remove them would exceed the salvage value of the air conditioners and that the units should not be removed and become a property of ICAS.

The sheriff spoke about an emergency power supply for the courthouse. The sheriff's department has an emergency power supply that was used during the flood that they no longer need. The auditor is to check with maintenance and others to determine if the unit would be advantageous.

Moved by Buch, seconded by Sanders, to acknowledge the receipt of the annual manure management plan filed by RAPP Pork for the facility located at 1876 68<sup>th</sup> St., Van Horne, Iowa. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plan filed by Rick Selk for the facility located at 7235 16<sup>th</sup> Ave., Keystone, Iowa. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the treasurer's semi-annual report for the period January 1, 2012 through June 30, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to set considerations on a Social Host Ordinance on October 2, 2012, October 5, 2012, and October 9, 2012, at 9:30 a.m. All members voting aye thereon. Motion carried.

The board discussed the request from Gary Bierschenk to support an overpass at the intersection of Highway 30 and V66 (Blairstown/Van Horne corner). Engineer Parizek updated the board on his research on the matter. The Department of Transportation has stated that it is too late to include an overpass in the Highway 30 4-lane project. However, a study could be done to determine the need and whether the travelling public is local or inter-county. Parizek recommended that the board support a study of the intersection. Moved by Sanders, seconded by Buch, that Benton County provide a letter of support to the Department of Transportation for a traffic and safety study at the intersection of Highway 30 and V66. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to adopt Resolution #12-44, TRANSFER OF FUNDS. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

**RESOLUTION #12-44  
TRANSFER OF FUNDS**

BE IT RESOLVED that \$322,614.60 be transferred from the Capital Projects Fund to the General Basic Fund.

Dated this 11<sup>th</sup> day of September 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

207

Moved by Buch, seconded by Sanders, to adopt Resolution #12 -45, ABATEMENT OF TAX. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-45  
ABATEMENT OF TAX

Whereas, the City of Shellsburg acquired the property; and

WHEREAS, the assessor has notified the auditor that the property was erroneously classed as residential property for 2011, and

WHEREAS, the board has also been notified that St. Mary's Catholic Church acquired property after the deadline to sign up for exemption and has requested that the tax be abated; and

WHEREAS, Iowa law allows the county to abate the tax for erroneous assessments and when a property is acquired after the deadline for sign-up,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that all 2011 tax assessed on the following parcels is abated in full:

- 190-13100 – City of Shellsburg
- 190-13150 – City of Shellsburg
- 200-01900 – St. Mary's Catholic Church

Dated this 11th day of September 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Sanders, seconded by Buch, to approve a utility permit requested by Century Link, to place cable in the county's right-of-way in Section 6 of Taylor Township. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by Farmers Cooperative Telephone Company to place cable in the county's right-of-way in Sections 15 and 22 in Monroe Township. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve a utility permit requested by East Central Iowa Rural Electric Cooperative to place cable in the county's right-of-way in Sections 32 and 33 of Harrison Township. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve a utility permit requested by East Central Iowa Rural Electric Cooperative to place cable in the county's right-of-way in Sections 17 and 20 of Cedar Township at 53<sup>rd</sup> Street. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to request \$3000.00 from the Iowa Department of Transportation Living Roadways Trust Fund for the purchase of a roadside management laptop computer and GIS training. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the Veterans Affairs quarterly report for the period ending June 30, 2012. All members voting aye thereon. Motion carried.

The board recessed at approximately 11:00 a.m.

The board reconvened the meeting at 1:30 p.m. at the Linn County Administrative Office with all members present. A joint meeting with various counties on the regionalization of mental health services was held. Representatives of Benton, Delaware, Johnson, Bremer, Dubuque, Linn, Buchanan, Jones, and Iowa counties were present. The purpose of the meeting was to provide counties the opportunity to learn what steps had been taken towards regionalization by Benton, Jones, and Linn counties. No action was taken. It was explained that a comparison of services between counties had been done to discover commonalities and philosophies. The three counties were working on the development of a 28E Agreement, reviewed service matrix requirements, and have gained knowledge on the expectation of counties. The three counties have executed resolutions stating their intent to study the formation of a region consisting of Benton, Jones, and Linn, but would consider additional counties joining the region. It was reiterated that the three counties were steadfast on a one county one vote governing structure. All agreed that the process of forming the region needed to be fluid and that new member counties should be allowed, but that the three counties should act as a group on each request. Counties interested in joining were advised to send a request in writing to the Jones County central point coordinator and that a conference call to act on those requests would be facilitated by Linn County on October 9, 2012, at 9:30 a.m. Discussion was held on the advantages of a large region versus a smaller region – a larger region will provide more resources as the region goes forward with development of the 28E Agreement, by-laws, policies and procedures as well as day-to-day administrative services. A larger group may also have more lobbying power with state legislators in the future. Rod Sullivan of Johnson County stated that the I380 corridor and the sharing of workforce and services may sense in the formation of a region that included counties in the corridor region, but specifically Linn and Johnson counties. Jones County responded that other counties in

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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the area had existing relationships with counties and that the only difference was size. It was stated that Benton and Linn counties share the most commonalities in services and philosophy. Discussion on funding of the region including pooling of funds also took place with no definitive result. It was asked that counties considering joining the region make their intentions known soon so that the region can go forward.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

September 18, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of September 11, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve checks numbered 202019 and 202020, for payment (Gill Construction and Versare). All members voting aye thereon. Motion carried.

No action was taken on the manure management plan update for SMT Pork, as the paperwork has not been legally filed with the county as of this date.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plan update filed by Wilco Farm, Ltd. for the facility located at 7944 28<sup>th</sup> Avenue, Norway, Iowa. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to accept the resignation of Pat Lynch from the social services department, effective October 30, 2012. All members voting aye thereon. Motion carried.

Mary Williams spoke to the board about hiring a part-time administrative assistant. Williams stated that she would like to include her full-time staff in the meetings being held on regionalization as Williams has indicated she will be retiring around the end of the year. Williams stated that if she could have approval to close her office during various times when her office could not be staffed due to vacations, meetings, etc., she could probably get by without hiring. Williams stated that in June of 2012 she had 244 client contacts in her office. The number of client contacts for the period July 2012 through the 2<sup>nd</sup> week of September 2012 was only 176. Williams stated that since the state started providing the Medicaid services, her office has noticed a reduction in clients.

The time of 9:30 a.m. having arrived, and this being the time and date for a public hearing on amending the county's FY13 budget, the board took up the matter for consideration. Notice had been published in accordance with Iowa law. There were no persons present. No comment had been received prior to the meeting. Hearing no comment, the chair declared the public hearing closed. Moved by Buch, seconded by Sanders, to adopt Resolution #12-46, AMENDING THE FY13 COUNTY BUDGET. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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RESOLUTION #12-46

**BE IT REMEMBERED** on this, the 18<sup>th</sup> day of September 2012, 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 13, 2012. 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. Thereafter, and on said date the amendment was taken up and considered. Thereafter, the Board took up the amendment to the budget for final consideration and determined that said budget is amended as follows:

<u>Expenditures</u>	<u>Amendment</u>
Public Safety	\$+100,000
Physical Health & Social Services	\$+32,800
Mental Health	\$ 0
County Environment & Education	\$+0
Roads & Transportation	\$+0
Government Services to Residents	\$+15,000
Administration	\$+15,000
Capital Projects	\$ 0
Operating Transfers Out	\$0

<u>REVENUES</u>	<u>Amount</u>
Intergovernmental	\$+32,800
Other County Taxes	\$+0
Use of Money & Property	\$+0
Miscellaneous	\$+0
General Long Term Debt Proceeds	\$+0
Operating Transfers – In	\$+0
Proceeds of Fixed Assets	\$+0

Dated this 18th day of September 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Buch, to adopt Resolution #12-47, ENTERING INTO LOAN AGREEMENT WITH THE GARRISON FIRE PROTECTION AGENCY. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-47

BE IT RESOLVED that the Benton County Board of Supervisors approves and authorizes the Chairperson to sign an Emergency Services Equipment Loan Agreement with the Garrison Fire Protection Agency in the amount of \$60,000.00 for the construction of a new fire station and related contents, to be repaid in 20 equal semi-annual installments.

Adopted this 18th day of September 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

Attest: \_\_\_\_\_  
Jill Marlow, County Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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EMERGENCY SERVICES EQUIPMENT LOAN AGREEMENT

In consideration of the mutual benefits to be derived from the performance of this agreement, it is hereby agreed by and between Benton County, acting through the Benton County Board of Supervisors ("County") and the Garrison Fire Protection Agency, an agency created pursuant to Iowa Code Chapter 28E by the following governmental subdivisions: City of Garrison, Monroe Township, Jackson Township, Homer Township and Big Grove Township, and acting through its authorized officers ("Agency"), as follows:

- 7. The County agrees to loan to the Agency the principal sum of \$60,000.00. Interest will be charged on the unpaid principal at a yearly rate of 1.64%.
- 8. The Agency agrees that said amount shall be used to purchase the following described equipment and for no other purpose:  
  
The construction of a new fire station, including building contents. Building contents does not include motor vehicles, personal protection equipment, or other items used in the field.
- 9. The Agency agrees to repay said amount to the County by making 20 equal semiannual principal and interest payments in the amount of \$3,264.98, payable each November 15<sup>th</sup> and April 15<sup>th</sup>, beginning on November 15, 2012, with the unpaid balance due November 15, 2022. Semiannual payments will be payable to Benton County and sent to: Benton County Auditor, P.O. Box 549, Vinton, Iowa, 52349.
- 10. The County agrees that there will be no penalty for early repayment of the loan amount.
- 11. The Agency represents that it has examined its present and projected revenues and costs in light of its request for this loan, and that it believes, in good faith, that it has the ability to repay the entire loan amount as agreed above.
- 12. The Agency agrees to promptly submit to the County any relevant reports or information that the County may request during the term of this agreement.
- 13. The Agency agrees that the material, labor, and building contents obtained with the proceeds of this loan shall be devoted principally to rural fire protection and life support operations, consistent with the intended use of the money from the Benton County EMS Fund.
- 14. The county does not waive any right or remedy, which may be available to recover money due under this agreement. Upon any material breach of the terms of this agreement by the Agency, the County may declare the entire unpaid balance to be immediately due; and, after giving the Agency reasonable notice and opportunity to cure the breach, the County may initiate any available action or procedure to protect its interests.

\_\_\_\_\_  
David Vermedahl, Chairman  
Benton County Board of Supervisors

\_\_\_\_\_  
Chairman  
Garrison Fire Protection Agency

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Benton County Auditor

Attest: \_\_\_\_\_  
Secretary, Garrison Fire Protection Agency

Date: \_\_\_\_\_

Date: \_\_\_\_\_

The board discussed the proposal from SecureTech Systems, Inc. for a security system for the courthouse. SecureTech Systems had presented a proposal for a new system. Moved by Buch, seconded by Sanders, to continue with the alarm system currently in place in the courthouse. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to sign the title sheet for the bridge replacement on 25<sup>th</sup> Avenue, in Taylor Township, project number BROS-CO06 (88)—8J-06. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to sign the title sheet for the intersection improvement on W28, south of Atkins, project number HRRR-CO07 (76)—5R-06. All members voting aye thereon. Motion carried.

