

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

January 3, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/Bierschenk seconded:** To appoint Todd Wiley as the chairman of the board of supervisors for 2017. Motion carried.

**Bierschenk moved/Wiley seconded:** To appoint Rick Primmer as the vice-chairman of the board of supervisors for 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** That the general schedule for regular meetings of the board of supervisors will be each Tuesday throughout the year at 9:00 a.m. This schedule is general in nature and may be altered at any time throughout the year, including but not limited to the lack of agenda items, courthouse closings, meeting conflicts, or for any reason. Motion carried.

**Primmer moved/Bierschenk seconded:** To accept resignation of Kirk Authier, part-time driver examiner in the Treasurers's office effective December 28, 2016. Motion carried.

**Bierschenk moved/Primmer seconded:** To designate the official newspapers for Benton County for 2017 as The Star Press Union, The Cedar Valley Times, and The Vinton Eagle. Motion carried.

**Bierschenk moved/Primmer seconded:** to Adopt Resolution #17-1, Hiring in Sheriff's Department. Motion carried.

### RESOLUTION #17-1 APPROVING HIRE IN SHERIFF'S DEPARTMENT

IT IS HEREBY RESOLVED that Blake Henkle is approved as a Full-time Deputy Officer, filling the vacancy from Deputy Ron Tippett, who is now Sheriff. The position will be effective January 3, 2017.

IT IS FURTHER RESOLVED that the starting wage of Blake Henkle is as follows:

Deputy Sheriff - \$21.59 per hour per union contract.

Date this 3rd day of January, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:  
\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

**Primmer moved/Bierschenk seconded:** To Adopt Resolution #17-2, Hiring in Auditor's Office. Motion carried.

**RESOLUTION #17-2  
APPROVE HIRE OF AUDITOR CLERK**

WHEREAS, the Benton County Auditor requested and was granted approval to hire a clerk to replace deputy Auditor of the current person performing those duties; and

WHEREAS, the auditor has advertised and conducted interviews for said position, including all veterans who applied; and

WHEREAS, after careful consideration, the auditor has recommended that Danelle Fowler be hired to fill the position, said hire being done through a transfer as Fowler is a current employee of Benton County;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hire/transfer of Danelle Fowler as clerk in the auditor's office, at an annual salary of \$45,000.00, effective January 9, 2017, is hereby approved.

Dated 3rd day of January, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To approve the appointment of Nancy Jorgensen as a deputy auditor, effective January 3, 2017. Further, to approve the following salaries in the Auditor's office effective January 3, 2017:

- Gina Edler –85% of the elected official's wage
- Nancy Jorgensen –65% of the elected official's wage

**Bierschenk moved/Primmer seconded:** To authorize the chair to sign a Statement of Non-Issuance of Certificate of Occupancy for 2017. Motion carried.

**BENTON COUNTY  
STATEMENT OF NON-ISSUANCE  
OF CERTIFICATE OF OCCUPANCY**

"Benton County has not currently adopted building codes and does not perform inspections of structures located in the unincorporated area of the county.

Therefore, Benton County does not issue a certificate of occupancy for said structures.

Further, Benton County does not guarantee that any structure complies with any building codes and does not accept any liability, express or implied, regarding such structure.

If the property is located within the corporate limits of any city situated in Benton County, you are directed to contact that city regarding this matter."

**Primmer moved/Wiley seconded:** To appoint Supervisor Bierschenk to the Regional Mental Health Board. Motion carried.

**Primmer moved/Wiley seconded:** To appoint Supervisor Bierschenk as Ex-Officio on the Benton County Health Board. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Dr. Margaret Mangold to the Benton County Health Board. Motion carried.

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

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**Bierschenk moved/Primmer seconded:** To approve Resolution #17-3, Construction Evaluation. Motion carried.

### RESOLUTION # 17-3 CONSTRUCTION EVALUATION RESOLUTION

**WHEREAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2017 and January 31, 2018 and submit an adopted recommendation regarding that application to the DNR; and

**WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Signed this 3rd day of January 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** To appoint Ben Bonar as Benton County Weed Commissioner for 2017. Motion carried.

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

**Primmer moved/Bierschenk seconded:** To adopt Resolution #17-4. Motion carried.

**RESOLUTION #17-4**

**AUTHORIZING THE BENTON COUNTY AUDITOR TO ISSUE CHECKS AND SIGN ACH AGREEMENTS FOR 2016**

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

**WHEREAS:** Iowa Code §331.506(3) allows the auditor to issue checks under the authority of the Board of Supervisors without prior approval, and

**WHEREAS:** Benton County conducts part of this activity through the use of ACH deposits and other electronic means; and

**WHEREAS:** It is necessary for the auditor to have the authority to execute agreements on behalf of Benton County when necessary to allow for the use of electronic banking, including but not limited to ACH deposits, and other financial activities, and

**NOW BE IT RESOLVED** that the Board of Supervisors hereby authorizes the auditor and/or her designee to issue checks in accordance with Iowa Code Section 331.506 and specifically Iowa Code Section 331.506(3).

**IT IS RESOLVED** that the Benton County Auditor and/or her designee is hereby authorized to execute all necessary agreements on behalf of Benton County for the purposes of ACH deposits and other financial activities of Benton County.

**IT IS RESOLVED** that this authority may be amended from time to time by resolution of the Board of Supervisors.

**IT IS RESOLVED** that this authority is granted beginning this date and shall remain in effect until revoked by the Board of Supervisors.

Signed this 3rd day of January 2017.

\_\_\_\_\_  
Todd Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:  
\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

**Primmer moved/Bierschenk seconded:** to adopt Resolution #17-5. Motion carried.

### RESOLUTION #17-5 AUTHORIZING THE BENTON COUNTY TREASURER TO SIGN ACH AGREEMENTS FOR 2017

**Whereas:** Iowa Code 331.552(29) sets forth the treasurer's duties relative to the issuance of direct deposits of tax revenue, special assessments, and other moneys collected for each tax-certifying or tax-levying public agency in the county; and

**Whereas:** Benton County conducts part of this activity through the use of ACH deposits and other electronic means; and

**Whereas:** It is necessary for the treasurer to have the authority to execute agreements on behalf of Benton County when necessary to allow the use of electronic banking, including but not limited to ACH deposits, and other financial activities; and

**IT IS RESOLVED** that the Benton County Treasurer and/or her designee is hereby authorized to execute all necessary agreements on behalf of Benton County for the purpose of ACH deposits and other financial activities of Benton County. **IT IS RESOLVED** that this authority may be amended from time to time by resolution of the Board of Supervisors.

**IT IS RESOLVED** that the authority is granted beginning this date and shall remain in effect until revoked by the Benton County Board of Supervisors.

Signed this 3rd day of January 2017

\_\_\_\_\_  
Todd Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

Attest:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To appoint the following persons to the Benton County Eminent Domain for 2017. Motion carried.

#### EMINENT DOMAIN

##### Licensed Real Estate Sales Person or Real Estate Broker

Denise Weeda  
Danny Kaestner  
Gloria Feuerbach  
Shannon Feuerbach  
Carmie Behrens  
Wayne Siela  
Marion Schminke

##### Persons Having Knowledge of Property Values by Reason of Occupation

Roger Schlarbaum  
Carol Goodchild  
Jeff Geiger  
Dave Coulter  
Harold Knaack Jr.  
Melissa McBride  
Kristina Kremer

##### Owner-Operator Agricultural Property

Bonnie Sanders  
Elaine Harrington  
David Rhinehart  
John Elwick  
Wayne Riley  
Todd Hennings  
Brenda Schanbacher

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### Owners of City or Town Property

Darold Sindt  
 Jeff Kelly  
 Kathy Van Steenhuyse  
 Janice Eldred  
 Larry Weeda  
 Connie Ogjer  
 Gary Benson

No Action was made for the Benton County Zoning Commission.

**Primmer moved/Bierschenk seconded:** To appoint John Stiegelmeier to the Belle Plaine and Vinton Airport Zoning Board. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Ilene Kreider and Steve Meyer to the Pioneer Cemetery Commission. Motion carried

**Bierschenk moved/Primmer seconded:** To appoint Jerry Michael as Benton County Civil Rights Coordinator. Motion carried

**Primmer moved/Bierschenk seconded:** To appoint Dave Fish, Jennifer Miller, Marlyn Jorgensen, Leslie Carlholm, and Jay Herman to the Benton County Development Group Board. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Shelby Williams to the Benton County Conservation Board. Motion carried.

**Bierschenk moved/Primmer seconded:** To appoint John Frazier as a member to the Integrated Vegetation Roadside Management Committee. Motion carried.

**Bierschenk moved/Primmer seconded:** To appoint the following persons to the Benefited Fire Districts for three-year terms. Motion carried.

Van Horne Benefited #1 – John Menage

Keystone Benefited #2 – Dan Busch

Newhall Benefited #4 – Roy Becker

Ben-Linn Benefited #3-#5 – Mike Deklotz

**Primmer moved/Bierschenk seconded:** To appoint Supervisor Wiley as Trustee to Heartland Insurance Risk Pool Group and Nancy Jorgensen as Alternate Trustee. Motion carried.

**Bierschenk moved/Primmer seconded:** to appoint Ben Vierling as the Heartland Safety Coordinator for 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Jim Shutts and Peggy Schott to the Benton County Historic Preservation Commission. Motion carried.

**Bierschenk moved/Primmer seconded:** To appoint Karen Peterson to Benton County Board of Adjustment. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Dr. Brian Meeker as the Medical Examiner, and Mary Phillips, Colleen Dickerson, Tony Thomsen, Dan Johnson, and Alaina Johnson as investigators. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Myron Parizek as Benton County Engineer for one year. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint the following members to East Central Iowa Council of Governments' Boards. Motion carried.

### **BOARD OF DIRECTORS:**

Todd Wiley  
 Rick Primmer, Alternate

### **REGION 10 PASSENGER TRANSPORTATION ADVISORY COMMITTEE**

Dana Burmeister  
 Teri Andorf, Alternate

### **REGION 10 TRANSPORTATION TECHNICAL ADVISORY COMMITTEE**

Rick Erickson

### **REGION 10 REGIONAL TRAILS ADVISORY COMMITTEE**

Randy Scheel

**Primmer moved/Wiley seconded:** To authorize Gary Bierschenk to sign USDA Farm Service Agency documents on behalf of Benton County. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Denise Schwab, Jennifer Zahradnik, Bryce Brecht, Tracy Seeman, Nancy Jensen and Diane Schmuecker to the Solid Waste Commission. Motion carried.

**Bierschenk moved/Primmer seconded:** To appoint the following members to the respective boards for 2017. Motion carried.

North Benton Family Resource Center (HACAP) - Supervisor Primmer

Regional HACAP –Supervisor Primmer

Emergency Management Commission - Supervisor Wiley

Supervisor Primmer, Alternate

Resource Enhancement & Protection (REAP) - Supervisor Wiley

Solid Waste Disposal Commission Advisory Board - Supervisor Bierschenk

County Conference Board - Supervisor Wiley

Supervisor Primmer

Supervisor Bierschenk

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6<sup>th</sup> Judicial District Department of Corrections – Supervisor Primmer

Workforce Development - Supervisor Bierschenk

Eastern Iowa Tourism – Supervisor Bierschenk

Supervisor Primmer, Alternate

Supervisor Wiley, Alternate

North Central Iowa Juvenile Detention – Supervisor Primmer

Area Substance Abuse Council (ASAC) – Supervisor Wiley

Benton County Conservation – Supervisor Wiley, Ex-Officio

**Primmer moved/Bierschenk seconded:** To approve the minutes of December 27, 2016. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

January 10, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/Bierschenk seconded:** To approve the minutes of January 3, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve payment of checks numbered 221931 through 222091, payroll checks numbered 139259 through 139297, and ACH deposits numbered 29728 through 29856, vendor checks numbered 222092 through 22209. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the appointment of Michael Ferguson and John Lindaman as deputies to the sheriff, effective January 3, 2017. Motion carried.

Toni Parizek, Veterans Director wanted to inform the board that she will be gone on vacation February 27-March 1<sup>st</sup>.

**Primmer moved/Bierschenk seconded:** To approve Sheriff's Quarterly Report. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve Auditor's Quarterly Report. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Recorder's Quarterly Report. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve General Assistance Quarterly Report. Motion carried.

**Primmer moved/Bierschenk seconded:** To adopt Resolution #17-6, RARA Policy. All members voting aye.

Motion carried.

### RESOLUTION #17-6 ADOPTION AND/OR READOPTION OF RARAP PLAN

WHEREAS, the Benton County Board of Supervisors has previously adopted Residential Anti-Displacement and Relocation Assistance Plan; and

WHEREAS, the Benton County Board of Supervisors desires to either adopt new policy and/or re-adopt the existing policy; and

WHEREAS, the Benton County Board of Supervisors needs to repeal the current policy to eliminate any potential conflicts between those policies currently in place and those being adopted on this date,

NOW THEREFORE BE IT RESOLVED that all policies for Residential Anti-Displacement and Relocation Assistance ARE HEREBY REPEALED effective this date.

IT IS FURTHER RESOLVED by the Benton County Board of Supervisors that the following policy is hereby adopted effective this date:

#### RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN U

This Residential Anti-displacement and Relocation Assistance Plan (RARAP) is prepared by Benton County, Iowa, in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG, UDAG, and/or HOME-assisted projects.

#### **Minimize Displacement**

Consistent with the goals and objectives of activities assisted under the Act, Benton County will take the following steps to minimize the direct and indirect displacement of persons from their homes that may include the following:

1. Coordinate code enforcement with rehabilitation and housing Assistance programs.
2. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.

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3. Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
4. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
5. Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
6. Adopt policies, which provide reasonable protection for tenants faced with conversion to a condominium or cooperative.
7. *Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.*
8. Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.
9. Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
10. If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” (as defined in 24 CFR 42.305).
11. Target only those properties deemed essential to the need or success of the project.

### **Relocation Assistance to Displaced Persons**

Benton County will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG and/or HOME Programs, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

### **One-for-One Replacement of Lower-Income Dwelling Units**

Benton County will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG and/or HOME Programs in accordance with 24 CFR 42.375.