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

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

\_\_\_\_\_  
David H. Vermedahl, Chairman



# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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September 25, 2012

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

Moved by Sanders, seconded by Vermedahl, to approve the minutes of September 18, 2012. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to approve checks numbered 202012 through 202196 (checks numbered 202019 and 202020 were previously approved), payroll checks numbered 136315 through 136360, and ACH deposits numbered 15243 through 15358, for payment. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to enter into and authorize the chair to sign a contract renewal with Transit Management System for the period beginning October 1, 2012 through September 30, 2014. Both members voting aye thereon. Motion carried. The rates are as follows: All are one-way fees:

Ambulatory - \$5.00 flat fee if pick up and destination is in Belle Plaine or Vinton; \$10.00 loading fee + \$1.40 per loaded mile for pick up and destination in Benton County;

Wheelchair - \$5.00 flat fee if pick up and destination is in Vinton or Belle Plaine; \$10.00 loading fee and \$1.40 per loaded mile if pick up and destination is in Benton County; \$30.00 loading fee and \$1.40 per loaded mile if pick up and/or destination is outside of Benton County.

Both members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Steven Moretz, the board took up the matter for consideration. Marc Greenlee presented that technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a single residential use. Greenlee reported that access is pre-existing and meets county criteria. It is noted for the applicant's information that the county maintainer turns around in the area of the drive and that snow can accumulate in that area. The site will need well and septic with no issues anticipated. Moved by Sanders, seconded by Vermedahl, to approve the request for a land use change from agricultural to non-agricultural on approximately one acre for a residential purpose on a parcel generally described as being a Part of the SW1/4 of the SW1/4 of 32-86-10. Both members voting aye thereon. Motion carried.

Mary Williams, Social Service Director, met with the Board to request approval to share part-time employee, Melissa Boisen, between the recorder's office and social services. Moved by Sanders, seconded by Vermedahl, to approve the request to share the employee's services between the social services department and recorder's office, effective this date at a wage of \$10.50 per hour for both departments. The position remains part-time. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to adopt Resolution #12-48, TRANSFER OF FUNDS. Voting aye were Vermedahl and Sanders. Nays none. Motion carried.

## RESOLUTION #12-48 TRANSFER OF FUNDS AND BUDGET AMENDMENT

BE IT RESOLVED that \$472.50 be transferred from the General Basic fund to the Community Development Block Grant fund.

IT IS FURTHER RESOLVED that the FY13 budget is hereby amended to reflect said transfer.

Dated this 25<sup>th</sup> day of September 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Sanders, seconded by Vermedahl, to approve a utility permit for Central Iowa Power Cooperative to place utility lines in the county's right-of-way in Florence Township along 76<sup>th</sup> Street between 28<sup>th</sup> Avenue and 30<sup>th</sup> Avenue. Both members voting aye thereon. Motion carried.

The engineer advised that a condemnation hearing might be needed for property in Section 25 of Fremont Township, owned by Timothy and Abney Clark. The engineer stated that he is hopeful it will not, however in order to meet a December bid letting, it will be necessary to take action by September 28, 2012. The property is needed for the intersection improvement project south of Atkins. Moved by Sanders, seconded by Vermedahl, to set October 16, 2012, at 9:15 a.m. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to enter into a Conduit Use Agreement with Unite Private Networks (UPN), allowing UPN to place fiber optic cable in the county's conduit to provide service to state offices. The agreement provides one pair of fiber be made available to Benton County for their use in exchange for use of the conduit. The agreement is a twenty-year agreement. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to permit the Cedar Valley Ranch to make the "Reserve" payment due under Paragraph 5.2 of the current lease agreement (between Benton County and the Cedar Valley Ranch) over four equal installments with the last installment being paid no later than June 30<sup>th</sup> of the year following the audit. Both members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to set October 30, 2012, at 9:15 a.m. as the time and date for accepting quotes and awarding the same for the purchase of a Unisyn Voting System. Both members voting aye thereon. Motion carried.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

October 2, 2012

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

Land Use Administrator Marc Greenlee presented an application for a farm exemption submitted by Nicholas R. Harrison on a parcel located in section 14-85-12. Harrison is involved in the family farming operation with corn and soybean crop rotation. Moved by Buch, seconded by Vermedahl, to approve a farm exemption as provided in the Benton County Agricultural Land Use Preservation Ordinance on a part of the NE1/4 of the NW1/4 of 14-85-12, as the applicant is involved in a qualifying farm operation. Both members voting aye thereon. Motion carried.

Treasurer Kelly Geater had placed the matter of closing her office to allow for staff training on the board's agenda; however advises that the action will no longer be necessary.

Pat Lynch met with the Board on behalf of Benton County Social Services to request that the office be allowed to close on October 3, 2012, from 8:00 a.m. until 3:00 p.m., to allow full-time staff to attend a meeting on mental health regionalization. Moved by Buch, seconded by Vermedahl, to approve the request to close the office during the requested times. Both members voting aye thereon. Motion carried.

Lynch also informed the board that Melissa Boisen was no longer interested in working part-time in the social services department. Moved by Buch, seconded by Vermedahl, to acknowledge that Boisen would not be working the social services department, effective immediately, and further the action increasing Boisen's wage on September 25, 2012, as she would be working in two departments is hereby rescinded. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to authorize the social services department to advertise for part-time clerical assistance. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the auditor's quarterly report for the period ending September 30, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to acknowledge the filing of the following manure management plans:

SMT Pork – facility located at

Team Dairy LLC – facility located at

McKinley Swine – facility located at

Both members voting aye thereon. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date set for the first consideration of the proposed Social Host Ordinance, the board opened the matter for public hearing. There were three persons present and all were in support of said ordinance. Hearing no further comment, the chair declared the hearing closed. Moved by Buch, seconded by Vermedahl, that the First Consideration of a Social Host Ordinance is approved. Both members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Buch, seconded by Vermedahl, to adopt Resolution #12-49, WEIGHT LIMIT RESTRICTIONS. Voting aye were Vermedahl and Buch. Nays none. Motion carried.

RESOLUTION #12-49

WHEREAS, the structures at these locations due to age and design have reached the point in time where a more restricted weight limit needs to be imposed,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the following weight restriction be imposed and restricted as follows:

- CE-3915            **10 ton**  
0.5 mile south and 0.9 mile east of the NW corner of section 10-86-11 (Cedar Township) on 51<sup>st</sup> Street Drive
- JA-3044 **10 ton**            0.4 mile south of the NW corner of section 27-85-11 (Jackson Township) on 19<sup>th</sup> Avenue
- UN-2820            **13 ton**  
0.8 mile east of the NW corner of section 16-83-11 (Union Township) on 70<sup>th</sup> Street
- HO-1041            **3 ton**  
0.1 mile south of the NW corner of section 29-83-12 (Homer Township) on 11<sup>th</sup> Avenue
- BE-5545            **6 ton**  
0.5 mile south and 0.5 mile east of the NW corner of section 25-85-9 (Benton Township) on 33<sup>rd</sup> Avenue Drive
- PO-4042 **3 ton**            0.2 mile south of the NW corner of section 26-86-9 (Polk Township) on 32<sup>nd</sup> Avenue
- UN-3058            **23 ton/29 ton/30 ton**  
0.8 miles south of the NW corner of section 34-83-11 (Union Township) on 19<sup>th</sup> Avenue
- FR-2006 **22 ton/35 ton/36 ton**  
0.6 mile south of the NW corner of section 4-83-9 (Fremont Township) on 30<sup>th</sup> Avenue

Signed this 2<sup>nd</sup> day of October 2012.

\_\_\_\_\_  
David Vermedahl, Chair, Board of Supervisors

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor  
The engineer reported that the September 30, 2012, bank balance in the Blairstown Bank landfill account was \$55,398.50.

The engineer spoke with the board about advertising for the lease of farm ground at the Benton County landfill. The auditor will place and advertisement requesting bids.

Sheriff Randall Forsyth provided a brief update on the status of issues surrounding the law enforcement building. Forsyth had briefed the board earlier about issues with plumbing, sewer gas, and the geothermal system. Forsyth stated that the geothermal vault was opened and the water and mud was siphoned out. The vault itself is stainless steel and may need some touch-up paint as a result of the water issue, but was in good condition. The sump pump was not working as the ground fault interrupter had kicked out, presumably due to the water. The water in the vault was from surface runoff and that steps need to be taken to build up the opening to prevent future water issues.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

October 5, 2012

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

Brian Harthun of Foth Infrastructure and Environment, LLC ("Foth") presented a study compiled by his company on various options for the Benton County solid waste disposal facility. It is estimated that the current facility will reach capacity within five years. The supervisors had requested that Foth prepare cost estimates on

1. Expand the current landfill.
2. Close the landfill and build a transfer station
3. Close the landfill and have cities contract for waste disposal at adjacent facilities

Harthun reviewed the study on each of the three options and the potential costs to Benton County residents, as well as Benton County. Harthun recommended that the county maintain some type of per-capita funding as that offered some guarantee of revenue should the waste stream diminish in the future. Harthun concluded that Option 1 provided the greatest control but at the highest risk and cost to the county and residents. Option 2 would allow the county to maintain control of the waste stream, but

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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would be dependent or subject to other facility tipping fees. Option 3 would reduce risk and uncertainty due to new technologies but would place the burden on the cities. The county would still be responsible for unincorporated areas similar to the cities with any of the options. Harthun stated that the county should increase the per-capita rate to address short-term funding, make decisions within the next year regarding the direction to be taken, begin discussions with adjacent solid waste facilities, begin discussions with the cities, and if the county is strictly concerned about financial aspect then Option 3 is the best option. The board stated that they would review the information provided and schedule a meeting with the newly elected supervisors after November 6<sup>th</sup> to discuss the options and direction.

The time of 9:30 a.m. having arrived, and this being the time and date set for the second consideration of the proposed Social Host Ordinance, the board opened the matter for public hearing. There were five persons present and no comment was heard opposing said ordinance. Hearing no further comment, the chair declared the hearing closed. Moved by Sanders, seconded by Buch, that the Second Consideration of a Social Host Ordinance is approved. All members voting aye thereon. Motion carried.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

October 9, 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of September 25, 2012, October 2, 2012, and October 5, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Vermedahl, to approve checks numbered 202197 through 202425, payroll checks numbered 136361 through 136375, and ACH deposits numbered 15480 through 15598, for payment. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the Recorder's Quarterly Report for the period ending September 30, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to suspend taxes pursuant to Iowa Code 427.9 on the following parcels: 200-13100, 0200-13200, 200-13250, and 200-13300. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-50, TRANSFER OF FUNDS. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**RESOLUTION #12-50  
TRANSFER OF FUNDS AND BUDGET AMENDMENT**

BE IT RESOLVED that \$126.00 be transferred from the General Basic fund to the Community Development Block Grant fund.

IT IS FURTHER RESOLVED that the FY13 budget is hereby amended to reflect said transfer.

Dated this 9<sup>th</sup> day of October 2012.

**BOARD OF SUPERVISORS**

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Sanders, seconded by Buch, to approve the hire of Craig A. Streeter, as a part-time correctional officer, effective this date, at a starting wage of \$12.13 an hour. All members voting aye thereon. Motion carried.

Transportation Director Dana Burmeister told the board that she had received a new 18-passenger bus from the East Central Iowa Council of Governments. The bus will replace a diesel bus #300. The cost of the new bus is \$54,969.00 but the total cost to Benton County is \$9,260.00. Burmeister advised that she had funds available in her current budget due to the changes in full-time staffing.

Burmeister also spoke to the board about hiring part-time drivers. Moved by Buch, seconded by Sanders, to authorize the transportation department to advertise for part-time drivers. 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 the third consideration of a proposed Social Host Ordinance, the board took up the matter for public hearing. There were four persons present. Hearing no comment, the chair declared the hearing on the third consideration closed. It was moved by Buch, seconded by Sanders, to approve the third consideration of a Social Host Ordinance. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to adopt Resolution #12-51, ADOPTING ORDINANCE #66 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF BENTON COUNTY, IOWA BY ADDING A "SOCIAL HOST" ORDINANCE. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

## RESOLUTION #12-51

ADOPTING ORDINANCE #66 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF BENTON COUNTY, IOWA BY ADDING A "SOCIAL HOST" ORDINANCE

WHEREAS, the Benton County Board of Supervisors desires to amend the Benton County, Iowa, Agricultural Land Preservation Ordinance; and

WHEREAS, three considerations of Ordinance #66 were held on October 2, 2012, October 5, 2012, and October 9, 2012; and

WHEREAS, publication of the considerations were made according to Iowa Code; and

WHEREAS, a copy of said Ordinance #66 has been available to the public in the Benton County Auditor's office;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors, ORDINANCE #66 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF BENTON COUNTY, IOWA BY ADDING A "SOCIAL HOST" ORDINANCE to the BENTON COUNTY CODE OF ORDINANCES, CHAPTER 7, in its entirety, effective upon publication and recording.

## ORDINANCE #66

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF BENTON COUNTY, IOWA BY ADDING A "SOCIAL HOST" ORDINANCE

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY, IOWA:

### PURPOSE:

Pursuant to the authority granted under Chapter 331, Iowa Code, this Ordinance is enacted to protect and preserve the rights, privileges, and property of the County and its residents, and to preserve and improve the peace, safety, health, welfare, comfort and convenience of the residents of Benton County. The purpose of this ordinance is to prohibit the consumption of alcoholic beverages and/or controlled substances by persons under the age of twenty-one (21), and to prohibit gatherings where persons knowingly allow or permit the consumption of controlled substances or underage drinking of alcoholic beverages to occur on property they own or control.

The Benton County Board of Supervisors finds that the occurrence of social gatherings at premises where controlled substances and/or alcoholic beverages are served or consumed by persons under the age of twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health and safety. The Surgeon General's Call to Action (2007) is hereby incorporated by reference, as further support of the health, safety and public welfare concerns that exist with underage drinking.

The Benton County Board of Supervisors further finds that persons under twenty-one (21) attend gatherings where controlled substances and/or alcoholic beverages are brought or made available, and that the persons who are in control of such premises are either knowingly tolerating, allowing, or permitting such drug and alcohol use to occur. This ordinance will establish penalties for persons who knowingly permit or allow underage drinking or drug use, and will encourage those persons to ensure that those activities are not occurring on premises under their control.

Based on these findings, the following ordinance is enacted by the Benton County Board of Supervisors:

### DEFINITIONS

- a) "Controlled Substance" means a drug, substance, or immediate precursor as specified in Chapter 124, Iowa Code.
- b) "Alcoholic Beverage" means any beverage containing more than one half of one percent of alcohol by volume including alcoholic liquor, wine, or beer.
- c) "Event, gathering, or party" means any group of three (3) or more persons who have assembled or gathered together for a social occasion or other activity.
- d) "Parent" means any person having legal custody of a juvenile (1) as a natural parent, adoptive parent or stepparent, (2) as a legal guardian, or (3) as a person to whom legal custody has been given by order of the court.
- e) "Premises" means any home, yard, farm, field, land, apartment, condominium, hotel, or motel room or other dwelling unit, or hall or meeting, park or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically, for a party or other social function and whether owned, leased, rented, or used with or without permission or compensation. "Premises" does not include property that is licensed to sell or serve alcoholic beverages.
- f) "Social Host" means any person, partnership, corporation or association of one or more individuals who aids, allows, entertains, organizes, supervises, controls or permits an event, gathering or party. This includes but is not limited to (1) the person(s) who owns, rents, leases or otherwise has control of the premises where the event, gathering or party takes place, (2) the person in charge of the premises, or (3) the person(s) who organized the event, gathering or party. If the social host is a juvenile, and the parent(s) are (1) present on the premises, or (2) knows or reasonably should know of the event, gathering or party and knows or

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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reasonably should know that the consumption of alcohol and/or controlled substances is occurring, the parent(s) are also liable for violations of this chapter.

g) "Underage person" means any individual under the age of twenty-one (21).

h) "Juvenile" means any person under the age of eighteen (18).

## **PROHIBITED ACTS**

It is unlawful for any social host of an event, gathering or party on the social host's premises to knowingly permit or allow underage persons to consume controlled substances and/or alcoholic beverages, or knowingly permit or allow underage persons to possess controlled substances and/or alcoholic beverages on the premises, whether or not the social host is present on the premises.

A social host has an affirmative defense if the social host took reasonable steps to prevent the possession or consumption of controlled substances and/or alcohol, or notified law enforcement and allowed law enforcement to enter the premises for the purpose of stopping the illegal activities.

## **EXCEPTIONS**

This Ordinance does not apply to actions permitted under Section 123.47(2), Iowa Code (2007), or to legally protected religious observances, or to situations where underage persons are lawfully in possession of alcoholic beverages during the course and scope of employment.

## **VIOLATIONS**

Violations of this Ordinance are a civil infraction under the Benton County Code of Ordinances, and are subject to civil penalty of \$250 for the first violation, \$500 for the second, and \$1000 for the third and consecutive violations. Violations of this Ordinance may also be considered by the County for purposes of approving licenses applied for by the social host or for any other requirements that are subject to approval by the County.

## **REPEALER**

All Ordinances or parts thereof that are in conflict with this Ordinance are hereby repealed.

## **SAVINGS CLAUSE**

If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, clause, phrase, or part hereof not adjudged invalid or unconstitutional.

## **EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its final passage, adoption and publication as provided by law.

## **APPLICABILITY**

This Ordinance shall be effective in the unincorporated areas of Benton County following adoption and publication as provided by law.

Passed by the Benton County Board of Supervisors on this 9<sup>TH</sup> day of October, 2012.

## **BOARD OF SUPERVISORS**

\_\_\_\_\_  
David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Ann Jorgenson did not appear before the board but had advised Supervisor Buch that she would like to request the board's support for the Iowa Braille and Sight Saving School in Vinton.

Moved by Sanders, seconded by Buch, to approve a request for a utility permit submitted by Windstream Communications to place utility lines in the county's right-of-way in Harrison Township, along 25<sup>th</sup> Avenue, sections 9 and 10. All members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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The engineer spoke to the board about the unannounced visit to the sanitary disposal to review their accounting procedures. The engineer advised that several issues were identified and addressed; however the major accounting weakness occurs on Saturday morning when the landfill is open. The board discussed various possibilities to address the issue. The engineer is going to continue to work on strengthening the controls.

The board held a conference call with Jones and Linn counties regarding the regionalization of the mental health and developmental services. Benton, Linn and Jones counties had previously entered into a letter of intent to form a MH-DS region as required by 2012 legislation. Iowa, Johnson, Dubuque and Delaware counties requested to join the region. Jones County expressed concern about a larger region versus a smaller region. Mary Williams stated that she supported a larger region, which would allow the risk to be spread over a larger group. Deb Schultz, Jones County Central Point Coordinator (CPC), added that a larger region could prove beneficial in obtaining legislative assistance. John Brandt, Linn County Social Services Director, advised that he also spoke with the Linn County CPC and she also supports a larger group. It was questioned if Dubuque and Delaware wanted to be considered together or individually. It was explained that Dubuque and Delaware counties wanted to stay together and either both had to be accepted into the region or neither. Jones County questioned the funding for Delaware and Dubuque counties adding that they didn't have enough funds to cover their current services. Schultz stated that those counties would need to address some of their issues, but this is where spreading the risk would be advantageous. Linda Langston, Linn County Supervisor, stated that the details in the Memorandum of Understanding could address funding issues and recommended that the counties proceed with forming the region. Williams stated that the CPCs will begin meeting next week with all of the region's counties and reiterated that the larger region would be best. Langston commented that a region consisting of four small counties and three large counties would put everyone in a position of working together. Jones County commented that they would not want to see the region get much larger. Langston asked if there were any other letters from counties that might be interested. Benton County Supervisor Ron Buch responded that Buchanan County was moving to a northern region. Schultz was pretty confident that the southern counties in the area were pretty firmly aligned and that she didn't anticipate any other county approaching the group. Jones questioned if the counties requesting to join were a good fit with Linn, Benton and Jones. Langston stated that she had spoken with Johnson County supervisors, individually, and that all indications were that four members of that board agreed with the one-county-one-vote philosophy. Supervisor Dave Vermedahl stated that if Johnson County agreed with the one-county-one-vote basis then he did not have any reservations. Langston commented that she also made it clear to three members of the Johnson board that the regional board will want to be able to approve the members appointed to the board from each county. Jones County questioned that approval and who has authority to appoint - the board of each county or the regional board? Langston responded that the details had not been worked out but would be included in the 28E agreement and each county will have to enter into the 28E Agreement.

Moved by Buch, seconded by Sanders, that Johnson, Iowa, Delaware and Dubuque counties be allowed to join the MH-DS region created by Benton, Jones, and Linn counties. All members voting aye thereon. Motion carried.

Action was taken to approve by Jones County and Linn County boards.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

October 16, 2012

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

Moved by Sanders, seconded by Vermedahl, to approve the minutes of October 9, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the sheriff's quarterly report for the period ending September 30, 2012. All members voting aye thereon. Motion carried.

Ann Jorgenson and Kathleen Van Steenhuyse met with the Board regarding support for the Iowa Braille Sight Saving School. Jorgenson explained that a Vision Committee was formed shortly after the July 11, 2011, windstorm about the future of the Braille School. Jorgenson stated that a report is required every two years regarding the services being provided at the facility. The state is speaking about a regional concept for an expansion of services to the blind, deaf, and blind/deaf. The deaf community still has a residential facility in Council Bluffs. The Braille School no longer has a residential facility here. Jorgenson stated that the Council Bluffs facility provides a valuable service and that is not the issue at hand. Jorgenson stated that the blind students need an outreach center and that outreach services are not available to a lot of the rural population. If a regional concept is implemented it should remain at Iowa Braille and Sight Saving School. Van Steenhuyse and Jorgenson requested that the Board of Supervisors provide a letter of support for maintaining a regional facility and outreach center. Moved by Sanders, seconded by Buch, that the Benton County Board of Supervisors provide a letter of support for the regional concept for the delivery of services to the visually impaired, deaf, and hard of hearing and that the regional center be located at the current Iowa Braille and Sight Saving School. All members voting aye thereon. Motion carried.