Before entering into a contract committing Benton County to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, Benton County will make public by publication in a newspaper of general circulation and submit to the Iowa Economic Development Authority the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. NOTE: See also 24 CFR 42.375(d).
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that the replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room



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occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved State Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the County will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

### Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), Benton County may submit a request to the Iowa Economic Development Authority for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

### Contacts

The Benton County Board of Supervisors which may be reached at 319-472-4869 is responsible for tracking the replacement of lower-income dwelling units and ensuring that they are provided within the required period.

The Benton County Board of Supervisors which may be reached at 319-472-4869 is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

Contract Number: NRD1

Recipient: Benton County, Iowa

Signed this 10th day of January 2017.

BENTON COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Continued discussion on the dog pound ground was had between Benton County Conservation employees, Mike Elwick and John Elwick. The County Attorney provided the results from the title opinion that was done. The land appears to be owned by Benton County. At this time, the conservation department is not interested in any trades. In the future, depending on what the parties will want to pursue, both the Conservation Board and Board of Supervisors will have to sign off on any type of agreement.

**Moved/seconded:** To appoint Bob Hanson to the Compensation Board, replacing Jennifer Zahradnik to represent the Board of Supervisors and to post agenda for the upcoming meeting. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Alan Michael as a licensed real estate states person or real estate broker to the Benton County Eminent Domain for 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To appoint Myron Parizek and Hayley Rippel as Benton County's ADA Coordinator's. Motion carried.

Cottingham and Butler provided an overview to the new Board members of their proprietary analysis they prepared for Benton County. Presenting the next steps necessary moving forward as part of their strategic planning and benefits they would provide as a consulting partner. The Board requested that C & B include more prior years' worth of claim history to be included in the analysis before making any final decisions.

**Primmer moved/Bierschenk seconded:** To approve payment of \$22,000 to the City of Urbana out of the General Fund for the Center Avenue paving project per consultation with Eide Bailly. Motion carried. Hatch Grading & Contracting final payment was already resolved, so no need to discuss further.

**Bierschenk moved / Primmer seconded:** To approve and accept the 2016 Weed Commissioner's Report. Motion carried.

**Primmer moved/Wiley seconded:** To appoint Gary Bierschenk to the Eastern Iowa Tourism Board. Motion carried.

Some budget discussion was had to start setting up times that Department heads can present their budget's to the board.

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**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

January 17, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 8:20 a.m. at the County Home Care Facility. *Unless otherwise noted, all actions were approved unanimously.*

The Board met with Lorene Spencer, and the Cedar Valley Ranch board members. Discussed current operations and building repairs if needed. They know the roof will need replaced within the next year.

Moved back into the courthouse at 9:00 a.m.

Updates were provided on the Workplace Learning Connection and a request for funding in FY18.

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-7, Variance to Sub-division Ordinance. Voting aye were Wiley, Bierschenk and Primmer. Motion carried.

### RESOLUTION #17-7

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors to vary the requirements of the ordinance to allow one additional division on a parcel located in the W 5 Acres of SW NE of 30-82-11.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied in its entirety for one additional division of real property located in the parcel located in the W 5 Acres of SW NE of 30-82-11 of section 30-82-11.

Adopted this 17th day of January, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Wiley seconded:** To appoint Rick Primmer to the Visioning Task Force. Motion carried.

Representatives of the Benton County library association met with the supervisors to request an increase in funding for FY18. The group started off by thanking Benton County for the LOST funding support. They stated that the costs to provide library materials continue to increase and that additional funding is needed. Insurance costs are increasing, other repairs to libraries such as replacing the furnace in Shellsburg was necessary. The board stated that they would take the request under consideration when determining the FY18 budget.

**Primmer moved/Bierschenk seconded:** To approve the minutes of January 10, 2017 and January 11, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Treasurer's Semi Annual and Quarterly Investment Reports. Motion carried.

The Treasurer discussed her FY 18 budget request.

**Bierschenk moved/Primmer seconded:** To appoint Lindsay Staton as a Homer township trustee. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Tom Gerhold as a Fremont township trustee to fill a vacancy for a two year term. Motion carried.

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**Primmer moved/Wiley seconded:** To appoint Gary Bierschenk to the DECAT board. Motion carried.  
The board met with representatives of the Department of Human Services and Land Use regarding their FY18 budget requests.

Recessed at 12:10 for lunch break.

Reconvened at 12:50 p.m.

The supervisors participated in a work session conference phone call at 1:00 p.m. for the regional governing board discussing levy rates and contributions for the mental health and disability services of the east central region.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

January 24, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** To appoint Melissa Macku to the Benton County Health Board. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the minutes of January 17, 2017. Motion carried.

Jerry Petermeier, Cedar Valley Ranch Board member, came to discuss roof costs. He presented an estimate from DC Taylor for \$300,000 for roughly 20,000 square foot concrete roof replacement. The board would like to look over the lease agreement and possibly get an RFP to take out bids. Petermeier will research more and report back. The last time the roof was done was in 1995, for \$85,000.

**Bierschenk moved/Primmer seconded:** To approve Resolution#17-8. All members voting aye thereon. Motion carried.

**RESOLUTION #17-8**

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 entitled to a wage increase

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the Labor Grade classification of Jeffrey Geiger will be IVD (maintainer operator). IVD base wage for Jeffrey Geiger will be \$20.41 per hour. Jeffrey Geiger rate change will be effective January 11, 2017.

Signed this 24<sup>th</sup> day of January, 2017.

Benton County Board of Supervisors

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** Approve 75 hours of vacation carry over for Myron Parizek to be used by April 1, 2017. Motion carried.

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

**Bierschenk moved/Primmer seconded:** Approve Resolution #17-9. Motion carried.

### RESOLUTION #17-9

#### CHANGING EMPLOYMENT STATUS OF ALISHA BURMEISTER FROM PART-TIME EMPLOYEE TO FULL-TIME EMPLOYEE

WHEREAS, the Benton County Engineer's office has a need for a full-time office assistant; and

WHEREAS, Burmeister has been employed by Benton County as part-time since September 2014, and

WHEREAS, Burmeister has been currently performing the duties of the above mentioned position; and

WHEREAS, the Engineer recommended that Burmeister have her employment status be changed from part-time to full-time,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Alisha Burmeister be changed to full-time office assistant in the Engineer's office, effective January 30, 2017 at yearly salary of \$28,000.

Dated this 24th day of January 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Benton County Weed Commissioner Ben Bonar presented the annual Integrated Roadside Vegetation Management report to the board. The report summarizes activities undertaken over the past year as well as goals for the coming year for roadside management activities. Bonar plans to host a native vegetation seminar again this year open to the public. Board agreed they'd like to see some planting plugs put in place. Bonar also mentioned the possibility of an IRVM internship.

**Bierschenk moved/Primmer seconded:** Approve payment of checks numbered 222098 through 222242, payroll checks numbered 139298 through 139315, and ACH deposits numbered 29857 through 29982, vendor checks numbered 222243 through 222247. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Veteran's Affairs Quarterly Report. Motion carried. Open meetings laws were discussed. No action taken.

**Primmer moved/Wiley seconded:** To appoint Gary Bierschenk to the HWY 30 Coalition. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

January 25, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer and Bierschenk present. Wiley was absent. The meeting was called to order at 12:30 p.m. *Unless otherwise noted, all actions were approved unanimously.*

The Board participated in a conference call with the Regional Governing Board for the Mental Health/Disability Services of the East Central Region. Discussed proposals for member county funding to the MHDS-ECR for fiscal year 2018.

Discuss county MHDS fund balances and the county MHDS tax levies. No action was taken.

**Bierschenk moved/Primmer seconded:** To adjourn at 1:20 p.m. Motion carried.

\_\_\_\_\_  
Rick Primmer, Vice-Chair

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

January 30, 2017

The Benton County Board of Supervisors met in special session at 7:00 p.m. at the Emergency Management Agency office in the Benton County Law Enforcement Center. Supervisor Wiley called the meeting to order with Primmer and Wiley present, Bierschenk absent.

The purpose of the meeting was to be present during the public hearing on the FY18 Emergency Management Agency budget. The budget hearing was opened with Scott Hansen, agency coordinator, providing detailed information concerning the budget. After hearing all comments, the hearing was closed and adopted by the Emergency Management Commission.

**Primmer moved /Wiley seconded:** To adjourn at 8:30 p.m. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

January 31, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/Bierschenk seconded:** Approve minutes of January 24, 2017 and January 25, 2017. Motion carried.

No Action on Cottingham and Butler. Discussion was had about pushing this off until next the fiscal year.

**Bierschenk moved/Primmer seconded:** To adopt Resolution #17-10, Re-adoption of Procurement Policy. Motion carried.

### RESOLUTION #17-10 READOPTATION OF PROCUREMENT POLICY

WHEREAS, the Benton County Board of Supervisors has previously adopted a Procurement Policy with said adoptions being at various times; and

WHEREAS, the Benton County Board of Supervisors desires to adopt new policy; and

WHEREAS, the Benton County Board of Supervisors needs to repeal the current policy to eliminate any potential conflicts between those policies currently in place and those being adopted on this date,

NOW THEREFORE BE IT RESOLVED that the Procurement Policy IS HEREBY REPEALED effective this date.

IT IS FUTHER RESOLVED by the Benton County Board of Supervisors that the following policy is hereby adopted effective this date:

#### PROCUREMENT POLICY

This Procurement Policy of Benton County (hereinafter referenced as "Recipient") is applied with respect to funding assistance awarded from the Community Development Block Grant (CDBG) Program of the U.S. Department of Housing and Urban Development (HUD), by the Iowa Economic Development Authority (IEDA), as specified in 2 CFR Part 200.317 - 200.326

#### PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

#### APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for the Recipient as related to the implementation and administration of CDBG Program award. All procurement will be done in accordance with 2CFR Part 200 and Appendix II to Part 200, or as may be amended.

#### POLICY

GENERAL PROCUREMENT PRACTICES

**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

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Recipient will adhere to the following general procurement practices: document procurement standards; maintain oversight of contractors to ensure performance in accord with standards; avoid acquisition of unnecessary or duplicative items; encourage procurement or use of shared goods and services; use Federal excess and surplus property when feasible; encourage value-engineering clauses in construction contracts; award contracts only to responsible contractors; limit use of time and materials contracting; and use good administrative judgment to settle all contractual and administrative issues.

**COMPETITION**

Recipient will provide full and open competition; prohibit use of state or local geographical preferences; develop written procedures for procurement transactions to ensure competition is not restricted; and ensure that pre-qualified lists are current.

**METHODS OF PROCUREMENT**

Procurement under grants shall be made by one of the following methods, as described herein: (a) micro-purchase; (b) small purchase procedures; (c) sealed bids (formal advertising); (d) competitive proposals; (e) noncompetitive proposals.

- A. Micro-purchase includes the acquisition of supplies or services that do not exceed \$3,000 (or \$2,000 for acquisitions for construction subject to Davis-Bacon Act)
- B. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$150,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations (minimum of 2) shall be obtained from an adequate number of qualified sources.
- C. In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the required method for procuring construction.
  1. In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:
    - a) A complete, adequate and realistic specification or purchase description is available.
    - b) Two or more responsible bidders are willing and able to compete effectively for Recipient's business; and
    - c) The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.
  2. When sealed bids are used for a procurement under a grant, the following requirements apply:
  3.
    - a) A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers.
    - b) The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.
    - c) All bids shall be opened publicly at the time and place stated in the invitation for bids.
    - d) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of Recipient indicates that such discounts are generally taken.
    - e) Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.
- D. Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are

## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

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generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant, the following requirements apply:

1. Requests for Proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical.
  2. Requests for Proposals shall be solicited from an adequate number of qualified sources.
  3. Recipient shall have a method for conducting evaluations of the proposals received and for selecting awardees.
  4. Awards will be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price (other than architectural/engineering) and other factors considered. Unsuccessful offerors will be promptly notified in writing.
  5. Recipient should use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor's qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It cannot be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort.
- E. Noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation from a number of sources, competition is determined inadequate. Noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:
1. The item is available from only a single source;
  2. After solicitation of a number of sources, competition is determined inadequate;
  3. A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and
  4. The awarding agency (IEDA) authorizes noncompetitive proposals. (Sole source procurement for supplies, equipment, construction, and services valued at \$25,000 or more must have prior approval of the Iowa Economic Development Authority).
- F. Recipient will provide, to the greatest extent possible, that contracts be awarded to qualified small and minority firms, women business enterprises, and labor surplus area firms whenever they are potential sources.
- G. Any other method of procurement must have prior approval of the Iowa Economic Development Authority.

### RECYCLED MATERIALS

Recipient will procure items with the highest percentage of recycled materials practical.

### CONTRACT PRICING

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.

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

- B. Recipient shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders.

### PROCUREMENT RECORDS

Recipient shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. (Recipient) shall make technical specifications and procurement documents available for review upon request.

### BONDING REQUIREMENTS

Bonding requirements for construction or facility improvement contracts must meet the federal minimum requirements or receive a determination that the federal interest is adequately protected.

Dated this 31st day of January, 2017.

BENTON COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

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

Hayley Rippel, Benton County Auditor

Jerry Petermeier was advised to get plans out to Shive-Hattery and Benchmark so that they can provide specs on the Cedar Valley Ranch roof for the estimates needed.

**Primmer moved/Bierschenk seconded:** To approve Veteran's Affairs regular assistance and donation guidelines. Motion carried.

**Bierschenk moved/Primmers econded:** To approve advertising to hire for part- time driver positions and also for an internship position for ( IVRM) Integrated Roadside Vegetation Management. Motion carried.

Mike Elwick provided an update on the completely upgraded and remodeled old elementary school building where Benton County DHS currently rents office space. There is currently 3 empty available rooms ready to rent, and Benton County would have first option on those before they advertise. Elwick invited the Board to come visit at any time.