Dennis Kunze and Sarah Walter met with the board to request a variance to the county's subdivision ordinance. Walter is requesting the variance to allow for division of property owned by Terry and Sarah Walter located in the SE1/4 of the SE1/4 of 12-84-9 (Canton Township). Parcel A located in the SE1/4 of the SE1/4 of 12-84-9 was created in 1992, containing 7.5 acres, and was purchased by Walter. Walter recently purchased the adjoining Parcel B located in the SE1/4 of the SE1/4 of 12-84-9, containing 3.24 acres, which was created in 1995. Parcels A and B, both contain a residence. Walter requested that a variance be allowed so that Parcel A can be divided allowing her to sell the residence and retain ownership of the pasture (in Parcel A) located between the two residences. Moved by Buch, seconded by Vermedahl, to grant a variance by waiving the requirements of the Benton County Subdivision Ordinance for the creation of Parcel C in the SE1/4 of the SE1/4 of 12-84-9, as strict compliance to the subdivision ordinance would create an undue hardship for the following reasons: The county adopted a subdivision ordinance and the forty acre aliquot part has been subdivided as a result of Beau Chene First, Second, and Third Additions (residential subdivisions) all

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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subsequent to Walter purchasing Parcel A in 1992. The hardship is created due simply to events that occurred subsequent to their initial purchase. Buch and Vermedahl voting aye. Sanders voting nay. Motion carried.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-52, Rescinding Resolution #12-42, A RESOLUTION OF THE BOARD OF SUPERVISORS OF BENTON COUNTY APPROVING PARTICIPATION IN PLANNING adopted on September 4, 2012, in its entirety. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

RESOLUTION #12-52

A RESOLUTION RESCINDING RESOLUTION #12-42

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BENTON COUNTY APPROVING PARTICIPATION IN PLANNING

WHEREAS, the Benton County Board of Supervisors adopted Resolution #12-42, A Resolution of the Board of Supervisors of Benton County Approving Participation in Planning on September 4, 2012; and  
WHEREAS, said Resolution #12-42 created an agreement between Benton, Linn and Jones counties to participate in the planning and development of a Mental health and Disability Services Region; and  
WHEREAS, additional counties have asked to join said region and the supervisors of Benton, Linn and Jones counties have agreed to participate in planning with those other counties,  
NOW THEREFORE BE IT RESOLVED that the Resolution #12-42, A RESOLUTION OF THE BOARD OF SUPERVISORS OF BENTON COUNTY APPROVING PARTICIPATION IN PLANNING, is hereby rescinded in its entirety.

Dated this 16<sup>th</sup> day of October 2012

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David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Sanders, seconded by Buch, to adopt Resolution #12-53, A RESOLUTION OF THE BOARD OF SUPERVISORS OF BENTON COUNTY APPROVING PARTICIPATION IN PLANNING. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

RESOLUTION #12-53

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BENTON COUNTY APPROVING PARTICIPATION IN PLANNING

WHEREAS, the Iowa Legislature passed and the Iowa Governor signed SF2315, an Act relating to the Redesign of Publicly Funded Mental health and Disability Services; and  
WHEREAS, SF2315 expresses that the intent of the legislature is that mental health and disability services shall be provided by counties operating together as regions; and  
WHEREAS, the Benton County Board of Supervisors finds it is in the public's best interest to make informed decisions on entering into a region, which is based on sound planning; and  
WHEREAS, Benton, Delaware, Dubuque, Iowa, Johnson, Jones and Linn Counties have begun planning for the development and delivery of mental health and disability services through a regional structure:  
NOW, THEREFORE BE IT RESOLVED that Benton County commits to participate in the planning and development of a Mental Health and Disability Services Region, which includes Benton, Jones and Linn counties; and  
BE IT FURTHER RESOLVED that Benton County hereby authorizes the county's central point coordinator and delegates Supervisor Sanders (and Dave Vermedahl as alternate) to attend and participate in all planning meetings throughout the planning process; and  
IT IS FURTHER RESOLVED that Benton County understands that this is a non-binding agreement and is for planning purposes only. The decision to join a region will be made upon the receipt and review of a 28E agreement between the counties.

Dated this 16th day of October 2012.

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David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

The board reviewed the applications submitted for the Benton County Conservation Board, Moved by Buch, seconded by Sanders, to appoint Randy Scheel to the Benton County Conservation Board, effective this date to fill the vacancy created by the resignation of Trent Jacobi, and for the five-year term beginning January 1, 2013. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to sign the following purchase agreements for right-of-way along W28 for the intersection project south of Atkins:



# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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Doug Keiper Family Trust - \$10,315.00 for .08 acres of permanent road right-of-way and .25 acres of temporary easement  
Doris Williams - \$21,655.00 for 1.5 acres of permanent road right-of-way, .03 acres of temporary easement, and .05 acres of drainage easement.

The purchase is based on the price of \$12,500 per acre. All members voting aye thereon. Motion carried.

The engineer discussed the purchase of a used maintainer from Altorfer. The engineer requested approval to purchase a 2005 Caterpillar 140H maintainer with approximately 3500 hours. The cost with trade-in of the Caterpillar 140G is \$125,000.00.

The unit would require a low board extension for an additional \$500.00. Moved by Sanders, seconded by Buch, to approve the purchase of a 2005 Caterpillar 140H maintainer with low board extension, at a total cost of \$125,500 dollars. All members voting aye thereon. Motion carried.

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

October 23, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of October 16, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to set November 20, 2012, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by Mike and Jessica Rippel on a parcel located in the SE1/4 of the NE1/4, Section 29-85-10. All members voting aye thereon. Motion carried.

Terry Johnson of Genesis Development provided an update to the Board on the services being provided in Benton County. Johnson stated that the Vinton office was closed on July 1, 2012, as there were not enough consumers; however the Belle Plaine office continues to grow. Johnson reviewed the effects that the mental health regionalization requirements may have on residential care facilities, specifically that owned by Genesis Development in Tama County. Johnson expressed concern over funding and the impact of the state taking over the Medicaid funded services.

Moved by Buch, seconded by Sanders, to allow Vinton Unlimited to use the courthouse lawn on November 15, 2012 (lawn and courthouse) and also to place lighted trees on the lawn throughout the holiday season. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to allow Vinton Parks and Recreation to use the courthouse lawn on October 27, 2012, for seasonal activities. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to enter into the *Subrecipient Funding Agreement for Water Improvement Project Assisted by the Iowa Economic Development Authority through the Federal Community Development Block Grant Program (CDBG Contract No. 12-WS-024)* and authorize the chair to sign the same. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the filing of the corrected (page 3) manure management plan submitted by Team Dairy, LLC, for the Garrison Site. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 202426 through 202631, payroll checks numbered 136376 through 136394, and ACH deposits numbered 15599 through 15720, for payment. All members voting aye thereon. Motion carried.

Jerry Petermeier and Jim Gill met with the Board regarding payment of an invoice submitted by Gill Construction. The invoice is for applying a sealant to the cement for the garage project at the Cedar Valley Ranch. Petermeier stated that Gill did a good job of removing the old garage and pouring the cement deck. Petermeier stated that there was a concern about a bond between the finished surface and the concrete underneath. Petermeier advised that chloride, and the freezing, and thawing cycle can cause the finished surface to chip off if the bond is not good. In order to address that concern, Eponex was added to the cement. The Eponex stated that a penetrating sealer should be placed on the cement and therefore Petermeier instructed Gill to place a sealant on the cement. Moved by Buch, seconded by Sanders, to authorize payment to Gill Construction in the amount of \$647.76. All members voting aye thereon. Motion carried.

Petermeier also spoke about other parts of the project. Elwick Electric installed the electricity and had it was state inspected. When the overhead door people installed the automatic openers they placed it directly over the light fixture. McDowell's will have the matter corrected. McDowell's also reduced the overhang due to the placement of an adjacent utility pole. Petermeier also told the board that the windows in the overhead doors were not done, but were in put in the walk-in door. The walk-in door was changed so that it has no window; however there still will not be windows in the overhead doors.

Mary Williams, Social Services Director, met with the board regarding the resignation of Patricia Lynch. Lynch had submitted her resignation effective October 31, 2012; however Williams is requesting that the resignation be extended to November 30, 2012, to allow additional time to hire a part-time employee. Moved by Buch, seconded by Sanders, to extend the resignation date of Patricia Lynch to November 30, 2012. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Bob Fischer and Kyle Helland requested approval of the Re-plat of Lots 1 and 2 Kearns Second Addition to Benton County, Iowa. A final plat was presented with the necessary attachments. Moved by Buch, seconded by Sanders, to adopt Resolution #12-54, REPLAT OF LOTS 2 & 3, KEARNS SECOND ADDITION TO BENTON COUNTY, IOWA. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

RESOLUTION #12-54  
REPLAT OF LOTS 2 & 3, KEARNS SECOND ADDITION  
TO BENTON COUNTY, IOWA

**WHEREAS**, A Replat of Lots 1 & 2, Kearns Second Addition in Benton County, Iowa, containing three (3) lots has been presented to the Benton County Board of Supervisors consisting of the following described real estate:

Replat of Lots 1 & 2, Kearns Second Addition in Benton County, Iowa is a subdivision of Lots 1 & 2, Kearns Addition in Benton County located in the Northwest Fractional Quarter, in Section 6, Township 86 North, Range 10 West of the Fifth Principal Meridian, Benton County, Iowa, as described on the Final Plat attached hereto and made a part hereof.

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 owners will execute and file a Consent and Dedication for said Plat; 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 the Replat of Lots 1 & 2, Kearns Second Addition in Benton County, Iowa, will be and the same is hereby acknowledged and approved and accepted by the Board of Supervisors of Benton County, Iowa, subject to the following stipulations:

1. Any new driveways will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981 and April 17, 2008.
2. Any new private water supply will be constructed with the approval of the Benton County Health Department.
3. Any private on-site sewage treatment system will be constructed with the approval of the Benton County Department of Health.

The Benton County Auditor is hereby directed to certify the Resolution Approving Plat and affix the same to said Plats as provided by law.

This Resolution passed and approved on the 23<sup>rd</sup> day of October, 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
David H. Vermedahl, Chairman

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Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to adopt Resolution #12-55, ABATEMENT OF TAX. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

RESOLUTION #12-55  
ABATEMENT OF TAX

Whereas, the City of Vinton has acquired the property under Iowa Code 657A; and

WHEREAS, the court has issued an order stating that the property is acquired free of encumbrances,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that all unpaid tax and penalty assessed on parcel 240-92375 is hereby abated in full.

Dated this 23rd day of October 2012.

BOARD OF SUPERVISORS

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David H. Vermedahl

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Sanders, seconded by Buch, to approve a utility permit requested by Interstate Power and Light to place utility lines in the county's right-of-way in section 1 of Benton also known as South Polk Township along 55<sup>th</sup> Street Trail. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by Rick Pickering to place private utility lines in the county's right-of-way in Sections 1 and 12 of Kane Township under 69<sup>th</sup> Street. All members voting aye thereon. Motion carried.

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

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David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

October 30, 2012

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

Moved by Buch, seconded by Vermedahl, to approve the minutes of October 23, 2012. Both members voting aye thereon. Motion carried.

Marc Greenlee presented an application for a farm exemption submitted by Donald and Shelly Petersen. The applicants are involved in a farming operation, owning and farming approximately 230 acres. Moved by Buch, seconded by Vermedahl, to approve a farm exemption as provided for in the Benton County Agricultural Land Use Preservation Ordinance for the purpose of constructing a residence and shop building on a parcel described as being a part of the NW1/4 of the SW1/4 of Section 6-86-10. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the payment in the amount of 29,776.00 to Thys Chevrolet for the purchase of a truck by Benton County Conservation. Both members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for accepting quotes for the purchase of a Unisyn Voting System, the board took up the matter for consideration. The auditor advised that a notice had been published in the county's official newspapers requesting quotes for the purchase of a Unisyn Voting System. Henry Adkins was the only company to submit quote in the amount of \$173,706.00. The auditor explained that \$180,000.00 was included in her FY13 budget for the purchase of the new system. Moved by Buch, seconded by Vermedahl, to award the purchase of a Unisyn Voting System to Henry Adkins in the amount of \$173,706.00, the delivery of which is to be coordinated with the auditor. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the hire of Victoria Fink, as a part-time clerical employee in the Social Services Department, effective November 1, 2012, at a wage of \$10.50 per hour. Both 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 for the State of Funded Activities relative to the Community Development Grant #11-OT-001, the board took up the matter for consideration. There were no members of the public present. Diane Stromer of East Central Iowa Council of Governments read the following into the record:

1. A contract in the amount of \$500,000 was awarded to Benton County with notice to proceed issued on September 26, 2012. Fifteen applications were taken and have been processed for minor and major rehabilitation, there were no qualified applicants. One application was taken, processed and qualified for their home being destroyed and rebuilt.
2. Numerous hours have been expended on this contract in determining program eligibility for each individual applicant. A request to allow the billable hours will be sent to Iowa Economic Development Authority in early November, 2012. Iowa Economic Development has been informed that we will not be using the entire amount allotted.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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3. Verification of receipts and duplication of benefits phases as required by IEDA are in progress for the one remaining eligible applicant, reimbursement of up to \$40,000 expected by the end of December 2012.
4. The project scope decreased from fifteen applicants to one qualified applicant. Therefore, we anticipate \$50,000 to be spent rather than the original projected \$500,000.

Hearing no comment, the chair declared the hearing closed at 9:55 p.m. Moved by Buch, seconded by Vermedahl, that a finding is made and approval given of the funded activities for wind and tornado damage assistance in Benton County, Iowa, as assisted by the Community Development Block Grant Program Contract #11-OT-001 as presented. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to accept the resignation of Dennis Parizek from Benton County Transportation, effective October 19, 2012, due to retirement. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to acknowledge that the seasonal employment of conservation employees Craig Brunssen (effective September 20, 2012), Ralph Jones (effective October 15, 2012), Chad Galli (effective September 7, 2012), and David Ervin (August 17, 2012) has ended. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to acknowledge the receipt of the annual manure management plan filed by Wilco Farms, LTD for the facility located 7944 28<sup>th</sup> Avenue, Norway, Iowa. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to authorize the chair to sign the agreement with Employment Benefit Systems for Third Party Administration Services of Benton County's 125 Cafeteria Plan for 2013. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to approve the hire of Phillip Close, as a part-time correctional officer, effective October 30, 2012, at a wage of \$12.13 per hour, and the hire of Melissa Bergom as a part-time communications specialist, effective October 30, 2012, at a wage of \$14.13 per hour (Bergom has been a communications specialist in Buchanan County for six years and is already trained) and Devin Rinderknecht as a reserve officer, effective October 30, 2012, at a wage of \$19.29 per hour (Rinderknecht is a certified officer). Both members voting aye thereon. Motion carried.

The sheriff explained to the board that a reserve deputy may carry department weapons after successfully completing an Iowa Law Enforcement Academy approved training course by an Iowa Law Enforcement Academy certified instructor and with approval of the board of supervisors under Iowa Code 80D.7, "A member of a reserve force shall not carry a weapon in the line of duty until the member has been approved by the governing body and certified by the Iowa law enforcement academy council to carry weapons. After approval and certification, a reserve peace officer may carry a weapon in the line of duty only when authorized by the chief of police, sheriff, commissioner of public safety or the commissioner's designee, or director of the judicial district department of correctional services or the director's designee, as the case may be." Moved by Buch, seconded by Vermedahl, to authorize the following certified reserve officers be allowed to carry departmental weapons including handgun, Taser, chemical agents, striking instruments, knife, shotgun, and rifle, pursuant to Iowa Code 80D: Jeffrey Harnish, Larry Feaker, Russell Glime, Gary Benson, Mark Christy, Richard Stallman, Scott Bahmann, Clint Sandberg, Barry Werner, Lori Yardley, and Devin Rinderknecht. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Vermedahl, to authorize the chair to sign the purchase agreement with Rick and Cindy Nolan for the purchase of 1.58 acres of right-of-way at a price of \$19,750.00. 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, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

November 13, 2012

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Buch, Vermedahl, and Sanders present. Chairman Vermedahl called the meeting to order at 9:30 a.m.

Moved by Sanders, seconded by Buch, to approve the minutes of October 30, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plans filed by Wilco Farm, Ltd. for the facility located at 7944 28<sup>th</sup> Avenue, Norway, Iowa; Rick Selk for the facility located at 1252 65<sup>th</sup> Street, Dysart, Iowa; and C and S Pork for the facility located at 5056 18<sup>th</sup> Avenue, La Porte City, Iowa. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 202632 through 202935, payroll checks numbered 136395 through 136414, and ACH deposits numbered 15721 through 15841, for payment. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the Class B liquor license for Kimm's Sinclair. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the Veteran's Affairs Quarterly Report for the period ending September 30, 2012. All members voting aye thereon. Motion carried.

Mary Williams met with the Board regarding a client appeal on the denial of services from social services. Moved by Sanders, seconded by Buch, to enter into a closed session to discuss the client appeal. All members voting aye thereon. Motion carried at 9:45 a.m.

Moved by Buch, seconded by Sanders, to return to open session. All members voting aye thereon. Motion carried at 10:05 a.m.

Williams recommended that the county provide services for an additional two months. Moved by Sanders, seconded by Buch, to support the recommendation of Mary Williams, Social Services Director, for the provision of services. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Mary Williams provided an update on the mental health regionalization. Williams briefly reviewed the draft 28E agreement for regionalization and asked the supervisors to review prior to the November 15<sup>th</sup> special meeting.

Andrew Lent and Robert Fischer, both representing the City of Vinton, met with the board to request abatement of tax on parcel 240-37000. The parcel was acquired by the City of Vinton through the statutory abandoned property process; however, the Code of Iowa only provides for the removal of all liens against the property and since property taxes are a year in arrears, the property now has property tax assessed against it. The board requested that Fischer discuss the issue with the county attorney to determine if the county has legal authority to abate the tax.

Moved by Buch, seconded by Sanders, to approve the hire of the following persons as part-time employees (drivers) in the transportation department, effective this date at an hourly wage of \$12.12:

- Terri Andorf
- Mike Beumer
- Mary Halstead
- Lee Staveley

All members voting aye thereon. It is noted that Supervisor Vermedahl's vote does not include the approval of Lee Staveley due to a conflict of interest. Motion carried.

The county engineer reported that the balance in the landfill account in the Blairstown bank on October 31, 2012, was \$55,875.46. The engineer noted that a reversal in deposit of \$13,140.00 occurred due to a stop payment on a check given to the landfill. The engineer advised that he was taking action regarding the matter.

Moved by Sanders, seconded by Buch, to approve a utility permit filed by Farmer's Mutual Telephone to place utility lines in the county's right-of-way in Section 1 of Benton Township (also known as South Polk) along/under E2W. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-56, AMENDING RESOLUTION #12-54. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried. This item was acted on although not on the agenda. The surveyor incorrectly titled the original resolution and this action corrected the title of the original resolution and was needed to facilitate closing on property.

**RESOLUTION #12-56  
AMENDING RESOLUTION #12-54**

**WHEREAS**, Resolution #12-54 was adopted on the 23<sup>rd</sup> day of October 2012; and

**WHEREAS**, the title of said resolution is in error; and

**WHEREAS**, the Board of Supervisors desires to correct the title of said resolution,

**NOW THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that Resolution #12-54 is amended to correct the title of said resolution by deleting the following: "REPLAT OF LOTS 2 & 3, KEARNS SECOND ADDITION TO BENTON COUNTY, IOWA" and inserting in lieu thereof "REPLAT OF LOTS 1 & 2, KEARNS SECOND ADDITION TO BENTON COUNTY, IOWA".

The remainder of Resolution #12-54, adopted on the 23<sup>rd</sup> day of October 2012 remains in full force and effect.

This Resolution passed and approved on the 13th day of November, 2012.

BOARD OF SUPERVISORS

David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor

The engineer updated the board on the intersection project on W28 south of Atkins. The project is proceeding; however one property owner has not signed the purchase agreement. The engineer have asked that the purchase agreement be amended to include separating the two phases of the project, proof of funding, that the property can be used by the seller until grading begins, and if the project is not complete within three years that the land will revert back to the current owner at the original sale price. The engineer stated that the county has been making good faith efforts to negotiate the purchase agreement; however the property owner always wants something changed. The engineer recommended that condemnation proceedings be started reiterating that negotiations have been on-going with the property owner with no resolution for some time. Moved by Buch, seconded by Sanders, to adopt Resolution #12-57 INTIATION OF CONDEMNATION PROCEEDINGS. Voting aye were Vermedahl, Buch, and Sanders. Nays none. Motion carried.

**RESOLUTION #12-57**

**WHEREAS**, the appraisal information was sent to the property owners on the W28 Intersection Project #HRRR-CO06(76)—5R-06, and

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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WHEREAS, one of the property owners has been unwilling to sign the purchase agreement, and  
WHEREAS, Benton County endorses the appraisers submittal on the project, and  
WHEREAS, the Benton County Engineer recommends to the Benton County Board of Supervisors that Benton County proceed with  
condemnation proceedings, and  
WHEREAS, this procedure is necessary for this project and to enhance the safety of the public that uses Benton County's  
Secondary Roads,  
THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the Condemnation Commission be directed to  
determine a fair price for a parcel of land to be acquired for the Road Project HRRR-CO06(76)—5R-06 known as the W28  
Intersection Project from Abney K. and Timothy N. Clark. The parcel lies int eh NW1/4 of Section 25 T83N R9w.

Dated this 13<sup>th</sup> day of November 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Ronald R. Buch

\_\_\_\_\_  
Jason D. Sanders

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

The board recessed at 11:30 a.m. and reconvened at 1:30 p.m. with all members present.

The time of 1:30 p.m. having arrived, and this being the time and date for canvassing the November 6, 2012 General Election, the board took up the matter for consideration. Having reviewed all vote tallies and drawing winners from the hat as required by law, it was moved by Sanders, seconded by Buch, to approve the results of the November 6, 2012 General Election, and to order the auditor to file the necessary abstracts and records with the respective offices. All members voting aye thereon. Motion carried.

**County Officials** were elected:

Terry Hertle, Board of Supervisor

Don Frese, Board of Supervisor

Jill Marlow, Auditor

Randall L. Forsyth, Sheriff

The following **township trustees** were elected:

Benton - Walter Bruce and Steve Cronk

Big Grove - Ilene N. Kreider and Craig Selk

Bruce - Loren Miller and Kenneth Lassen

Cedar - Steve Runyan and Paul Zander

Cedar to fill vacancy - John Lee

Canton - Kirk Tumilty and William Sloop ((Moved by Buch, seconded by Sanders to accept WL Sloop, Bill Sloop and William Sloop to be all the same person. All members voting aye thereon. Motion carried.)