Moved/seconded: Authorize chair to sign sub recipient agreement with Iowa Flood Center and Benton County for Resiliency Grant. Motion carried.

**Primmer moved/Bierschenk seconded:** to approve the hire of Zach Mann, as part-time dispatcher in the Sheriff's office for \$13.56 an hour effective January 31, 2017. Motion carried.

Sheriff budget discussion was had.

**Primmer moved/Bierschenk seconded:** To give the Engineer authority to purchase a used motor grader. Motion carried.

No Budget discussion on Engineer at this time.

**Bierschenk moved/Primmer seconded:** To Approve Resolution #17-11, FY 18 Elected Officials' Salaries. Voting aye were Bierschenk, Primmer and Wiley. Motion carried.

### RESOLUTION #17-11 ELECTED OFFICIALS' SALARIES

WHEREAS, the Benton County Compensation Board met on January 11, 2017, and recommended increases in the salaries of the elected officials pursuant to Iowa Code Sections 331.905 and 331.907; and

WHEREAS, said recommended increases are as follows:

<u>Official</u>	<u>FY 2017 (current)</u>	<u>FY 2018 (proposed)</u>	<u>Increase</u>
Attorney	\$97,139.28	\$101,024.85	\$ 3,885.57
Sheriff	\$80,642.95	\$83,868.67	\$ 3,225.72
Auditor	\$70,045.17	\$72,146.53	\$ 2,101.36
Treasurer	\$66,242.52	\$68,229.69	\$ 1,987.27
Recorder	\$66,242.52	\$68,229.69	\$ 1,987.27
Supervisors	\$39,000.28	\$40,170.29	\$ 1,170.01

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors adopts the salary recommendations for elected officials for the fiscal year beginning July 1, 2017, as recommended by the Benton



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

County Compensation Board with the exception of 0% increase for the Supervisors. The supervisors salaries' will stay at \$39,000.28 for FY18.

Dated this 31st day of January, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Recessed for lunch at 12:05 p.m.

Reconvened at 1:00 p.m.

Various departments presented their budgets throughout the afternoon session along with other FY 18 budget discussions.

**Bierschenk moved/Primmer seconded:** To approve HWY 30 Coalition dues of \$200.00 for the year. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the claim for \$500 to the Sheriff Fry Memorial to be paid out of Historical Preservation Fund . Motion carried.

**Bierschenk moved/Primmer seconded:** To set public hearing date of Tuesday February 21, 2017 at 9:30 a.m. to dispose of unknown parcels near Watkins in the NE ¼ NE ¼ of 26-82-10 . Motion carried.

**Primmer moved/Bierschenk seconded:** To set the public hearing date of Tuesday March 7, 2017 at 9:30 a.m. for FY 18 Budget. Motion carried.

The Board discussed the wages and salaries of county employees not covered by a bargaining unit or deputies of elected officials. The County Attorney advised he has additional spending authority in his collections incentive fund that he would like to use towards increases to employees in his department.

**Primmer moved/Bierschenk seconded:** To grant a 3% across-the-board increase to all employees who are not covered by a bargaining agreement or who are deputies of elected officials, except for the following employees who will be discussed at a later time or those with additional equalization as otherwise noted:

Debra Fleming

Lori Siela

Edward Watts

Sarah Wagner

Marc Greenlee-plus an additional \$2,000

Barbara Greenlee-an additional \$2,000

Joy McGowan-an additional \$1,000

Jodi Bonar-to an annual salary of \$29,800

Denise Westerhoff-\$15.00/hr

Voting aye were Bierschenk, Primmer and Wiley. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn at 5:25 p.m. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

February 7, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve minutes of January 30, 2017, January 31, 2017 and February 3, 2017. Motion carried.

**Primmer moved/ Bierschenk seconded:** Approve payment of checks numbered 222243 through 222395, payroll checks numbered 139316 through 139348, and ACH deposits numbered 29983 through 30109, vendor checks numbered 222396 through 222401. Motion carried.

**Primmer moved/ Bierschenk seconded:** To authorize chair to sign sub-recipient agreement with the Iowa Flood Center and Benton County for the resiliency grant. There was a question on the amount, so need further investigation. So a motion to table the action by Primmer was had, seconded by Bierschenk. Motion tabled.

Deputy Sheriff, John Lindaman discussed tobacco compliance checks. This is a 28E agreement between Iowa Alcoholic Beverages Division and the Benton County Sheriff. This is not budgeted money therefore Lindaman needs guidance by the board for authority to spend the money made off the yearly compliance checks. Pursuant to the

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

agreement, the department may use this money paid for reasonable department expenditures. Lindaman advised they want to purchase new equipment for making children's ID's.

**Primmer moved/Bierschenk seconded:** To agree to the funding generated from tobacco compliance checks to be appropriately spent pursuant to the 28 E agreement. Motion carried.

Supervisor Bierschenk wanted to discuss what a sanctuary county was. Numerous individuals from the public were present along with local law officers to be involved in the discussion. Benton County was somehow listed in error as being a sanctuary county. Apparently listed on an immigration website. The County Attorney confirmed that we are in fact, NOT a sanctuary county. There is no ordinance or resolution's reflecting this. Research will be done as to how to get us off that list.

Budget discussions were had with individual departments such as: Relief, Mental Health, Veterans Affairs and the Attorney's office. Those salaries that were held off last week were also discussed during this time.

**Bierschenk moved/Primmer seconded:** To approve \$18 an hour for Sarah Wagner in the Relief office. Deb Fleming -\$47,500, Edward Watts-\$41,000 and Lori Siela -\$ 41,000 in the County Attorney's office. The increase of the wages will be paid out of the co attorney collections incentive fund (0095) for two years, and the withholdings' and benefits will continue to be paid out of general supplemental fund (0002). Motion carried.

The board recessed for lunch at 12:00 p.m.

Reconvened the meeting at 1:00 p.m.

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-12, temporary road closure. Motion carried.

### R E S O L U T I O N #17-12

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from February 13, 2017, through the completion of the project.

From 68<sup>th</sup> Street near the NW corner of Section 4-T83N-R9W thence south 1 mile to 69<sup>th</sup> Street near the SW corner of Section 4-T83N-R9W along 30<sup>th</sup> Avenue in Fremont Township.

Signed this 7th day of February, 2017.

BENTON COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** Approve advertising and hiring of seasonal/ part-time truck driver for secondary roads. Motion carried.

Engineer's and Auditor's budgets along with other budget discussions were had throughout the afternoon session.

**Bierschenk moved/Primmer seconded:** To adjourn at 4:05 p.m. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

February 9, 2017

The Benton County Board of Supervisors met in special session at 6:00 p.m. at the Farm Bureau Office Building in Vinton. Supervisor Wiley called the meeting to order with Supervisor's Primmer and Bierschenk also present. Discussion was held on the FY17 county budget, roads, watershed management, landfill, mental health region and other issues.

**Primmer moved/Bierschenk seconded:** To adjourn at 7:25 p.m. Motion carried.

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Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

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February 14, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve minutes of February 7, 2017 and February 9, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve Class B Liquor license for Kimm's Sinclair. Motion carried.

**Primmer moved/Bierschenk seconded:** To take from the table the motion made last week for the agreement between Benton County and the Iowa Flood Center. Motion carried.

**Primmer moved/ Bierschenk seconded:** To authorize chair to sign sub-recipient agreement with the Iowa Flood Center and Benton County for the resiliency grant. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Resolution # 17-13, hiring of project coordinator for WMA. Motion carried.

### RESOLUTION #17-13

#### APPROVE HIRE OF PROJECT COORDINATOR

WHEREAS, the Middle Cedar Watershed Management Authority Committee requested and was granted approval to hire a project coordinator to oversee development and execute implementation of the Middle Cedar watershed management plan; and

WHEREAS, the position was advertised and interviews for said position were conducted; and

WHEREAS, after careful consideration, the committee has narrowed those applicants to one,

WHEREAS, said hire will be housed at the Cedar Rapids, East Central Iowa Council of Government (ECICOG) office.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hire of Adam Rodenberg as Project Coordinator for the Middle Cedar Watershed Management Authority, at an annual salary of \$42,500.00, is effective February 21, 2017. Including 10 days paid vacation per year and mileage reimbursement is also hereby approved. Rodenberg's employment is governed by all other applicable parts of the Benton County Employee Handbook as well.

Dated 14th day of February, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Jerry Petermeier brought pictures of the Cedar Valley Ranch roof along with various samples to look at. He also provided a roofing specification chart and discussed budgeting issues for the replacement cost.

**Primmer moved/Bierschenk seconded:** To enter into exempt session pursuant to Iowa Code 20.17(3) with Brian Gruhn, Attorney for Supervisors, for secondary roads bargaining discussion. Motion carried.

FY 18 Budget work was discussed throughout the meeting.

**Bierschenk moved/Primmer seconded:** To adjourn at 1:35 p.m. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

February 21, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of February 14, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To set land use hearing date of Tuesday March 21, 2017, at 9:15 a.m. for Brandon and Jennica Jordan in part of the NW ¼ NE ¼ of 27-85-9. Motion carried

**Bierschenk moved/Primmer seconded:** To set land use hearing date of Tuesday March 21, 2017 at 9:30 a.m. for Ross Hanson in part of the SE ¼ NE ¼ of 35-85-10. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 222402 through 222557, payroll checks numbered 139349 through 139372, and ACH deposits numbered 30110 through 30236, vendor checks numbered 222558 through 222562. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Resolution # 17-13, Changing Employee status. Motion carried.

RESOLUTION #17-14

CHANGING EMPLOYMENT STATUS OF CALEB STEWART FROM PART-TIME EMPLOYEE TO FULL-TIME EMPLOYEE

WHEREAS, the Benton County Sheriff's office has a need for a full-time jailer; and

WHEREAS, Stewart has been employed by Benton County as part-time since, and

WHEREAS, the Sheriff recommended that Stewart have his employment status be changed from part-time to full-time,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Caleb Stewart be changed to full-time jailer in the Sheriff's office, effective February 21, 2017 at \$15.56 an hour.

Dated this 21st day of February, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Sheriff Tippett provided the 2017 model year vehicle contract catalog. FY17 has enough funds in the budget for 3 new vehicles, and Tippett wanted to provide the information. The Sheriff also handed out an energy assessment report done by Alliant Energy on the Law Enforcement Center.

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

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**Bierschenk moved/Primmer seconded:** To approve Resolution #17-15, Gift of LOSST funds. Motion carried.

### RESOLUTION #17-15

WHEREAS, the Benton County Board of Supervisors has established a program for gifting funds to emergency service providers who provide services within the unincorporated area of Benton County; and

WHEREAS, the Vinton Fire Department has requested a gift of funds; and

WHEREAS, the Vinton Fire Department provides emergency services to areas in Taylor Township, City of Vinton and mutual aid to other townships; and

WHEREAS, the Vinton Fire Department has provided invoices totaling \$29,825 for the purchase of a truck and equipment; and

WHEREAS, the Vinton Fire Department agrees that the equipment obtained with the proceeds of this gift shall be used when necessary for rural fire protection and/or life support operations, consistent with the intended use of the money from the Local Option Sales and Services Fund,

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors approves an Emergency Services Equipment Gift to the Vinton Fire Department in the amount of \$2,982.50 which represents ten percent of the total purchase price for equipment.

Adopted this 21<sup>st</sup> day of February, 2017.

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Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

The time of 9:30 a.m. having arrived and this being the time and date for a public hearing on unknown parcels, the chair opened the public hearing for comment. There were no members of the public present. There were no comments heard in opposition to conveyance. Supervisors were presented surveys of the parcels in discussion. Hearing nothing further, the chair declared the public hearing closed at 9:40 a.m.

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-16, conveying parcels. Motion carried.

### RESOLUTION #17-16 CONVEYING UNKNOWN PARCELS

WHEREAS, the Benton County Board of Supervisors has deemed that the property consisting of unknown ownership, is of no benefit to the public, more particularly described as follows:

Auditor's Parcel "A" in a portion of the NW ¼ NW ¼ of 26-82-10, survey recorded in Book 17, page 236; and Auditor's Parcel "B" in a portion of the NW ¼ NW ¼ of 26-82-10, survey recorded in Book 17, page 238.

WHEREAS, the Benton County Board of Supervisors has determined that the above described property was surveyed, and appears to be unknown, and is not used for public use; and

WHEREAS, the Benton County Board of Supervisors, has received a request from adjoining property owner to accept conveyance of the above described property provided the county approves the conveyance of said property and,

WHEREAS, notice of the proposed conveyance of the above described property was duly published and pursuant to said notice a public hearing was held as provided by law, and at said hearing there were no objections; and,

WHEREAS, The Benton County Board of Supervisors has determined that it is in the best interest of the county to complete the conveyance of the above described property to the adjoining property owner pursuant to the request;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the Chairperson of this Board and the Benton County Auditor are hereby authorized and directed to execute any and all documents necessary to

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

complete the conveyance of the above described real estate, and to execute all of the documents and take all other actions necessary to carry out the same.

Dated this 21st day of February, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Erin Moeller, account manager with Benchmark, and Mike Mollenhauer with Shive-Hattery, both provided and explained their proposals for preparing a service agreement for replacing the Cedar Valley Ranch roof. The roof is estimated at 20,000 square foot. Jerry Petermeier, Brenda Hackbarth and Lorene Spencer representing the Ranch, were also present for the discussions. Petermeier was to collect references from both companies. No action was taken.

**Primmer moved/Bierschenk seconded:** To authorize the chair to sign the memorandum of understanding between East Central Iowa Council of Governments (ECICOG) and County of Benton, Iowa. Motion carried.

**Bierschenk moved/Primmer seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)j. Motion carried at 11:25 a.m.

**Bierschenk moved/ Primmer seconded:** To return to open session at 11:53 a.m. Motion carried.

**Bierschenk moved/ Primmer seconded:** To direct Supervisor Primmer to carry out the request of what was discussed in closed session. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn at 12:05 p.m. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

February 28, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** To approve the minutes of February 21, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve Class C liquor license for Tara Hills Country Club. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Historical Preservation Annual report. Motion carried. Ben Turnis, IT Director discussed printer maintenance contracts. Currently there are numerous contracts in place with different companies. Turnis is checking into combining these various department contracts all into one and hopefully save money. He will check with other counties and see how they handle similar contracts and get suggestions for an rfp. He plans to also find out how they allocate expenses per department accordingly.

Jerry Petermeier, provided some feedback after checking with references from those consultants discussed last week for the Cedar Valley Ranch roof replacement. Petermeier felt confident with Shive-Hattery, and has comfort in knowing how they use the hands on approach.

**Primmer moved/Bierschenk seconded:** To engage with the consultant agreement based on Petermeier's recommendation to go with Shive-Hattery and start the replacement process for the roof at the Cedar Valley Ranch. Motion carried.

Lacie Litton, Executive Account Manager of group sales for Wellmark and Brad Holton, Finance and Administration Manager of (ISAC) Iowa State Association of Counties, provided an overview of the county's current health plan's (the Group) history and experience in health care claims. Information was provided on the ISAC Wellness program offered to employees and the effect of the cost of premiums has due to employee participation. It is very important to get everyone involved to save that extra 5% offered per year.

**Bierschenk moved/Primmer seconded:** To approve hiring of Marla Sutton as a part-time passport clerk in the Benton County Recorder's office at a rate of \$13.00 an hour, effective March 15, 2017. Motion carried.

Mike Elwick met with the board to discuss office space that is available at the Old School Produce building. In the current contract it states that Benton County would have first option for more rental space if needed. The county doesn't have any need for office space rental at this time. So Elwick will proceed to advertise his openings to be available to the public.

Karen Phelps, Conservation Director and Scott Bahman met with the board to discuss Conservation's FY18 Budget in more detail.

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

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**Bierschenk moved/Primmer seconded:** To adjourn at 12:10 p.m. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

March 7, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of February 28, 2017 and March 3, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 222563 through 222675, payroll checks numbered 139373 through 139405, and ACH deposits numbered 30237 through 30363, vendor checks numbered 222676 through 222681. Motion carried.

**Primmer moved/Bierschenk seconded:** To set Tuesday April 4, 2017 at 9:15 a.m. as the time and date for a land use hearing date for Hidden Meadow Farm, LLC for part of the South 20 Acres of the SE ¼ NE ¼ of 34-85.9. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve having a separate credit card for the IT department, but linked to the same account through Farmers Savings Bank. Motion carried.

Dana Burmeister, Transportation Director discussed setting up a facebook page for the Benton County Transportation Department. She shared Iowa County Transit's page for an example and would like to replicate it or have one very similar. Supervisors didn't see this as being a concern.

The time of 9:30 a.m. having arrived and this being the time and date for a public hearing on the county's FY18 budget, the chair opened the public hearing for comment. There was only one department head present. No members of the media or public were present. Total levy rate overall went up very slightly compared to last FY. An overview of the compensation board's recommendations for elected officials' salaries was discussed and that action was taken on January 31, 2017. There were no comments heard in opposition to the FY18 budget proposal. Hearing nothing further, the chair declared the public hearing closed at 9:38 a.m.

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-17, Adoption of the FY18 County Budget. Voting aye were Bierschenk, Primmer and Wiley. Motion carried.

### RESOLUTION #17-17 ADOPTION OF THE FY18 COUNTY BUDGET

**BE IT REMEMBERED** that on this, the 7th day of March 2017, 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 2017-18 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, the 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 FY18 salaries for elected officials and as set forth and adopted in Resolution #17-11 is included in the FY18 budget.

**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 - \$532,500 – Vehicle Replacement, infrastructure upgrades/repair, IT upgrades  
 General Other - \$2,230 – Historic Preservation  
 General Supplemental - \$50,000.00 – Emergency Response and \$100,000 election equipment replacement (included in Restricted Balance)  
 Rural Services - \$16,000 Vehicle Replacement (included in Restricted Balance)  
 Other - EMS \$119,457; LOSST \$298,000 – Technology upgrades and GIS reflight (included in Restricted Balance)

Balance)

**FURTHER** the commitment of 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.

The budget as adopted will approve the following property taxes for fiscal year 2017-18 (without gas and electric):

General Basic	\$4,792,693
General Supplemental	\$1,082,656
Mental Health Services	\$ 888,127
Rural Services Basic	\$2,614,617
Debt Service	\$ 133,236

**IT IS THEREFORE RESOLVED**, by the Benton County Board of Supervisors that the FY18 budget is hereby adopted.

Dated this 7<sup>th</sup> day of March 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Auditor

Mike Mollenhauer, Shive-Hattery presented the roof plan of the Cedar Valley Ranch and went over different scenarios of how he will provide different bids. After a test is performed and they know what all there is to deal with and whether the vapor barrier will need removed or if it can stay intact. With a higher "R" value, it will hopefully get the county a utility rebate. Mollenhauer's recommendation is to start in August. He will provide the rfp to put out for public bids.

**Primmer moved/Bierschenk seconded:** To authorize the chair to sign the professional services agreement with Shive-Hattery for the Cedar Valley Ranch Roof. Motion carried.

**Bierschenk moved/ Primmer seconded:** To approve a utility permit requested by Alliant Energy to replace/upgrade utility lines in the county's right-of-way south of Vinton in parts of Eden, Jackson and Taylor townships. Motion carried.

**Primmer moved/Bierschenk seconded:** To continue displaying the artwork on the first floor display. Motion carried.



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

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

March 14, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of March 7, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve fireworks permits for Chuck Yedlik for April 1, 2017, May 25-26, 2017, July 29, 2017 and October 28, 2017. Motion carried.

**Primmer moved/Primmer seconded:** to approve use of the courthouse lawn by the Vinton Park and Rec Department for Thursday June 22, 2017 and Saturday October 28, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-18, Granting Variance to Sub-Division Ordinance. Motion carried.

### RESOLUTION #17-18

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors by Alliant Energy to vary the required provisions in Articles 4.01-4.05, 5.01-5.07, 6.01-6.03 and 7.01 of the ordinance to allow one additional division on a parcel located in the NW ¼ NW ¼ of 23-82-9.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the above mentioned article provisions of Ordinance #72 are hereby varied for one additional division of real property located in the parcel located in the NW ¼ NW ¼ of 23-82-9.

Adopted this 14th day of March, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-19, Granting Variance to Sub-Division Ordinance. Motion carried.

**RESOLUTION #17-19**

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors by Golden Grain Enterprises to vary the requirements of the ordinance to allow one additional division by plat of survey on a parcel located within the SW ¼ of 28-83-9.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied in its entirety for one additional division of real property located in the parcel located within the SW ¼ of 28-83-9, with the restriction in place that both parcels will be considered as one.

Adopted this 14th day of March, 2017.

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Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

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Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** to approve Resolution # 17-20, Gift of LOSST Funds. Motion carried.

**RESOLUTION #17-20**

WHEREAS, the Benton County Board of Supervisors has established a program for gifting funds to emergency service providers who provide services within the unincorporated area of Benton County; and

WHEREAS, the Vinton Fire Department has requested a gift of funds; and

WHEREAS, the Vinton Fire Department provides emergency services to areas in Taylor Township, City of Vinton and mutual aid to other townships; and

WHEREAS, the Vinton Fire Department has provided an invoice for \$50,000 for the purchase of a used truck; and

WHEREAS, the Vinton Fire Department agrees that the truck obtained with the proceeds of this gift shall be used when necessary for rural fire protection and/or life support operations, consistent with the intended use of the money from the Local Option Sales and Services Fund,

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors approves an Emergency Services Equipment Gift to the Vinton Fire Department in the amount of \$5,000 which represents ten percent of the total purchase price for the truck.

Adopted this 14th day of March, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

**Bierschenk moved/Primmer seconded:** To approve the hiring of Tina Fowler as part-time jailer at the Sheriff's office, effective March 15, 2017 at the rate of \$13.56 an hour. Motion carried.

Discussion about re-listing the DHS Building for sale was had. At this time the agreement is to hold off and research further options.

Earlene Stueck provided some paintings for the Supervisors to review and decide which ones to display on the first floor.

**Primmer moved/Bierschenk seconded:** To authorize chair to sign Quick Claim Deed to William and Lori Ballard. Motion carried.

**Bierschenk moved /Primmer seconded:** To enter into a lease agreement with April Harding of Green Briar Acres for leasing of the county's farm ground located at what is currently known as the Cedar Valley Ranch. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

March 21, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of March 14, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 222682 through 222842, payroll checks numbered 139406 through 139424, and ACH deposits numbered 30364 through 30491, vendor checks numbered 222844 through 222848. Motion carried.

The time of 9:15 a.m. having arrived, the board opened the public hearing on a land use change requested by Brandon and Jennica Jordan. Steve and Lexa Speidel and Brandon Jordan were present. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The change in use is for approximately 3 acres located in part of NW ¼ NE ¼ of section 27-85-9. The request is to change the classification to a residential use. The property would need a new well and septic. Driveway does not meet all requirements, a new driveway will have to be installed. **Bierschenk moved/Primmer seconded:** to approve the request for a land use change from agricultural to non-agricultural use on approximately 3 acres for a residential purpose on a parcel generally described as being located in part of NW ¼ NE ¼ of section 27-85-9. Motion carried

The time of 9:30 a.m. having arrived, the board opened the public hearing on a land use change requested by Ross Hanson. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The change in use is for approximately 2 acres located in part of SE ¼ NE ¼ of section 35-85-10. The request is to change the classification to a residential use. The land is not in production and is surrounded by family owned ground. The property would need a new well and septic. Driveway does not meet all requirements, a new driveway will have to be installed. **Primmer moved/Bierschenk seconded:** to approve the request for a land use change from agricultural to non-agricultural use on approximately 2 acres for a residential purpose on a parcel generally described as being located in part of SE ¼ NE ¼ of section 35-85-10. Motion carried

**Primmer moved/Bierschenk seconded:** to approve phone system update with IT Director to speak with Vinton Police Department to ensure the update does not conflict with any emergency services needed within the County Courthouse and the police office. Motion carried.

Benton County Treasurer Kelly Geater discussed with the Board an alternative to the Wellness incentive program. Instead of the employee earning gift cards, the employee can do the incentive programs and get a discount off the employee's share of their cost of health insurance. Geater explained that she thought it might get more employees to participate to get the county a greater discount on their insurance. Geater is going to check with Wellmark and Tyler Technologies to see if it is manageable to implement per employee.

**Primmer moved/Bierschenk seconded:** Approve 55.5 hours of vacation carry over for Penny Applegarth to be used by June 30, 2017. Motion carried.

County Engineer Myron Parizek discussed with the board he had a truck that he was going to be receiving bids on to update but it is currently being worked on, until he knows what is all going on with it he asked the board if he could wait to see what his options are.

Board discussed with several departments on wanting to meet with department heads and elected officials on a quarterly basis. Board stated that they do not want to micro-manage the departments. They just want to better communicate on what's going on with each department and educate the public better on what each department does or if there are pressing items that the public should be aware of, it can be in the minutes. They understand that they cannot make any elected officials come in and report and if one does not want to participate; they are just wanting a better line of communication between the departments other than just budget time. The Board will contact the departments and get them lined up to be on the Board's agenda.

Supervisor Primmer questioned County Engineer Myron Parizek about the drainage out of Bascom's Addition in Vinton. Primmer presented pictures he had taken with debris and congestion of the area. Parizek stated he can have the area cleaned up but the area will still back up because of the way the area is. Rain will back up in that area with "Mud Creek" backing up into the area in question.

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

**Primmer moved/Bierschenk seconded:** Direct chair to sign Cyber and Technology Liability Renewal Application after reviewing the application with Heartland Insurance. Motion carried.

**Primmer moved/Bierschenk seconded:** Direct chair to sign renewal with ISAC's Insurance plan for FY18 with Wellmark. Motion carried.

Board discussed the DHS Building. Board is not renewing the listing with Iowa Land Management. Board is wanting more information on the condition of the building before they move forward with any decisions. Supervisor Wiley is going to contact Jerry Petermeier to see if he would know anyone who could do an evaluation on the structure of the building.

Supervisor Bierschenk reported on the Solid Waste Commission; they are working on a new shop and looking at building a new scale house in the future. The landfill manager, Eric Werner is doing a really good job.

Supervisor Wiley reported on the Conservation Board meeting; they are concerns about water quality at Hannen and Rogers Park and they are working on putting in 50 amp pedestals for camping.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

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

Gina Edler, Benton County Deputy Auditor

March 28, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of March 21, 2017. Motion carried.

**Primmer moved/Wiley seconded:** To appoint Jackie Werner as Union Township Trustee. Motion carried.

Supervisor Wiley reported he discussed the DHS Building with Jerry Petermeier, and it was suggested that Shive-Hattery could do the structure evaluation of the foundation, interior, exterior and asbestos evaluation.

Robert Dahl along with Tom and Carolyn Engledow, concerned residents provided a petition to black top or sealcoat along 22<sup>nd</sup> Ave. NW of Vinton where they reside. The Engineer was also present for the discussion. Concerns were heard about the dust issues caused from the amount of traffic on that road. Supervisors asked that they discuss with other residences/homeowners in the area and form an agreement of what costs they are willing to endure. The Engineer will also provide some estimates and options available. There have been other similar projects done in the county with special assessments assigned to the adjoining property owners and divided accordingly.

Seven members of the 2017 Grand Jury met with the board to discuss various issues. Supervisor's introduced themselves and provided a brief explanation of their duties and discussed the different boards they all serve on outside of the courthouse. The County Attorney also explained to the Supervisors how the grand jury is selected.

Kelly Geater called in to discuss her agenda items. Meeting was behind due to Grand Jury visit.

The Engineer provided bids for a new truck and service body and explained how they will auction off the previous existing service body vs trade in. He feels confident they can get more money this way.