Canton to fill vacancy - Vicky Moos

Eden - Everett Heitshusen and Dwight Sanders

Eldorado - Scott Thompson and Tracy Lee Seeman

Eldorado to fill vacancy - failed to elect

Florence - James V. Hemesath and Roy L. Schulze

Florence to fill vacancy - Peter Drahos

Fremont - Donald Krug and Andy Becker

Harrison - Walter Bauer and George Geater

Homer - Dale Seeck and Randy Schirm

Iowa - Gene Upah and Dean Jensen

Jackson - John A. Buhr and James A. Fleming

Kane - Todd Hennings and Jay Wilson

Kane to fill vacancy - Michael Silhanek

Leroy - Larry Koster and Helen Grunewald

Leroy to fill vacancy - Barry Werning

Monroe - Douglas Mehlhaus and Mike Knupp

Polk - Scott Hepker and Bill Kester

St. Clair - Bryce Brecht and Dennis L. Frese

Taylor - Kirk Appleby and Charles Yedlik

Union - Jeff Kromminga and Lawrence W. Kaiser

Union to fill vacancy - Paula Denison

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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The following **township clerks** were elected:

Florence to fill vacancy – Stuart Towe (Moved by Buch, seconded by Sanders to accept Stuart Towe and Stuart C Towe as the same person. All members voting aye thereon. Motion carried.)

Fremont to fill vacancy – Andrew Jones (Moved by Buch, seconded by Sanders to accept Andrew Jones and Andy Jones as the same person. All members voting aye thereon. Motion carried)

The following **city councilmembers** were elected to fill vacancies:

Norway – Pat Bailey (Moved by Buch, seconded by Sanders to accept Pat Bailey, Patrick Bailey and Pat Baley as the same person. All members voting aye thereon. Motion carried.)

Blairstown – Don Johnson

Walford – Randall Hoskins

**Atkins public measure** – Yes – 452 and No - 375

The following persons were elected to the **Benton County Agricultural Extension**: Paul S. Bierschenk, Nancy Jensen, James Bruce, and Deb Miller

The following persons were elected to the **Soil and Water Conservation**: Russell Lindberg, Robert Ritscher, Harold Cassens

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

\_\_\_\_\_  
Ronald R. Buch, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

November 15, 2012

The Benton County Board of Supervisors met in special session with Supervisors Vermedahl and Sanders present. Supervisor Buch was absent. Chairman Vermedahl called the meeting to order at 1:30 p.m. at the Linn County Jean Oxley Administration building in Cedar Rapids.

The board discussed the various sections of a 28E Agreement for the formation of a region for mental health services with representatives of Linn, Jones, Delaware, Johnson, Dubuque, and Iowa counties. No action was taken.

The board was part of a regional meeting and notice was posted approximately sixteen hours in advance and was impractical to change.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

November 20 2012

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

Moved by Buch, seconded by Sanders, to approve the minutes of October 30, 2012, November 13, 2012, and November 15, 2012. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to set December 18, 2012, at 9:15 a.m., as the time and date for a land use change requested by Ron Boyer on a parcel located in the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 10-84-9. Both members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Mike and Jessica Rippel, the board took up the matter for consideration. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification on one acre to a commercial use. Greenlee reported that no improvements are planned and that the new use is to allow the owner to repair and sell cars on a hobby basis. Rippel will not be putting up any signage regarding the commercial use. Moved by Buch, seconded by Sanders, to approve the request for a land use change to non-agricultural on approximately one acre for a commercial purpose on a parcel generally described as being located in the SE1/4 of the NE1/4 of 29-85-10. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the request to allow Carol Zander to attend two days of training in Minneapolis for Social Security Outreach and Recovery. Both members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve the FY2012 Annual Urban Renewal Report. Both members voting aye thereon. Motion carried.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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Moved by Buch, seconded by Sanders, to adopt Resolution #12-58, CANCEL OUTSTANDING CHECKS. Voting aye were Sanders and Buch. Nays none. Motion carried.

## RESOLUTION #12-58 CANCEL OUTSTANDING CHECKS

WHEREAS, Employee Benefit Systems has advised that they cancelled outstanding 2004 checks several years ago; and  
WHEREAS, the Board of Supervisors desires to cancel the checks from the county' financial system,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the following checks issued by Employee Benefit Systems on behalf of Benton County are hereby cancelled. There is no redemption period as the checks are employee benefit checks and employees were notified by Employee Benefit Systems when the checks were cancelled.

3781027	02/18/2004	0.90
3781142	04/02/2004	2.68
3781215	04/02/2004	1.72
3781236	04/07/2004	0.32
3781239	04/07/2004	0.01
3781240	04/07/2004	0.23
3781248	04/07/2004	0.50
3781253	04/07/2004	110.60
3781275	04/07/2004	69.20
3781282	04/07/2004	1.29
3781350	05/07/2004	1.77
3781351	05/07/2004	0.50
3781352	05/07/2004	0.50
3781421	05/07/2004	323.00
3781431	05/07/2004	2.07
3781432	05/07/2004	52.00
3781433	05/07/2004	1.17
3781434	05/07/2004	251.00
3781435	05/07/2004	0.50
3781436	05/07/2004	7.03
3781437	05/07/2004	1.20
3781515	06/04/2004	-0.09
3781540	06/04/2004	17.62
3781581	06/18/2004	10.32
3781598	06/18/2004	17.00
3781603	06/25/2004	69.00
3781607	06/25/2004	17.00
3781615	06/25/2004	5.20
3781714	07/23/2004	0.77
3781754	07/23/2004	3.85
3781755	07/23/2004	0.10
3781778	07/23/2004	1.96
3781779	07/23/2004	0.59
3781780	07/23/2004	0.59
3781781	07/23/2004	0.76
3781812	07/30/2004	222.20
3781845	08/20/2004	0.55
3781858	08/20/2004	0.25
3781859	08/20/2004	0.76
3781860	08/20/2004	0.50
3781861	08/20/2004	0.50
3781870	08/20/2004	2.36
3781875	08/20/2004	27.38
3781877	08/20/2004	0.45
3781878	08/20/2004	1.06
3781880	08/20/2004	0.50
3781896	08/20/2004	1.00
3781940	12/10/2004	7.36
3782184	09/29/2006	41.70
3782224	10/26/2006	4.00



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Dated this 20<sup>th</sup> day of November 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
Jason D. Sanders

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

Moved by Buch, seconded by Sanders, to adopt Resolution #12-59, TRANSFER FUNDS. Voting aye were Sanders and Buch. Nays none. Motion carried.

**RESOLUTION #12-59  
TRANSFER OF FUNDS**

BE IT RESOLVED by the Benton County Board of Supervisors that \$535.50 be transferred from the General Basic fund to the CDBG Fund.

Dated this 20<sup>th</sup> day of November 2012.

BOARD OF SUPERVISORS

\_\_\_\_\_  
Jason D. Sanders

\_\_\_\_\_  
Ronald R. Buch

ATTEST: \_\_\_\_\_

Jill Marlow, Auditor

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

\_\_\_\_\_  
Jason D. Sanders, Vice-Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

November 27, 2012

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

The Board of Supervisors of Benton County, Iowa, met on November 27, 2012, at 9:00\_ o'clock, a.m., at the Boardroom, Benton County Courthouse, 111 E. 4<sup>th</sup> St., Vinton, Iowa, for the purpose of setting a date for a public hearing on the proposed amendment to the urban renewal plan for the Benton County Frontier Urban Renewal Area. The Chairperson presided and the roll being called, the following members of the Board were present and absent:

Present: Vermedahl, Sanders, and Buch

Absent: None.

The Chairperson announced that an amendment to the urban renewal plan for the area had been prepared, and that it was now necessary to set a date for a public hearing on the proposed amendment to the urban renewal plan. Accordingly, Supervisor Sanders moved the adoption of the following resolution entitled "Resolution setting date for a public hearing on Benton County Frontier Urban Renewal Area 2012 urban renewal plan amendment," and the motion was seconded by Supervisor Buch. Following due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Vermedahl, Sanders, and Buch

Nays: None.

Thereupon, the Chairperson declared the resolution duly adopted, as follows:

**RESOLUTION NO. 12-60**

Setting date for a public hearing on Benton County Frontier Urban Renewal Area 2012 urban renewal plan amendment

WHEREAS, the Board of Supervisors (the "Board") of Benton County, Iowa (the "County") has created the Benton County Frontier Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, it is necessary to amend the urban renewal plan for the Urban Renewal Area in order to extend the number of years during which incremental property tax revenues may be collected; and

WHEREAS, this Board is desirous of obtaining as much information as possible from the residents of the County before making this determination; and

WHEREAS, it is now necessary that a date be set for a public hearing on the plan amendment;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. This Board will meet at the Boardroom, Benton County Courthouse, 111 E. 4<sup>th</sup> St., Vinton, Iowa, on the 18<sup>th</sup> day of December, 2012, at 9:30 o'clock a.m., at which time and place it will hold a public hearing on the proposed urban renewal plan amendment for said area.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Section 2. The County Auditor shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in Benton County, which publication shall be not less than four (4) nor more than twenty (20) days before the date set for the hearing.

Passed and approved November 27, 2012.

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Chairperson, Board of Supervisors

Attest:

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County Auditor

## **NOTICE OF A PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN AMENDMENT**

Notice Is Hereby Given: That at 9:30 o'clock a.m., at the Boardroom, Benton County Courthouse, 111 E. 4<sup>th</sup> St., Vinton, Iowa, on the 18<sup>th</sup> day of December, 2012, there will be conducted a public hearing on the question of amending the plan for the Benton County Frontier Urban Renewal Area, pursuant to Chapter 403, Code of Iowa, in order to increase the period of time within which incremental property tax revenue may be collected within the Urban Renewal Area from five years to ten years.

A copy of the amendment is on file for public inspection in the office of the County Auditor.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matter of the hearing.

Jill Marlow  
County Auditor

Moved by Buch, seconded by Sanders, to approve the minutes of November 20, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve checks numbered 202632 through 202935, payroll checks numbered 136395 through 136414, and ACH deposits numbered 15721 through 15841, for payment. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-61,

### **RESOLUTION #12-61 RESOLUTION AMENDING RESOLUTION #10-58, AS AMENDED BY RESOLUTION #10-72 BENTON COUNTY EARLY RETIREMENT INCENTIVE**

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that an early retirement incentive program is offered to retiring employees of the non-bargaining unit, including elected officials and their deputies, subject to the following conditions:

1. The employee shall be a full-time employee of Benton County at the time of retirement.
2. The employee shall be covered under the county's health insurance plan at the time of retirement.
3. This benefit will be offered to eligible employees aged 58 through 64, who may elect to participate in this benefit by notifying the Benton County Auditor in writing that they are retiring. This notice shall be given six months in advance of the employee's anticipated retirement date.
4. An employee seeking this benefit shall have a minimum of twenty years of full-time employment with Benton County.
5. Those who wish to participate in this plan must enter into a bona fide retirement, which means the employee is drawing from a retirement benefit fund. Further, the employee must provide written proof to the Benton County Auditor that they are drawing from a retirement benefit fund or will be drawing from a retirement fund within 60 days of the start of this benefit.
6. Employees who have met the years of service requirement set forth in paragraphs 1 through 5 above and are at least age 55 may remain on the county's health plan at their own expense until they reach the age requirements set forth in paragraph 3. Once the employee reaches the age requirement they may participate in the incentive program. Employees must remain on the county's insurance plan continuously from the time they retire until the time they meet the requirements in order to participate in the incentive program under this paragraph. Premium payments made under this paragraph are due in the auditor's office no later than the 25<sup>th</sup> day of each month. The first payment is due by the 25<sup>th</sup> day of the month preceding the retirement date. Failure to pay the premiums by the date required will result in immediate termination of coverage. Employees whose coverage is terminated under this paragraph shall not be eligible to participate in this incentive program.
7. The County shall pay \$425.00 per month towards the cost of a single premium. Future changes shall have no effect on the amount of the incentive being provided to those persons already participating in the program. Employees must provide payment of the difference in premium of a single plan to the auditor's office no later than the 25<sup>th</sup> of each

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month. The first payment is due by the 25<sup>th</sup> day of the month preceding the retirement date. Failure to pay the premium by the date required will result in immediate termination of coverage. Coverage terminated under this paragraph shall not be reinstated.