Service truck bids were as follows:

Ervin Motor Co., 2017 GMC Sierra 3500 HD Chassis Cab-\$28,540

Thys Motor Co., 2017 Dodge Ram 3500 Regular Cab Dually 4X2-\$25,656

Thys Motor Co., 2017 Dodge Ram 3500 Regular Cab Dually 4X4-\$26,149

**Primmer moved/Bierschenk seconded:** To approve bid of \$25,656 with Thys Motor Co, for the 2017 Dodge Ram 3500 4X2 regular cab dually. Motion carried.

Service Body Bids for the new service truck and installation were as follows:

Futureline (Knapheide) -\$9,495.56

Cortez (Knapheide)- \$11,962.35

Cortez (Stahl)- \$11,632.35

**Primmer moved/Bierschenk seconded:** To approve bid from Futureline for the amount of \$9,495.56 for a new service body for the new service truck. Motion carried.

**Bierschenk moved/Primmer seconded:** To hire Lucas Hennings and Mark Volesky as seasonal spray truck drivers at the wage of \$15/hour starting April 3, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the hiring of Cecilia Hagen, as part-time IRVM roadside tech intern at the wage of \$12/hour effective April 10, 2017. Motion carried.

The Engineer discussed the 2017 dust control program provided by secondary roads. The engineer advised that he had calculated the costs of applying the dust control product and was recommending that the board keep the costs the same as last year.

**Bierschenk moved/Primmer seconded:** To approve the cost of MC-70 dust control applied by Benton County Secondary Roads for the summer of 2017 at \$1,000.00 for two applications of 400 feet each. The cost per additional foot is set at \$1.70 per foot for two applications. Dust control permits are to be submitted no later than May 5, 2017. Motion carried

**Primmer moved/Bierschenk seconded:** To approve the \$15/month deduction off health insurance premiums on employees who qualify with 4 of the wellness points from the incentive program offered. This will become effective starting January, 2018. Motion carried.

**Bierschenk moved/Primmer seconded:** To suspend taxes on parcel# 330-06050, pursuant to Iowa Code 427.9. Motion carried.

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

**Primmer moved/Bierschenk seconded:** To renew contract with Mail Services for 2017 tax statement processing. Motion Carried.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

April 4, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley and Bierschenk were present, Primmer was absent. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Wiley seconded:** Approve the minutes of March 28, 2017 with the correction of truck bid amounts reflecting no trade in. Motion carried.

**Bierschenk moved/Wiley seconded:** To approve Auditor's Quarterly Reports for the quarters ending December 31, 2016 and March 31, 2017. Motion carried.

**Bierschenk moved, Wiley seconded:** Certify suspended tax list to Department of Human Services. Motion carried.

**Bierschenk moved/Wiley seconded:** To approve farm exemption application for Larry Chervenky for part of the NE ¼ 25-84-11. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Hidden Meadow Farm, LLC in part of the SE NE of 34-85-9. Steve and Lexa Speidel were present, no media or members of the public present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Hidden Meadow Farm, LLC would like to propose a 5 lot subdivision for residential or possible commercial use. There will be individual wells and septic on each site and a driveway already exists. There was one adjacent landowner who submitted a written opinion against the request. Hearing no other further comments the public hearing was closed.

**Bierschenk moved/Wiley seconded:** To approve the request for the land use change from agricultural to non-agricultural for Hidden Meadow Farm LLC, in part of the S20A of SE ¼ NE ¼ of 34-85-9. Motion carried.

**Bierschenk moved/Wiley seconded:** To approve the preliminary plat of Hidden Meadow Third Addition to Benton County, Iowa. Motion carried.

**Bierschenk moved/Wiley seconded:** To approve Resolution #17-21, subdivision variance. Motion carried.

### RESOLUTION #17-21

Variance to the Benton County Subdivision Ordinance

WHEREAS, Hidden Meadow Farms, L.L.C., has requested a variance to the Benton County Subdivision Ordinance #72; and

WHEREAS, the Board believes that certain requirements should be varied,

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with regards to the division of real property located in the South 20 Acres of SE1/4 of the NE1/4 of 34-85-9 and owned by Hidden Meadow Farms, L.L.C.

#### Article VII: Section 7.01 Other Provisions

FURTHER IT IS RESOLVED that the owners shall comply with the remaining requirements set forth in the Benton County Subdivision Ordinance #72.

Adopted this 4<sup>th</sup> day of April, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

**Bierschenk moved/Wiley seconded:** To approve and sign Flexible Savings Account Renewal with Employee Benefit Systems for 2018. Motion carried.

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

**Bierschenk moved/Wiley seconded:** To approve Family Farm applications. Motion carried.  
**Bierschenk moved/Wiley seconded:** To approve Resolution #17-22. Motion carried.

**RESOLUTION #17-22**  
HIRING ASSISTANT COUNTY ATTORNEY

WHEREAS: Benton County Attorney's office has a full-time position to fill and

WHEREAS: Applications were accepted for the position and

WHEREAS: These applications have been narrowed to one.

WHEREAS: The County Attorney requested that it be as an employment agreement;

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that Kelly Smith be hired to fill the position as assistant attorney in the Attorney's office at a starting salary of \$67,000 effective April 10, 2017. She will be awarded 35 hours of sick leave and three weeks of vacation per year starting immediately. Smith's employment is governed by all other applicable parts of the Benton County Employee Handbook as well.

Dated the 4th day of April, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

County Attorney explained to the board about how the magistrate commission is appointed by them. A few names were mentioned to fill an upcoming vacancy due to a resignation.

**Bierschenk moved/Wiley seconded:** To approve Resolution #17-23, temporary road closure. Motion carried.

**RESOLUTION #17-23**

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from April 17, 2017, through the completion of the project.

From 14<sup>th</sup> Avenue thence east 1.0 mile to 15<sup>th</sup> Avenue along 70<sup>th</sup> Street (County Route E44) in Kane Township.

Signed this 4<sup>th</sup> day of April, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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

**Bierschenk moved/Wiley seconded:** To approve Resolution #17-24, Bridge Embargo. Motion carried.

**RESOLUTION #17-24**

WHEREAS, the structure at this location due to age and design have reached the point in time where a restricted weight limit should be imposed,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the following weight restriction be imposed and restricted as follows:

UN-3021            **15 ton**

0.1 miles south of the NW corner of section 15-83-11 (Union Township) on 19<sup>th</sup> Avenue

Signed this 4<sup>th</sup> day of April 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Wiley seconded:** To approve Resolution #17-25, bridge closure. Motion carried.

**RESOLUTION #17-25**

WHEREAS: Benton County has a bridge located on 11<sup>th</sup> Avenue south of the NW corner of Section 29-T84N-R12W (Homer Township), and

WHEREAS: This bridge has deteriorated to the extent that it is unsafe for traffic and

WHEREAS: The qualified bridge inspector has recommended closure of the bridge.

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that this bridge be closed and the county engineer continue developing plans for a replacement structure and

BE IT FURTHER RESOLVED that the bridge and approach road segment remain closed for construction through the completion of the project.

Signed this 4<sup>th</sup> day of April, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Wiley seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

April 11, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of April 4, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve Class B Liquor License for Bloomsbury Farm. Motion carried.

**Primmer moved/Bierschenk seconded:** To set land use hearing date of Tuesday May 9, 2017 at 9:15 a.m. for Terry and Nadene Reece in the SE¼ NE¼ of 1-85-9. Motion carried.

Mike Mollenhayer, Shive-Hattery provided the Cedar Valley Ranch roof project manual along with discussion on what was reported and changes to be made. There was no asbestos found.

**Primmer moved/Bierschenk seconded:** To approve and sign the professional agreement with Shive-Hattery for the DHS structural building review. Motion carried.

Magistrate commission member discussion picked up where it left off last week. There is two magistrate's in the county, and this is a very important position.

**Primmer moved/Bierschenk seconded:** To appoint Mary Ann Blumer to the magistrate commission. Motion carried.

Sheriff Tippet met with board and went over his quarterly report and gave them an update on his departments and some changes being made. The patrol cars all have video cameras and deputies will also have body cams and they will creating a procedure and policy to implement regarding footage Continued training is always ongoing. A Citizens Sheriff academy will be something new offered up to learn different aspects of the Sheriff's office. Also touching on the rising mental health issues statewide, where this is dealt with on a daily basis in the department.

**Bierschenk moved/Primmer seconded:** To approve Sheriff's quarterly report ending March 31, 2017. Motion carried.

The Engineer provided bids for 2 new tandem axle dump trucks with snowplow and wing and Henderson box to replace single axel trucks that will be auctioned off. Parizek's recommendation is the Mack truck.

Bids were as follows:

Thompson Truck and Trailer 2018 International -\$193,286

MHC Kenworth of C.R. 2017 Kenworth-\$188,169

GATR 2018 Mack-\$182,599.69

Don's Truck Sales 2018 Western Star-\$182,206

Don's Truck Sales 2018 Freightliner -\$179,035

Truck Country of C.R. 2018 Freightliner 4700 SF -\$184,485

Truck Country of C.R. 2018 Freightliner 114SD-\$180,615

**Primmer moved/Bierschenk seconded:** To approve bid from GATR for (2) 2018 Mack trucks at a cost of \$182,599.69 each. Motion carried.

The Engineer provided info on a 2014 Gradall XL4100 truck mounted hydraulic excavator for \$270,000 that he budgeted for in 2018 and wanted supervisor's support to pursue. Also presenting and discussing the five year construction plan for Benton county roads. He also spoke about a resurfacing schedule for hard-surfaced roads and bridge replacement projects through 2023.

**Primmer moved/Bierschenk seconded:** To approve IDOT FY18-22 Secondary Road Construction Program. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve IDOT FY 18 Secondary Road Budget. Motion carried.

Supervisor Bierschenk reported about some possible turning lanes to be added on HWY 30, there might be traffic safety money from federal government available.

**Primmer moved/Bierschenk seconded:** Appoint Allison Hicks to the Historic Preservation Committee. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Recorder's Quarterly Report for period ending March 31, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve General Assistance Quarterly Report for period ending March 31, 2017. Motion carried

**Primmer moved/ Bierschenk seconded:** To approve Resolution #17-26, WMA Lead Agency agreement. All members voting aye. Motion carried.

### RESOLUTION #17-26

#### JOINT AGENCY AGREEMENT

#### BY AND BETWEEN BENTON COUNTY, IOWA AND OTHER COUNTIES

#### POTENTIALLY AFFECTED BY AN IOWA WATERSHED APPROACH PROJECT FUNDED THROUGH A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM ALLOCATION FROM THE CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) # 14.27 UNDER CONTRACT 13-NRDI-002

**WHEREAS,** Benton County, has been awarded “pass-through” funding by the Iowa Economic Development Authority (IEDA), from the Community Development Block Grant (CDBG) Program of the U.S. Department of Housing and Urban Development (HUD), to plan and implement improvements proposed for enhancement of the Middle Cedar Watershed; and



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

---

**WHEREAS**, as grantee, Benton County is designated "Responsible Entity" to ensure compliance with federal provisions stipulated to be invoked by the National Environmental Policy Act, whereby an assessment must be undertaken to determine whether proposed improvements may significantly affect the human environment, and, if necessary, any mitigating actions; and

**WHEREAS**, as Responsible Entity, Benton County is likewise lead entity in association with planning and development activities proposed within jurisdiction of the Middle Cedar Watershed subject to environmental review; and

**WHEREAS**, other noted watershed counties potentially affected by the project include Linn, Buchanan, Black Hawk, Butler, Franklin, Grundy, Linn and Tama; and

**WHEREAS**, Benton County may not independently exercise responsibilities required by environmental review on behalf of another county without joint approval through mutual agreement, now therefore,

**BE IT RESOLVED BY THE PARTIES HERETO THAT** the Responsible Entity is hereby authorized to determine activities and any mitigating actions to be implemented for watershed improvement(s) within \_\_\_\_\_ County.

**IN WITNESS WHEREOF**, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives.

**For Benton County, Iowa**

Signed this 11th day of April, 2017.

BENTON COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** To sign the Amendment (1) agreement to the contract with the University of Iowa Flood Center for the Resiliency Grant. Motion Carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 222849 through 222854 and 222861 through 223008, payroll checks numbered 139425 through 139443, and ACH deposits numbered 30492 through 30617, vendor checks numbered 222855 through 222860. Motion carried.

The IT Policy will be reviewed at next meeting.

Wiley delegated the responsibility to Bierschenk to schedule the meetings with department heads and elected officials. Auditor Rippel brought up a suggestion after speaking with department heads regarding this. It might be beneficial if the Supervisors take time to go around and visit within the department's own office setting.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

April 18, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of April 11, 2017, with the correction of misspelling. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Veterans Affairs Quarterly Report for period ending March 31, 2017. Motion carried

## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

**Bierschenk moved/ Primmer seconded:** To approve Resolution #17-27-, changing employee status. Motion carried.

### RESOLUTION #17-27

CHANGING EMPLOYMENT STATUS OF David Wildeboer FROM FULL-TIME EMPLOYEE TO PART-TIME EMPLOYEE

WHEREAS, Wildeboer has been employed by Benton County as full-time since Dec. 10, 2016, and

WHEREAS, the Sheriff recommended that Wildeboer have his employment status be changed from full-time to part-time,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that David Wildeboer be changed to part-time

jailer in the Sheriff's office, effective April 23, 2017 at \$15.56 an hour.

AND

CHANGING EMPLOYMENT STATUS OF Tina Fowler FROM PART-TIME EMPLOYEE TO FULL-TIME EMPLOYEE

WHEREAS, the Benton County Sheriff's office has a need for a full-time jailer; and

WHEREAS, Fowler has been employed by Benton County as part-time since March 15, 2017, and

WHEREAS, the Sheriff recommended that Fowler have his employment status be changed from part-time to full-time,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Tina Fowler be changed to full-time jailer in

the Sheriff's office, effective May 3, 2017 at \$13.56 an hour.

Dated this 18th day of April, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Gina Edler, Deputy Benton County Auditor

Ben Turnis, IT Director spoke with the Board about the IT Policy. Board reviewed the policy, Supervisor Wiley stated he will e-mail our insurance company to go over it to make sure they agree with everything before moving forward.

Board visited the Recorder's office. Lexa Speidel, Benton County Recorder gave the board an update to the status of passports, along with a tour of her office, and showed the board what kind of documents that get recorded.

Ben Vierling Benton County Assistant Engineer, spoke with the Board regarding a handwritten check needed for fencing compensation on the Oak Grove Road project. Mary Young is the landowner and is seeking compensation for fencing at a total amount of \$2,100.00. In order to issue the handwritten check the Auditor's office needs W9 information on Ms. Young. This would be the last compensation for Ms. Young. **Primmer moved/Bierschenk seconded:** To approve a handwritten check to Mary Young for \$2,100.00 once the Auditor's office receives information from Vierling. Motion carried.

**Bierschenk moved/ Primmer seconded:** To sign title plan sheet for HMA Resurfacing on E36: Hwy 21 east to V42 (Project No. FM-CO06(111)—55-06). Motion carried.

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-28. Motion carried.

**RESOLUTION #17-28**

WHEREAS: Benton County has a bridge located on 51<sup>st</sup> Street Drive in Section 10-T86N-R11W (Cedar Township), and

WHEREAS: This bridge has deteriorated to the extent that it is unsafe for traffic and

WHEREAS: The qualified bridge inspector has recommended closure of the bridge.

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that this bridge be closed and the county engineer continue developing plans for a replacement structure and

BE IT FURTHER RESOLVED that the bridge and approach road segment remain closed for construction through the completion of the project.

Signed this 18<sup>th</sup> day of April, 2017.

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

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

**Primmer moved/Bierschenk seconded:** to approve Treasurer's Quarterly Investment Report. Motion carried.  
Ben Turnis IT Director, gave an update on his department. Computers in the Auditor's and Treasurer's office are updated, he worked on getting a higher internet speed for the courthouse and lowered the price. He is getting more GIS training and getting more responsibilities for the GIS.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd Wiley, Chairman

ATTEST: \_\_\_\_\_  
Gina Edler, Deputy Benton County Auditor

April 25, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of April 18, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To set land use hearing date of Tuesday May 23, 2017, at 9:30 a.m. for Steve and Rhonda Bernhardt in part of the SE ¼ SE ¼ of 22-85-9. Motion carried

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

**Primmer moved/Bierschenk seconded:** Adopt Resolution #17-29 Approving Benton County Ordinance #73. Motion carried.

### RESOLUTION #17-29

#### APPROVING BENTON COUNTY ORDINANCE #73

**WHEREAS**, the Benton County Board of Health has adopted Benton County Ordinance #73 amending regulations pertaining to the installation of private sewage disposal systems; and

**WHEREAS**, the Benton County Board of Health made publication and held a public hearing on said amendments to Ordinance #73 in accordance with law; and

**WHEREAS**, the Benton County Board of Supervisors approves of said regulations;

**NOW THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that Benton County Ordinance #73 is hereby approved pursuant to Iowa Code Chapter 137.104 (1)(b)(2).

**IT IS FURTHER RESOLVED** that publication of said Ordinance is directed and said Ordinance is to be effective upon publication in the official newspapers of Benton County, Iowa.

Dated this 25<sup>th</sup> day of April, 2017.

BENTON COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST: \_\_\_\_\_  
Gina Edler, Benton County Deputy Auditor

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 223015 through 223159, payroll checks numbered 139425 through 139443, and ACH deposits numbered 30492 through 30617, vendor checks numbered 222855 through 222860. Motion carried.

Courtney Clair met with the board regarding an appeal of the sheriff's order to remove a vicious animal under Benton County Ordinance #37, the Board took up the matter for consideration. Present for the hearing: Courtney Clair, Zoran Pilipovic, their son and friend, Reserve Deputy Sheriff Gary Benson, and Benton County Attorney David Thompson. The board heard comments as follows:

Benson stated that he drove by the residence and noticed 1 dog tied up and recognized that it was a pit bull after he went to the residence. Mr. Pilipovic told Benson that there were 2 other pit bulls in the house. Under the notice they usually give 7 days to relocate the animal but since there was 3 animals he gave the owners 14 days. Clair stated that the dogs are a part of their family and that their landlord, Arlo Becker, does not have issues with them having the dogs. The dogs have never bitten or been vicious in any way. She is asking the board that if they do have to get rid of the dogs, could they be given a bigger time frame. They are wanting to wait to the end of school year for her daughter to finish school. If they have to get rid of the dogs the whole family would relocate since they are a part of her family. Thompson is asking the board to table the decision for 2 weeks to check on legality with the ordinance. The ordinance was put in place in 2000, he wants to make sure it is still lawful to list specific breeds in the ordinance. Primmer stated that he googled pit bulls and the comments are all over the board on the breed. Wiley had reservations on making variances or modifications to the ordinance. Decision is tabled for 2 weeks for the County Attorney to check on legality of the ordinance.

Jeff Lorenz with Cost Advisory Services met with the Board to explain the services his company provides.

**Moved by Bierschenk/Primmer seconded:** Approve contract renewal with Cost Advisory Services for FY17, FY18 & FY19 for a cost of \$4,125/year. Motion carried.

Board visited the Veterans Affairs office. Toni Parizek, Benton County Veterans Affairs Director gave the board an update to the status of making Benton County a Home Base Iowa county. She also discussed other fundraisers and opportunities to increase knowledge on helping Veterans.

Board visited the Social Services office. Carol Zander, Benton County Social Services Director gave the board an update on the Mental Health region and programs going on with the region.

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-30 Destruction of Noxious Weeds with the addition of Palmer Amaranth (*amaranthus palmeri*) added to the list of noxious weeds. Motion carried.

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

### Resolution #17-30 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. Additionally, weeds listed in Group 4 have been designated as noxious by the Benton County Board of Supervisors and will be controlled via the same procedures as state listed noxious weeds. Noxious weeds shall be cut or otherwise destroyed on or before **May 15, 2017** 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 Loosestrife.

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

**Group 3.** European Morning Glory or Field Bindweed, Wild Carrot, Poison Hemlock, Multiflora Rose, Horsenettle, Perennial Sowthistle, Quackgrass, Butterprint, Puncture Vine, Cocklebur, Bull Thistle, Musk Thistle, Tall Thistle, Wild Sunflower, Shattercane and Teasel.

**Group 4.** Palmer Amaranth (*Amaranthus palmeri*)

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: Quackgrass, Perennial Sowthistle, Canada Thistle, Bull Thistle, Musk Thistle, European Morning Glory or Field Bindweed, Horsenettle, Leafy Spurge, Perennial Peppergrass, Russian Knapweed, Buckthorn, Tall Thistle, Purple Loosestrife, and all other species of thistles belonging in general of *Cirsium* and *Carduus*.

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

(c) Benton County Noxious Weeds: Palmer Amaranth

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 or his designee 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 2nd day of May 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Gina Edler, Benton County Deputy Auditor

County Attorney, David Thompson updated the board on the status of the Sheriff Fry Memorial. Thompson stated he is in the process of applying for a grant. Thompson is looking for the Board to sign letter of support for the grant application. **Bierschenk moved/Primmer seconded:** To authorize Chair to sign letter of support for grant application for the Sheriff Fry Memorial. Motion carried.

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

**Primmer Moved/Bierschenk seconded:** To approve Resolution #17-31 Abatement of Tax . Motion carried.

RESOLUTION #17-31  
ABATEMENT OF TAX

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that all tax and penalty in the amount of \$1,880.00 owing on parcel #030-33550 is hereby abated in full pursuant to order of the court under Iowa Code 445.63.

Dated this 25th day of April, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Gina Edler, Deputy Benton County Deputy Auditor

Supervisor Wiley reported that he will be forwarding a report onto the other board members on the report he got on the structure of the old DHS building.

Supervisor Primmer reported that Secondary Roads is doing a great job on cleaning up the ditch over by mud creek.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Gina Edler, Deputy Benton County Auditor

May 2, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of April 25, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve use of courthouse grounds for Vinton Cruise Committee on July 22, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve handwritten check for mobile forensic equipment to be paid by the sheriff's office along with some grant funding. The equipment will be shared with surrounding cities and they will reimburse the county for a portion that isn't covered by the grant. Motion carried.

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

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**Primmer moved/ Bierschenk seconded:** To approve Resolution #s 17-30 through 17-36, Joint Agency Agreements with Buchanan, Black Hawk, Butler, Franklin, Grundy, Linn and Tama Counties. All members voting aye. Motion carried.

**RESOLUTION  
JOINT AGENCY AGREEMENT  
BY AND BETWEEN BENTON COUNTY, IOWA AND OTHER COUNTIES  
POTENTIALLY AFFECTED BY AN IOWA WATERSHED APPROACH PROJECT FUNDED THROUGH A COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM ALLOCATION FROM THE CATALOG OF FEDERAL  
DOMESTIC ASSISTANCE (CFDA) # 14.27 UNDER CONTRACT 13-NRDI-002**

**WHEREAS**, Benton County, has been awarded "pass-through" funding by the Iowa Economic Development Authority (IEDA), from the Community Development Block Grant (CDBG) Program of the U.S. Department of Housing and Urban Development (HUD), to plan and implement improvements proposed for enhancement of the Middle Cedar Watershed; and

**WHEREAS**, as grantee, Benton County is designated "Responsible Entity" to ensure compliance with federal provisions stipulated to be invoked by the National Environmental Policy Act, whereby an assessment must be undertaken to determine whether proposed improvements may significantly affect the human environment, and, if necessary, any mitigating actions; and

**WHEREAS**, as Responsible Entity, Benton County is likewise lead entity in association with planning and development activities proposed within jurisdiction of the Middle Cedar Watershed subject to environmental review; and

**WHEREAS**, other noted watershed counties potentially affected by the project include Buchanan, Black Hawk, Butler, Franklin, Grundy, Linn and Tama; and

**WHEREAS**, Benton County may not independently exercise responsibilities required by environmental review on behalf of another county without joint approval through mutual agreement, now therefore,

**BE IT RESOLVED BY THE PARTIES HERETO THAT** the Responsible Entity is hereby authorized to determine activities and any mitigating actions to be implemented for watershed improvement(s) within said counties.

**IN WITNESS WHEREOF**, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives.

**For Benton County, Iowa**

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)c. Motion carried at 10:05 a.m.

**Primmer moved/Bierschenk seconded:** To enter back into open session at 10:28 a.m. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve payment of the State Auditor's bill in the amount of \$11,276.49 of pending litigation in June if funds are still available for FY 17 out of district court fund. Motion carried.

Discussion was had on a possible ag equipment bypass around the HWY 150 Bridge North of Vinton. The Engineer thought it would take at least 2 to 3 weeks' worth of work of preparing such a bypass pending IDOT's approval. Parizek also got word that the Cedar River Bridge will also be under construction with an estimated start date middle to end of July. The ending projected dates for both bridges he was provided is late September, early October. No action was taken.

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

**Bierschenk moved/Primmer seconded:** Approve Resolution #17-37, 2017 Noxious Weed notice. All members voting aye thereon. Motion carried.

### Resolution #17-37 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. Additionally, weeds listed in Group 4 have been designated as noxious by the Benton County Board of Supervisors and will be controlled via the same procedures as state listed noxious weeds. Noxious weeds shall be cut or otherwise destroyed on or before **May 15, 2017** 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 Loosestrife.

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

**Group 3.** European Morning Glory or Field Bindweed, Wild Carrot, Poison Hemlock, Multiflora Rose, Horsenettle, Perennial Sowthistle, Quackgrass, Butterprint, Puncture Vine, Cocklebur, Bull Thistle, Musk Thistle, Tall Thistle, Wild Sunflower, Shattercane and Teasel.

**Group 4.** Palmer Amaranth (*Amaranthus palmeri*)

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: Quackgrass, Perennial Sowthistle, Canada Thistle, Bull Thistle, Musk Thistle, European Morning Glory or Field Bindweed, Horsenettle, Leafy Spurge, Perennial Peppergrass, Russian Knapweed, Buckthorn, Tall Thistle, Purple Loosestrife, and all other species of thistles belonging in general of *Cirsium* and *Carduus*.

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

(c) Benton County Noxious Weeds: Palmer Amaranth

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 or his designee 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 2nd day of May 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor



## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

The Board moved the meeting out to the secondary roads location. Engineer Myron Parizek gave the tour of all the facilities and answered questions.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

May 9, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of May 2, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To Amend minutes of April 25, 2017, to reflect the following check numbers: payroll checks numbered 139444 through 139463, and ACH deposits numbered 30618 through 30748, vendor checks numbered 223009 through 223014.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 223167 through 223311, payroll checks numbered 139464 through 139482, and ACH deposits numbered 30749 through 30882, vendor checks numbered 223160 through 223166. Motion carried.

**Bierschenk moved/Primmer moved:** To approve lease agreement renewal with DHS and Case Management. Motion carried.

**Primmer moved/Bierschenk seconded:** To acknowledge and approve of the Central Iowa Juvenile Detention Center's Independent Auditor's Financial Statements. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Terry and Nadene Reece in part of the SE NE of 1-85-9. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. This property meets all the requirements. They would like to put a new house and pole building on approximately 2 acres of the 6 acre parcel. The residence would need a new well and septic and. Kay Nelson, existing neighbor was present to ask questions on how this would affect her taxes. **Primmer moved/ Bierschenk seconded:** To approve land use change for Terry and Nadene Reece on parcel in part of the SE NE of 1-85-9. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the hire of part-time correctional officer Tyler Hite effective May 8, 2017 with a starting wage of \$13.56 an hour. Motion carried.

Sheriff Tippet received bids for three new service vehicles. Talk of trading in the three older vehicles or selling them outright was more profitable and it was agreed to sell them outright. 2009 Chevy Impala, 2011 Chevy Impala and 2011 Chevy Tahoe 2WD. Bids were as follows:

Thys Automotive Group-2017 Dodge Durango special service AWD-\$26,082

Stivers-2017 Ford Police Interceptor AWD-\$34,190

Stivers-2017 Ford Police Interceptor AWD-\$34,435

Stovers-2017 Ford Police Interceptor AWD-\$34,605

**Bierschenk moved/Primmer seconded:** To award bid to Thys Motor for 2017 Dodge Durango without trade-ins for \$26,082 per vehicle. Motion carried.