8. The County reserves the right to change health plans at any time, but the plan provided to retirees will be the same as that provided to current county employees.

9. Retiring employees who desire a family plan may purchase it from the County. The retiring employee is responsible for 100 percent of the additional premiums for a family plan that is above the amount set forth in paragraph 7. Employees electing family plan coverage must provide payment of the additional premium to the auditor's office no later than the 25<sup>th</sup> of each month. The first payment is due by the 25<sup>th</sup> day of the month preceding the retirement date. Failure to pay the premium by the date required will result in immediate termination of coverage. Coverage terminated under this paragraph shall not be reinstated.

10. This benefit is only available to retiring employees remaining on the county's health plan and will not apply towards policies obtained elsewhere by the employee. This is the sole incentive being offered and it cannot be converted to a cash payment to the employee or to any other type of incentive payment.

11. Employees who terminate their participation in this incentive program at any time for any reason are no longer eligible to participate in the program.

12. In the event any employee participating in this retirement benefit ever works for Benton County in the future in a part-time employment capacity, they shall be paid for no more than 400 hours of work in any given fiscal year. If an employee covered under this benefit is paid for working more than 400 hours in a given fiscal year they shall no longer be eligible to participate in this benefit.

13. This incentive automatically ends when the employee becomes Medicare eligible.

IT IS THEREFORE RESOLVED that this early retirement resolution is adopted as set out above.

Dated this 27<sup>th</sup> day of November 2012.

\_\_\_\_\_  
David Vermedahl, Chairman

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Ronald R. Buch

\_\_\_\_\_  
Jason Sanders

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Representatives of ERB's Technology Solutions met with the Board to provide an update on management services being provided for the county's information technology system. The board advised that they believed the third-party management of the county's information

The engineer presented bids for the construction of two box culverts on V37 north of Dysart. Bids were received as follows:

- Taylor Construction - \$689,892.10
- Gus Construction Co., Inc. - \$690,711.33
- Iowa Bridge & Culvert, LC - \$694,422.29
- Graves Construction Co., Inc. - \$876,777.37
- Tschiggfrie Excavating Co. - 897,473.29
- Muscatine Bridge Co., Inc. - \$935,442.93
- Ricklefs Excavating, Ltd. - \$1,252,789.60

The architect had estimated the cost of the two projects as follows: twin culvert at \$277,768 and triple culvert at \$534,291 for a total of \$812,059. Moved by Sanders, seconded by Buch, to award the bid for the construction of a twin culvert and a triple culvert for projects BRS-CO06(85) -60-06 and BRS-CO06(87) to Taylor Construction at a cost not to exceed \$689,892.10. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to set the price for salt/sand mixtures for the 2012/2013 winter at \$31.00 per ton to governmental entities and \$35.00 per ton to private entities/individuals. All members voting aye thereon. Motion carried.

The engineer updated the board on the Iowa Department of Natural Resources field inspection of the new landfill cell. The engineer stated that the only concern noted was implementation of erosion and siltation control measures. Erosion and siltation were evident but were a result of the construction activities taking place. The engineer also stated that use of shredded tire material with beading as a cell lining was tested by an independent laboratory and it was found that it will not penetrate the liner.

# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

December 4, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of November 27, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve 37.5 hours of vacation to carry over for Marc Greenlee, to be used by February 1, 2013. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived and this being the time to open bids for rental of 42.9 acres of farm ground in Leroy Township (landfill farm ground), the board proceeded with opening bids. There were four bids received. After opening the bids – persons present were given the opportunity to raise their bids:

Damien Andrew - \$180 acre and increased to \$250.00 per acre

Kyle Sage - \$180 acre (did not increase)

Tim Sage - \$200 acre and increased to \$255.00 per acre

Mark Koutouc - \$100 acre (did not increase)

Hearing no other bids, it was moved by Buch, seconded by Sanders to award the lease to Tim Sage in the amount of \$255 per acre. The auditor is asked to draft a lease agreement for signature by the parties. All members voting aye thereon. Motion carried.

Mary Lou Erlacher with Workplace Learning Connection (WLC) updated the supervisors on their activities in fiscal year 2012. Erlacher explained WLC involvement with the schools and students in Benton County. Benton County has 156 students involved in job shadowing and 45 students as Interns. The next event that (WLC) will be hosting is Thursday, January 17, 2013 from 1-5 p.m. at the Kirkwood Center.

The EMA Commission met with the board to discuss their loan agreement. After a brief discussion regarding the interest rate and repayment of the loan, it was agreed that the intent was not to make money off the Commission, but rather that the county wanted to help the Commission so they could accomplish what they needed to get the facility up and going. It is noted that the original agreement entered approved on March 30, 2010, and entered into on July 6, 2010, stated that the parties understood that the agreement may need to be amended.

# BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"

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Moved by Buch, seconded by Sanders, to approve and direct the chair to sign the Amended Agreement Re: Emergency Operations Center approved on March 30, 2010, and entered into by the parties on July 6, 2010, as set forth below. All members voting aye thereon. Motion carried.

## AMENDED AGREEMENT RE: EMERGENCY OPERATIONS CENTER

In light of the award of the Fiscal Year 2010 Emergency Operations Center Grant in the amount of \$500,000.00 for the construction of a new Benton County Emergency Operations Center, Benton County, Iowa and the Benton County Emergency Management Commission hereby agree as follows:

1. The parties agree to work together to cause the construction of a new Emergency Operations Center. The parties will use the proceeds of the FY2010 Emergency Operations Center Grant to accomplish this.
2. The newly constructed Emergency Operations Center shall be titled in the name of and owned by, Benton County, Iowa. The Benton County Emergency Management Commission shall utilize the Emergency Operations Center in accordance with Iowa Code §29C.12.
3. Benton County Emergency Management Commission shall be responsible for compliance with all Federal and State Regulations regarding the administration of the FY2010 Emergency Operations Center Grant Program.
4. The administration/implementation of the FY2010 grant may require that Benton County pay contractors directly, subject to subsequent reimbursement. The Benton County Emergency Management Commission agrees to cooperate with the State and Benton County to cause Benton County, Iowa to be reimbursed for its expenditures in prompt fashion. Further, the Benton County Emergency Management Commission agrees to cooperate with any audit requirements encountered in the administration of the FY2010 Emergency Operations Center Grant.
5. Benton County, Iowa shall be entitled to be paid interest by the Benton County Emergency Management Commission for all expenditures made by Benton County that are not reimbursed to Benton County within 45 days of the Benton County's payment of said expenditure. Said interest shall ~~accrue at the rate of 4.5 percent per annum~~ be \$14,000.00. (*amended paragraph*)
6. The parties understand that due to the uncertainty as to how the FY2010 Emergency Operations Center Grant Program may be administered by the Federal and State governments, this agreement may need to be amended.
7. *The parties agree that said loan with interest shall be paid in full on or before June 30, 2015. (new paragraph)*

Dated this 4<sup>h</sup> day of December, 2012.

\_\_\_\_\_  
David H. Vermedahl, Chairman  
Benton County Supervisors

\_\_\_\_\_  
Scott Hansen, Emergency Management  
Coordinator

\_\_\_\_\_  
Chairman  
Benton County Emergency Management Commission

Moved by Buch, seconded by Sanders, to approve the use of the courthouse for the Benton County Extension to host an event on December 27, 2012 from 6:00-8:00 p.m. All members voting aye thereon. Motion carried.

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

ATTEST: \_\_\_\_\_  
Hayley Rippel, Deputy Benton County Auditor

\_\_\_\_\_  
David H. Vermedahl, Chairman

December 11, 2012

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

Moved by Sanders, seconded by Buch, to approve the minutes of December 4, 2012. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to set January 15, 2013, at 9:15 a.m., as the time and date for a public hearing on a land use change requested by Doreen Ayers on a parcel located in the SW1/4 of the SW1/4 of 5-83-9. All members voting aye thereon. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Buch, seconded by Sanders, to approve fifteen hours of vacation carry-over requested by Jo Kuennen. Said carry-over is to be used no later than April 1, 2013. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve 41.75 hours of vacation carry-over requested by Hayley Rippel. Said carry-over is to be used no later than February 1, 2013. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to correct the minutes of November 27, 2012, to reflect that the checks approved for payments were numbered as follows 202936 through 203100, payroll checks numbered 136415 through 136552, and ACH deposits numbered 15842 through 15960; and further to approve checks numbered 203101 through 203325, payroll checks numbered 136553 through 136569, and ACH deposits numbered 15961 through 16081, for payment. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plans filed by Christensen Farms for the facility located at 5602 20<sup>th</sup> Avenue, Vinton, Iowa, and Cedar Valley Farms, LLC for the facility located at 2188 78<sup>th</sup> Street, Blairstown, Iowa. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to authorize the chair to sign the Iowa Economic Development Authority Subrogation and Assignment Agreement relative to the Community Development Betterment Grant for wind damage incurred in July 2011. Said agreement is between Benton County and Benjamin and Erica Dickerson. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to authorize the engineer to execute a purchase agreement/contract between Benton County and Rick Nolan for the purchase of property for road right-of-way. All members voting aye thereon. Motion carried. The purchase was previously approved by the board of supervisors; however, the seller now wishes payment to be made through a third party intermediary.

Moved by Buch, seconded by Sanders, to adopt Resolution #12-62, REMOVING WEIGHT RESTRICTION ON STRUCTURE. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

**RESOLUTION #12-62**

WHEREAS, the structure at this location has been repaired by constructing a new abutment and

WHEREAS, this repaired structure will no longer need a weight restriction,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the weight restriction previously imposed on this structure be removed. The structure is located as follows:

BG-4830            0.2 mile west of the NE corner of section 23-84-11 (Big Grove Township) on 65<sup>th</sup> Street.

Signed this 11<sup>th</sup> day of December 2012

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to adopt Resolution #12-63, REMOVING WEIGHT RESTRICTIONS ON STRUCTURES. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.

**RESOLUTION #12-63**

WHEREAS, the structures at these locations have been replaced by a new structure and

WHEREAS, the new structure will no longer need a weight restriction,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the weight restrictions previously imposed on these structures be removed. The structures are located as follows:

CE-3303                    0.3 mile east and 0.3 mile south of the NW corner of section 3-86-11 (Cedar Township) on 50<sup>th</sup> Street.

LE-1560                    0.5 mile west of the SE corner of section 32-82-11 (Leroy Township) on Benton-Iowa Road.