Bid letting for the Cedar Valley Ranch Roof was at 10:00 a.m. Mike Mollenhauer with Shive-Hattery did the opening of the sealed bids. Also present were Jerry Petermeier, Jim Hyde, representatives from the Ranch along with representatives from various bidding companies. The Bids were as follows:

<u>Company Name</u>	<u>Dryspace, Inc.</u>	<u>Cedar Service Co.</u>	<u>Service Roofing</u>	<u>Advanced Builders</u>	<u>Pella Roofing</u>	<u>T &amp; K Roofing</u>	<u>Northern Cedar Service</u>
Total Base Bid	\$280,657	\$252,292	\$236,900	\$217,980	\$261,500	\$195,500	\$247,740
Alternate Bid B	\$252,827	\$230,511	\$207,900	\$200,220	\$219,900	\$186,900	\$208,160
Alternate Bid C	\$313,330	\$30,620	\$25,750	\$22,300	\$30,500	\$37,770	\$29,400

Mollenhauer's advice was to take the lowest bid and use the base bid and add the Alternate bid C for the extra insulation. He felt that Alliant's energy saving rebate would help make up the difference.

**Primmer moved/Bierschenk seconded:**To award the bid to T & K Roofing, Cedar Rapids, IA for the total base bid of \$195,500 and add the Alternate c for an additional layer of insulation with cost of \$37,770 to make a combined total of \$233,270. Motion carried.

The Board recessed at 10:25 a.m.

Reconvened at 10:30 a.m.

Two weeks ago there was an appeal for the removal of three dogs at a rural Shellsburg residence. The county attorney started the discussion out by stating that the language in Ordinance #37 is still legally valid, but doesn't mean it couldn't be tweaked if the board chooses to. In the past there has been variances granted but also some that were denied.

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

Thompson said they are to consider the applicants experience, any previous complaints or problems, the handling of the animals etc. Courtni Clair, dog owner pointed out that she now only has one dog left at her residence, Lily (female dog). The other two dogs have been relocated. Wiley advised that approving a variance as such could mean they would be setting themselves up for similar future requests. Primmer said there is a lot of negativity towards the pit bull and he is not in favor of a variance. He compared other ordinances in Iowa regarding the dangerous dog breeds going off statistics. Wiley pointed out that any dog is capable of being vicious under certain circumstances. Bierschenk agreed, but felt the dogs have been well cared for in the past and no problems in the past. Supervisors were in agreement that our law enforcement did what they were supposed to do. Bierschenk believes that if we have an ordinance as such we should enforce it. Wiley told Clair, he understands her attachment to the dog, but as a county supervisors being held to the standard of upholding ordinances. Unfortunately, Clair is in violation of this one. Bierschenk asked about allowing time for them to relocate as a family after the current school year is finished, or relocate the dog for the time being. Thompson reminded him that the order only allows 7 days for the animal to be removed. Talk of the possibility of kenneling the dog. Clair agreed, she would do what they recommended. Benson stated that if they grant this variance, the public can view the animal outside while driving by the residence. After no further discussion, **Primmer moved** to uphold the ordinance and deny the variance/**Wiley seconded** with regret. Voting aye were Primmer and Wiley. Bierschenk nay. Motion carried.

Discussed the Senate File 504 changes to the FY18 Mental Health and Disability services Levy. Benton County is not changing FY18 budget, it can be left as is.

**Primmer moved/Bierschenk seconded:** To authorize chair to sign Audit Agreement with Eide Bailly for FY17. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve a request for a utility permit requested by East Central Iowa REC to place utility lines in the county's right-of-way in Iowa Township section 26 south of Blairstown. Motion carried.

Discussion on the DHS construction evaluation prepared by Shive-Hattery was held.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

May 16, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of May 9, 2017. Motion carried.

Dana Burmeister, Transportation director met with the board to discuss her budget. She was under the impression her budget was amended in September 2016 for an additional \$7,500 spending for part-time drivers. After talking to current Auditor Rippel, there was no record of this change being made with the previous budget amendment. Burmeister anticipates that her overall total department budget will be very close to not going over her total spending authority. She wanted to give the heads up that there might need to be a service area amendment before the fiscal year ends.

**Bierschenk moved/Primmer seconded:** Approve Class B Liquor license for Watkins Community Athletic Association. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve Class B Liquor license for Blairstown Sauerkraut days beer tent. Motion carried.

**Primmer moved/Bierschenk seconded:** Appoint Aaron Kinser and Roy Schulze to the Pioneer Cemetery Board. Motion carried.

Heidi Schminke met with the board and gave them an update on Decat (Decategorization) and (CPPC) Community Partnership for Protecting Children Coordination and how they serve Iowa and Benton counties.

**Moved/seconded:** Approve the amendment to contract number DCAT4-17-054, FY 17 contract for an additional \$1500 funding for CPPC services effective May 22, 2017. Motion carried.

Discussion on the county air conditioning policy was brought up by Maintenance Supervisor Rick Bramow. He wanted guidance if the board was still in favor of this policy. The policy states that thermostats in all county buildings during times that air is being used that the room temp is to be set at 75 or above, and when the boilers are being used, set at 70 degrees or below. David Thompson and Kelly Geater were present to voice some concerns. Thompson being up on the 3<sup>rd</sup> floor and wearing suits and ties can be extra warm, he feels there should be a little give or take as long as the thermostats get turned back down at night. Geater pointed out that the extra humidity at certain times makes the printers not work effectively. Bramow asked about not shutting air conditioners all the way off at night, but turning the settings down to help maintain the room temps and allows for the air to keep up. Pulling shades to block out sunlight and keeping doors shut should also help. Some re-routing of vents to less used rooms and allowing more access into the busier areas can also be made. The board agreed to those ideas along with placing some ceiling fans around and purchasing a dehumidifier to see if that will help keep some of these problem areas cooler.

**Primmer moved/Bierschenk seconded:** To approve purchase of a 2017 Gradall XL4100 Hydraulic Excavator for \$347,514.00 to be paid in July 2018. Motion carried.

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

Discussion about purchasing additional ROW on 61<sup>st</sup> St. Ln for the Oak Grove Road Project. The board was on board for the Engineer to proceed with this and come back with final purchase agreements.

Discussion continued on the DHS building. Rick Bramow reported that it will probably most likely need a new roof as well. At this time the board has no intentions of re-listing it for sale. Notification to the Assessor is needed to change the taxation status back to exempt. There was also further discussion on pros and cons of renovating vs new construction. The next step is finding out the City of Vinton's requirements for building codes and such.

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-38, Service Area Amendment. Motion carried.

### RESOLUTION #17-38 SERVICE AREA BUDGET AMENDMENT

**WHEREAS**, the Benton County Board of Supervisors adopted the FY2017 budget on March 8, 2016; 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 FY2017 county budget is hereby amended within the following service areas:

Service Area 1 - \$10,000 from Function 1220 (Fund 0001 Department 99) to Function 1110 (Fund 0001 Department 28)

**IT IS FURTHER RESOLVED** that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 16<sup>th</sup> day of May 2017.

\_\_\_\_\_  
Todd A. Wiley

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

May 23, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of May 16, 2017. Motion carried.

Brian Unsen, CPA, along with Tyler Norby from Eide Bailly Audit firm, met with the board to discuss the start of the upcoming FY17 financial audit. They will be working on controlled efficiencies from past audits. Wanting to know of any areas of concerns and also discussed the impact for Benton County being the lead county in the new watershed management agency. They will typically make three trips to be on site at the courthouse before the audit is finalized.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Steve and Rhonda Bernhardt in part of the SE SE of 22-85-9. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Only hearing from one adjoining owner with questions about the location. The Bernhardt's would like to build a new home and change the use of approximately 2.3 acres of agricultural to non-agricultural. The sight will need a new septic and well along with a new driveway. After no further discussion, the land use hearing was closed.

**Bierschenk moved/Primmer seconded:** To approve the land use change from agricultural to non-agricultural on approximately 2.3 acres for a residential purpose on a parcel for Steve and Rhonda Bernhardt in part of the SE SE of 22-85-9. Motion carried.

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

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Judy Funk, Heartland Insurance Risk Pool met with the Board of Supervisors to present the renewal illustrations. They had time to review and ask questions. In addition to the renewal estimate, Funk informed the Board of a premium credit that will be applied to the premium due for the FY 18 renewal. Benton County is in a pool along with 10 other counties and is self-funded.

**Bierschenk moved/Primmer seconded** : To enter into and authorize the chair to sign the Client Authorization to Bind Coverage and the Client Confirmation of Schedules and Exposures with Heartland Insurance Risk Pool for insurance coverage for July 1, 2017 through June 30, 2018. Motion carried.

The recent legislature's legalization of fireworks in the state has brought about local concerns and questions. Local Pyrotechnicians along with the County Attorney were present for the debated issue. The sale of fireworks will be regulated by licenses from the State of Iowa. There was discussion about age limits, dates and hours allowed for the use of the fireworks. David Thompson advised if the county does nothing, they would be under the operation of the maximum time frame set by the Iowa Code. The county can, by ordinance or resolution, prohibit or limit the use of consumer or display fireworks, but could not prohibit the sale. Auditor Rippel advised that the conservation department will still not allow the use of fireworks inside the county's parks. Sales are slated to start by June 1, 2017, but with the continued wait on administrative rules from the state, there was no action taken. Discussion will continue at the May 30th supervisor's meeting.

**Bierschenk moved / Primmer seconded**: To approve a request for a utility permit by East Central Iowa REC to move utility lines from overhead to underground in the county's right-of-way along 27<sup>th</sup> Ave. in Taylor Township sections 23 and 24. Motion carried.

**Bierschenk moved/Primmer moved**: To approve a request by ITC Midwest to upgrade fiber optic utility lines in the county's right-of-way in Iowa and Kane Townships. Motion carried.

**Bierschenk moved/Primmer seconded**: Approve payment of checks numbered 223319 through 223483 handwritten check number 22312, payroll checks numbered 139483 through 139499, and ACH deposits numbered 30883 through 31015, vendor checks numbered 223313 through 223318. Motion carried.

**Primmer moved/Bierschenk seconded**: To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

May 30, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer were present. Bierschenk arrived at 9:13 a.m. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Wiley seconded**: Approve the minutes of May 23, 2017. Motion carried.

**Primmer moved/Wiley seconded**: To acknowledge Heartland Risk Pool's Investment Policy. Motion carried.

**Primmer moved/Wiley seconded**: To set land use hearing date for Myron and Esther Lown for Tuesday June 27, 2017 at 9:15 a.m. for part of the SW SW of 28-85-9. Motion carried.

Continued Fireworks discussion was had about the upcoming legalization of firework sales to start on June 1, 2017. The same individuals were present as last week along with the Sheriff and an upset resident who was going to follow-up with his complaints at the Sheriff's office. Without any further information from the state, the board agreed to continue with this discussion at next week's meeting. Receiving additional information and input can help decide what can be controlled regarding similar topics pertaining to fireworks usage and regulations on a county level.

Benton County Historical Preservation Commission members along with the county attorney met with the board to discuss the bell tower and the maintenance and improvements that need to be had.

**Bierschenk moved/Primmer seconded**: To enter into courthouse clock preventative maintenance agreement with Smith's Bell and Clock Service for two visits per year from period 1-01-17 through 12-31-17. Motion carried.

**Primmer moved/Bierschenk seconded**: To approve claim for \$3,890.00 from Smith's Bell and Clock, Inc. for a microphone, amplifier and LED lights to help make the clock louder. Motion carried.

**Primmer moved/Bierschenk seconded**: To waive the \$5,000 loan to the historic preservation fund used on the clock restoration project. Motion carried.

Robert Spangler, Historic Preservation Commission and Rick Primmer reported on their recent tour of the Iowa Braille School. They encouraged the other members to take the tour as well.

Discussion about the empty county building where Department of Human Services (DHA) was previously housed continues. It was reported that the adjoining building next to the old DHS office has possibly been sold, so that will affect some of their options. Waiting for feedback from the current DHS Director and then possibly asking for proposal requests for some layout plans/options for renovations.

**Primmer moved/Bierschenk seconded**: To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

June 6, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of May30, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve salary increase for Brett Schilling, assistant attorney to 85% of the Attorney's salary effective June 2, 2017. Motion carried.

Discussion to continue with the scheduled contract for a new Pictometry aerial flight scheduled for spring of 2018. Benton County was already locked in the contract but needed to get the flight officially scheduled.

Additional Fireworks discussion continued from the past two weeks. Benton County is unique with the commercial fireworks training and testing that is done North of Vinton by trained experts. Supervisors would like to work with the experts on handling this fairly. Without detailed administrative rules from the state, the county is going to let the state guidelines handle the selling of consumer fireworks outside of corporate limits. Suggestions for updating the resolution regarding commercial fireworks and increasing liability insurance requirements and time limits on aerial salutes. On the firework application they would also like to see a time frame designated.

Carol Zander, Director of Benton County Social Services reported to the Board about a recent meeting she attended. The region wants MHDS fund balance reductions by FY 2022. The board thanked her for this information and asked to be kept in the loop for continuous updates on the matter.

The Board will need to appoint members to a county facility security committee at the next meeting, and this will allow time to discuss with department heads ahead of time for those interested.

Discussion about the 24 hour notice requirement to post Supervisor's agenda's when holidays fall on Mondays when the courthouse is closed.

**Bierschenk moved/Primmer seconded:** To approve an outdoor mail receptacle for the courthouse and giving the Treasurer authority to choose the color and location. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Benton County Fair Board's FY 2017 Financials and requesting that receipts be provided in the future. Motion carried.