Signed this 11<sup>th</sup> day of December 2012

\_\_\_\_\_  
David H. Vermedahl, Chairman

\_\_\_\_\_  
Jason Sanders

\_\_\_\_\_  
Ronald R. Buch

ATTEST:

\_\_\_\_\_  
Jill Marlow, Benton County Auditor

Moved by Buch, seconded by Sanders, to approve a utility permit requested by ECI REC to place utility lines in the county's right-of-way in Sections 3 and 4 of Bruce Township along/under 13<sup>th</sup> Avenue. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve a utility permit requested by Van Horne Telephone to place utility lines in the county's right-of-way in Section 4 of Union Township, along/under 68<sup>th</sup> Street. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve a utility permit requested by Poweshiek Water Association to place utility lines in the county's right-of-way in Sections 20 and 29 of Leroy Township, along/under 78<sup>th</sup> Street. All members voting aye thereon. Motion carried.

The engineer reported that the balance in the Blainstown bank landfill account on November 30, 2012, was 60,069.22.

The engineer presented several purchase agreements to the Board for the right-of-way easement purchase on V37 for box culvert projects.

Moved by Sanders, seconded by Buch, to enter into a Purchase Agreement between Benton County and Robert Hill & Family for the purchase of .35 acres of permanent right-of-way and .23 acres of temporary right-of-way in the total amount of \$3,214.68. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to enter into a Purchase Agreement between Benton County and Daryl Erdmann for the purchase of .22 acres of permanent right-of-way and .23 acres of temporary right-of-way in the total amount of \$10,318.78. All members voting aye thereon. Motion carried. This property has a long retaining wall along the creek that will be significantly impacted by the project.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Moved by Sanders, seconded by Buch, to enter into a Purchase Agreement between Benton County and Charles Hill Revocable Trust for the purchase of .11 acres of permanent right-of-way and .19 acres of temporary right-of-way in the total amount of \$1,282.14. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to enter into a Purchase Agreement between Benton County and Fleshner Farms for the purchase of .15 acres of permanent right-of-way and .13 acres of temporary right-of-way in the total amount of \$1,337.01. All members voting aye thereon. Motion carried.

The Board discussed setting the FY14 per-capita rate for the landfill. The engineer explained that the estimated costs for closure/post-closure appear to have increased substantially. Additionally, the cost of finishing the new cell and anticipating future costs were all factors in a proposal to increase the per-capita rate. Moved by Buch, seconded by Sanders, to set the per-capita rate for FY14 at \$32.00 for cities and \$36.50 for rural. The board discussed an upcoming meeting with the consultant on the feasibility study of the landfill and whether the rates would be sufficient. Moved by Buch, seconded by Sanders, to withdraw the original motion and table action until next week. All members voting aye thereon. Motion carried.

There was no action taken on setting rates for law enforcement contracts and dispatching services.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

December 18, 2012

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Vermedahl, Buch and Sanders present. Chairman Vermedahl called the meeting to order at 8:50 a.m.

Moved by Sanders, seconded by Buch, to authorize the chair to sign the contract and contractor's bond with Taylor Construction, Inc. for the box culverts on V37. All members voting aye thereon. Motion carried.

The engineer spoke with the board about condemnation proceedings for the Atkins Intersection Project. The project letting that was scheduled for today had to be postponed until February as it is waiting on the condemnation proceedings. The \$500,000 grant for the project is still secure according to the Department Transportation but condemnation must be started by the first of January 2013. The engineer stated that the county attorney contacted him yesterday and advised that he would have the necessary filings completed by December 21, 2012.

Andy Lent, Vinton City Coordinator, met with the Board, to request approval to extend the time period for the use of incremental property tax revenue for public improvements in the West Consolidated Urban Renewal Area. Moved by Buch, seconded by Sanders, to adopt Resolution #12-64, APPROVING THE USE BY THE CITY OF VINTON OF INCREMENTAL PROPERTY TAX REVENUES PRODUCED WITHIN THE URBAN RENEWAL AREA. Voting aye were Vermedahl, Sanders, and Buch. Nays none. Motion carried.



# **BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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## **Resolution 12-64**

WHEREAS, the City of Vinton, Iowa (the "City") has established the West Consolidated Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa; and

WHEREAS, the City has used incremental property tax revenues produced within the Urban Renewal Area to pay the cost of certain public improvements related to a development known as Westridge Estates, Part 1 (the "Project"); and

WHEREAS, Section 403.22 of the Code of Iowa authorizes a city to commit future incremental property taxes for this type of project for up to fifteen fiscal years, beginning with the second fiscal year after the year in which a city first certifies debt related to such public improvements to the County Auditor, provided a city receives the approval of the affected county and school district; and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Benton County approve this resolution in order to allow the City to use incremental property tax revenues for the Project for up to fifteen fiscal years;

NOW, THEREFORE, it is resolved by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. Pursuant to Section 403.22 of the Code of Iowa, this Board hereby approves the use by the City of Vinton of incremental property tax revenues produced within the Urban Renewal Area, to pay the cost of certain public improvements related to the Project, for a period of up to fifteen fiscal years, beginning with the second fiscal year after the year in which the City first certified debt related to such public improvements to the Benton County Auditor.

Section 2. The County Auditor is hereby directed to forward an executed copy of this Resolution to the City Coordinator of the City of Vinton.

Passed and approved the 18<sup>th</sup> day of December, 2012.

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Chairperson, Board of Supervisors

Attest:

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County Auditor

Moved by Buch seconded by Sanders, to approve the minutes of December 11, 2012. All members voting aye thereon. Motion carried.

Moved by Buch, seconded by Sanders, to approve 37.5 hours of vacation carry-over for Emily Nydle, said carry-over to be used no later than April 30, 2013. All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to approve the following vacation carry-over requests:

Justin Birker – 12 hours to be used no later than May 1, 2013

Barbara Greenlee – 37.5 hours to be used no later than January 1, 2013.

All members voting aye thereon. Motion carried.

Moved by Sanders, seconded by Buch, to acknowledge the receipt of the annual manure management plan filed by Daren Rinderknecht for the facility located at 2385 70<sup>th</sup> Street, Van Horn, Iowa. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a public hearing on a land use change requested by Ron Boyer, the board took up the matter for consideration. Marc Greenlee presented that technical review in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The request is to change the classification to a commercial use. Greenlee reported that the proposed use is a disc golf course. The applicant is will construct a building on the site. No septic or water is being planned at this time. The access is pre-existing with no improvements needed to comply with county regulations. Parts of the area are located within the flood plain but only cement pads and poles would be located in the affected areas. Moved by Buch, seconded by Sanders, to approve the request for a land use change from agricultural to non-agricultural on approximately five acres for the purpose of a disc golf course on a parcel generally described as being a Part of the SW1/4 of the NW1/4 and a Part of the NW1/4 of the SW1/4 of 10-84-9. All members voting aye thereon. Motion carried

The time of 9:30 o'clock a.m. having arrived, the Board of Supervisors of Benton County, Iowa, met for the purpose of conducting a public hearing on a proposed urban renewal plan amendment.

The Chairperson presided and the roll being called the following members of the Board were present and absent:

Present: Vermedahl, Sanders, and Buch

Absent: None

The Board investigated and found that notice of the intention of the Board of Supervisors to conduct a public hearing on an amendment to the urban renewal plan for the Benton County Frontier Urban Renewal Area had been published according to law and as directed by the Board and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the County. All written objections, statements, and evidence heretofore filed were reported to the Board, and all oral objections, statements, and all other exhibits presented were considered.

There were no oral objections or statements, or written objections or statements filed and/or received.

There being no further objections, comments, or evidence offered, the Chairperson announced the hearing closed.

Supervisor Sanders moved the adoption of a resolution entitled "A resolution to approve 2012 urban renewal plan amendment for the Benton County Frontier Urban Renewal Area", seconded by Supervisor Buch. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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Ayes: Vermedahl, Sanders, and Buch

Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted and signed approval thereto.

**RESOLUTION NO. 12-65**

**A resolution to approve 2012 urban renewal plan amendment for the Benton County Frontier Urban Renewal Area**

WHEREAS, the Board of Supervisors (the "Board") of Benton County, Iowa (the "County") has created the Benton County Frontier Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, it is necessary to amend the urban renewal plan for the Urban Renewal Area in order to extend the number of years during which incremental property tax revenues may be collected; and

WHEREAS, notice of a public hearing on a proposed amendment (the "2012 Amendment") has been published and a public hearing has been held;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. The 2012 Amendment to the plan for the Benton County Frontier Urban Renewal Area, attached hereto as Exhibit A and made a part hereof, is hereby in all respects approved.

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved December 18, 2012.

\_\_\_\_\_  
Chairperson

Attest:

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

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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**EXHIBIT A  
AMENDMENT NO. 1  
BENTON COUNTY FRONTIER URBAN RENEWAL AREA PLAN  
DECEMBER, 2012**

The Benton County Frontier Urban Renewal Area Plan, originally adopted in 2006, is being amended to extend the period of time within which incremental property tax revenues may be collected.

The section of the Plan entitled "Duration of the Urban Renewal Plan" is hereby amended by extending the period of time within which incremental property tax collections may occur from five years to ten years.

The auditor presented the request from Cedar Valley Ranch to set the FY14 rates for services. The auditor explained that the issue is the mental health regionalization and the uncertainty as to whether the services will be included and provided effective July 1, 2013. The state has failed to provide detailed rules and guidance with the state-mandated regionalization. Moved by Sanders, seconded by Buch, to approve the Provider/Program Participation Agreement and rates for FY14, with the stipulation that Benton County is not committed to entering into any future provider contracts for services with Cedar Valley Ranch. The agreement also provides that Benton County may reserve a client's bed when the client is absent for hospitalization or for the purpose of visit or vacation. The rates are as follows:

- Adult Day Care - \$15.00 hour
- Residential Care Facility - \$79.70 per day
- Respite - \$79.70 per day
- Transportation - \$50.5 cents per mile and \$15.00 per hour

All members voting aye thereon. Motion carried.

Brian Harthoon of Foth Infrastructure and Environment, LLC, reviewed the feasibility study of the landfill and its future operations with the board and the new supervisor –elects. Harthoon reviewed the different options and their projected costs for disposal of solid waste in Benton County. Harthoon recommended that the county enter into new agreements with the cities on solid waste disposal and to re-activate the Solid Waste Commission. Harthoon recommended that the county retain a per capita rate regardless of the direction for solid waste disposal in Benton County.

Moved by Buch, seconded by Sanders, to set the per-capita rate for FY14 at \$32.00 for cities and \$36.50 for rural. All members voting aye thereon. Motion carried.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Jill Marlow, Benton County Auditor

December 21, 2012

The Benton County Board of Supervisors met in special session with Supervisor Vermedahl present and Supervisor Sanders attending by phone. Supervisor Buch was absent. Chairman Vermedahl called the meeting to order at 1:00 p.m.

Moved by Sanders, seconded by Vermedahl, to approve checks numbered 203326 through 203469, payroll checks numbered 136570 through 136590, and ACH deposits numbered 16082 through 160202, for payment. Both members voting aye thereon. Motion

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_

Brenda Sutton, Benton County Deputy Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD "M-M"**

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December 27, 2012

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Vermedahl and Buch present. Supervisor Sanders was absent. Chairman Vermedahl called the meeting to order at 1:45 p.m.

Moved by Buch, seconded by Vermedahl, to approve the minutes of December 18, 2012, and December 21, 2012. All members voting aye thereon. Motion carried.

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

\_\_\_\_\_  
David H. Vermedahl, Chairman

ATTEST: \_\_\_\_\_  
Jill Marlow, Benton County Auditor