The supervisors met with county maintenance supervisor Rick Bramow for a brief tour of the various areas of the courthouse his department maintains.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

June 13, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of June 6, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To set land use hearing date of Tuesday July 11, 2017, at 9:15 a.m. for Marty and Emily Fisher in part of the NW ¼ SW ¼ of 28-85-9. Motion carried

**Bierschenk moved/Primmer seconded:** Approve payment of checks numbered 223494 through 223706 handwritten check number 223493, payroll checks numbered 139517 through 139537, and ACH deposits numbered 31148 through 31282, vendor checks numbered 223707 through 223712. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve Farm exemption application for P. Lee and Barbara Miller in the S ½ SW ¼ Ex. Parcel A of 8-86-12. Motion carried.

**Primmer moved/seconded:** To approve and renew FY 18 contracts with the following:

Decategorization Program Administration between the Benton County Board of Supervisors and Benton/Iowa County Decat and Heidi Schminke and Erin Monaghan for decategorization services.

Community Partnership for Protecting Children Coordination of Services between the Iowa Department of Human Services and Benton County. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve East Central Iowa Council of Government (ECICOG) FY18 Purchase of service contract. Motion carried.

Board wants to review Resolution #12-61 before acknowledging Jerry Michael's retirement from Sheriff's office. Item was placed on next week's agenda.

**Primmer Moved/Bierschenk seconded:** To approve and renew FY18 ISAAC HIPPA program membership. Motion carried.

Mike and John Elwick discussed speed limit on the County Home Road by Mud Creek. Mike explained to the board that they are requesting that the Board lower the speed limit to 40 mph. They are planning a sub-division on parcels in that area and have discussed with Marc Greenlee, Sanitarian and Myron Parizek, Engineer the speed limit going in and out of what will be the sub-division. Mike stated that they are close to presenting the sub-division with Greenlee to the Board. Supervisor Wiley stated that he thought that the speed limit and sub-division go together. So he feels they can wait to make the decision on the speed limit when they make a decision on the sub-division.

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

Elwick's also requested an update on the Dog Pound from Conservation. Karen Phelps, Conservation Director explained she is looking into converting the area to a wildlife refuge. If Elwick's are wanting more of an update they can get on the agenda for the Conservation Board to discuss things further.

Board continued discussion on Fireworks resolution.

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-40, amending resolution #05-15. Aye, Wiley, Bierschenk, Primmer. Motion carried.

**RESOLUTION #17-40**  
 AMENDING RESOLUTION #05-15  
 ESTABLISHING REQUIREMENTS FOR ISSUANCE OF FIREWORKS PERMIT

WHEREAS, the Benton County Board of Supervisors adopted Resolution #05-15, Establishing Requirements for Issuance of Fireworks Permit, on June 24, 2005; and

**WHEREAS,** the Board of Supervisors desires to amend said resolution to increase the liability insurance coverage amount from \$300,000 to \$1,000,000,

**WHEREAS,** the Board of Supervisors would like to add that automatic suspension of permit for the use of fireworks when a fire ban is in effect and;

**NOW THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors to amend Resolution #05-15, Establishing Requirements for Issuance of Fireworks Permit to add the following:

To increase the liability insurance coverage amount from not less than \$300,000 to not less than \$1,000,000.  
 An automatic suspension of permit for use of fireworks when a fire ban is in effect.

All other parts of the original resolution adopted on June 24, 2005, and amendments made after remain in full force and effect.

Adopted this 13th day of June, 2017.

\_\_\_\_\_  
 Todd A. Wiley, Chairman

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 Rick Primmer

\_\_\_\_\_  
 Gary Bierschenk

ATTEST:

\_\_\_\_\_  
 Hayley Rippel, Benton County Auditor

Board went onto discuss the Fireworks permit. Jerry Greif presented a list of suggestions to the Board. A permit is still needed for consumers using fireworks outside of the state's designated shoot time.

**Moved by Bierschenk/Primmer seconded:** To approve Fireworks Permit as written. After further discussion motion failed. Discussion was continued about designating time for aerial salutes on the permit.

**Moved by Primmer/Bierschenk seconded:** To approve Fireworks permit with revision: "Aerial salutes are allowed for one (1) hour maximum amount between the hours of 11:00 a.m. and 5:00 p.m. (daylight) and for three (3) hours maximum allowed (evening) not to go past 11:00 p.m." and to strike "Time" from Date/Time of Aerial Salutes (limited). Motion carried.

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

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-39. Motion carried.

**RESOLUTION #17-39**

WHEREAS, the Benton County Board of Supervisors has established a program for gifting funds to emergency service providers who provide services within the unincorporated area of Benton County; and

WHEREAS, the Cedar Mt. Auburn Department has requested a gift of funds; and

WHEREAS, the Cedar Mt. Auburn Fire Department provides emergency services to areas in Cedar Township, City of Mt. Auburn and mutual aid to other townships; and

WHEREAS, the Cedar Mt. Auburn Fire Department has provided an invoice for \$55,000 for the purchase of a used truck; and

WHEREAS, the Cedar Mt. Auburn Fire Department agrees that the truck obtained with the proceeds of this gift shall be used when necessary for rural fire protection and/or life support operations, consistent with the intended use of the money from the Local Option Sales and Services Fund,

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors approves an Emergency Services Equipment Gift to the Cedar Mt. Auburn Fire Department in the amount of \$5,500 which represents ten percent of the total purchase price for the truck.

Adopted this 13th day of June, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-41, Remove Embargo. Motion carried.

**RESOLUTION #17-41**

WHEREAS, the structures at these locations have been replaced by new structures and

WHEREAS, the new structures 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 these structures be removed. The structures are located as follows:

LE-2320                    0.3 mile east of the NW corner of section 16-82N-11W (Leroy Township) on 76<sup>th</sup> Street

FL-4820                    0.2 mile west of the NE corner of section 14-82N-09W (Florence Township) on 76<sup>th</sup> Street

Signed this 13<sup>th</sup> day of June 2017.

\_\_\_\_\_  
Chair, Board of Supervisors

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\_\_\_\_\_

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

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

The Engineer stated that there were two bids received for a new SUV to replace the current Engineer's SUV. The Engineer recommended that the board award the bid to the lowest bidder. The bids were as follows:

Thys Chevrolet	2017 Chevrolet Traverse AWD	\$33,216
Thys Dodge-Jeep	2017 Dodge Durango SXT AWD	\$26,141

**Primmer moved/Bierschenk seconded:** Award the bid to Thys Dodge-Jeep for a new 2017 Dodge Durango SXT AWD for \$26,141. Motion carried.

The Engineer stated that there were two bids received for two (2) new pickups to replace the current assistance engineer's truck and the inspector's truck. The Engineer recommended that the board award the bid to the lowest bidder. The bids were as follows:

Thys Chevrolet	(2) 2017 Silverado 1500 Dbl 2wd	\$54,880
Thys Dodge	(2) 2017 Dodge Ram 1500 Tradesman Quad 2wd	\$46,336

**Primmer moved/Bierschenk seconded:** Award the bid to Thys Dodge for (2) 2017 Dodge Ram 1500 Tradesman Quad 2wd trucks for \$46,336. Motion carried.

Dell Hanson raised concern about the gravel roads and speed on them. Hanson questioned if there could be any studies done to lower the speed limit on the gravel roads. Wiley questioned on the ability to enforce speed limits on gravel roads and the cost of signage. Hanson stated maybe they could make the public aware of what the speed limit is on the gravel roads. Speed limit is 55 during daytime and 50 during the nighttime. Hanson also commented on the danger caused by dumping and burning in the ditches when driving along these areas at a high speed.

Board discussed appointing members to a standing County Facility Security Committee. Wiley stated Judge Bruns gave him some guidelines for courthouse security. The Committee should meet maybe monthly to start and then after things get established maybe quarterly to bi-annually. If the elected official has a designee the designee should not change from time to time

**Primmer moved/Bierschenk seconded:** To appoint the following members to the County Facility Security Committee. Motion carried.

Chairman: Sheriff, Ronald Tippet  
 Secretary: Clerk of Court, Julie Hassenius  
 Auditor or designee  
 Treasurer or designee  
 Recorder or designee  
 Attorney or designee  
 Conservation Director or designee  
 Engineer or designee  
 Transportation Director or designee  
 Veterans Affairs Director (Governor Sherman building designee)  
 EMA Director  
 Josh Karsten  
 DHS Director or designee  
 Board of Supervisor, Rick Primmer  
 Judge Sean McPartland (Court representative)  
 Barb Greenlee (Basement level designee)

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
 Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
 Gina Edler, Deputy Benton County Auditor

June 20, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of June 13, 2017. Motion carried.

Rick Bramow, Courthouse maintenance updated the board on the air conditioning issues at the Governor Sherman Building in the volunteer office. Rabe Hardware estimated the replacement costs around \$3600. Other options may be to change duct work but no guarantee that will fix the problems.

**Primmer moved/Bierschenk seconded:** To approve replacing the air/heating unit at the Governor Sherman Building for the volunteer office. Motion carried.

**Primmer moved/Wiley seconded:** To acknowledge Jerry Michael's retirement from Sheriff's office effective September 30, 2018. Motion carried.



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

Ron Tippet spoke to the board about alarm services. There is a yearly maintenance agreement fee. The yearly certificate is required for the jail inspection. Tippet would like to get a meeting set up with a Rep from the company to come and explain in more detail what all this maintenance agreement covers. He would like one of the Supervisor's to be present for this.

**Bierschenk moved/Primmer seconded:** To approve cigarette permit for Kimm's Mini-Mart. Motion carried.

**Primmer moved/Bierschenk seconded:** To adopt Resolution #17-42, Bank Depositories. Wiley abstained due to conflict of interest. Primmer and Bierschenk voting aye thereon, motion carried.

### Resolution #17-42

#### 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 2018.

US Bank	
Vinton	\$ 500,000
Farmers Savings Bank & Trust	
Vinton/Traer	\$ 20,000,000
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	\$ 5,000,000
Chelsea Savings Bank	
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/Vinton	\$ 5,000,000
Central State Bank	
Walford	\$ 2,000,000
Atkins Savings Bank & Trust	
Atkins	\$ 750,000
Keystone Savings Bank	
Keystone	\$ 1,000,000
Dysart State Bank	
Dysart	\$ 500,000
Security State Bank	
Urbana/Independence	\$ 1,000,000

Signed this 20<sup>th</sup> day of June, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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

**Bierschenk moved/Primmer seconded:** To adopt Resolution #17-43 FY 18 Appropriations. Motion carried.

### RESOLUTION # 17-43 APPROPRIATIONS

**WHEREAS**, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2017, 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 as shown, published, and approved in the County Budget for fiscal 2017/2018 on March 7, 2017, be and are itemized by service area to each department on the budgets filed in the office of the county auditor on July 1, 2017 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. Further, the auditor is authorized to expend funds from the following budgets: Auditor, Elections, District Court, General Services, Non-departmental, GIS, Medical Examiner, Human Resources, and other budgets not under the specific authority of an elected official or full-time county official to ensure the day-to-day operations of the county.

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, 2017.

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 2017-2018 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 at least quarterly during the 2017-2018 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 end of the business day on June 20, 2018, for payment of goods and services received and/or performed as of that date. The board reserves the right to waive this date at its sole discretion for specific payments for the provision of goods and services that it deems should be paid within said fiscal year.

Section 8. Departmental appropriations remain in full force and effect through June 30, 2018, for payroll expenses occurring after the date stated in Section 7, for the final processing of expenses submitted on or before June 20, 2018, and for any expenses approved by the Board of Supervisors subsequent to June 20, 2018. All appropriations will lapse at the close of business June 30, 2018.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 20, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

**Primmer moved/Bierschenk seconded:** To adopt Resolution #17-44 Official Bank Depository Limits. Motion carried.

### RESOLUTION #17-44 COUNTY OFFICIAL BANK DEPOSITORY LIMITS

IT IS HEREBY RESOLVED by the Benton County Board of Supervisors that we do hereby designate the following named banks to be depositories for County funds in amounts not to exceed the amount named opposite said depository and the following named county officers are hereby authorized to deposit said County funds in amounts not to exceed the maximum amount named after said bank as follows for fiscal year 2018:

Lexa Speidel, Recorder US Bank	\$150,000
Ron Tippett, Sheriff Farmers Savings Bank & Trust – Vinton	\$ 500,000
Ron Tippett, Sheriff US Bank	\$ 1,000
Ron Tippett, Sheriff Regions Bank	\$ 100,000
Hayley Rippel, Auditor US Bank	\$ 5,000
Dana Burmeister, Transportation Dept. Midwest One Bank	\$ 2,500

Signed this 20<sup>th</sup> day of June, 2017

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-45, FY 18 Salary Certifications. Motion carried.

**RESOLUTION #17-45**  
CERTIFICATION OF DEPUTY SALARIES FOR FY18

WHEREAS, Iowa Code 331.904(1) states that auditor, treasurer, and recorder shall certify the annual base salary of the deputies in the auditor’s, recorder’s, and treasurer’s office pursuant to said code section; and

WHEREAS, Iowa Code 331.904(2) states that the sheriff shall certify the salaries of the first and second deputies within his department pursuant to said code section; and

WHEREAS, Iowa Code 331.904(3) states that the county attorney shall set the salaries of the assistant county attorneys pursuant to said code section; and

WHEREAS, the salaries of the deputies and assistants of the auditor, treasurer, recorder and sheriff, have been certified by the principal officers to the board of supervisors; and

WHEREAS, the base salaries will not exceed the limitations specified in Iowa Code for the deputies in the auditor’s, treasurers, recorder’s and sheriff’s departments; and

WHEREAS, Iowa Code 331.904 states that the Board shall certify the salaries to the county auditor if the salaries are within the budgets set for the auditor, treasurer, recorder and sheriff,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the following salaries for deputies and assistants in the respective offices be certified to the county auditor:

Auditor’s Office:

- Gina Edler – 85% of the principal officer
- Nancy Jorgensen –65% of the principal officer

Treasurer’s Office:

- Michele Sauer – 82.5% of the principal officer
- Melinda Schoettmer – 72.5% of the principal officer
- Rose Sackett – 62.5% of the principal officer

Recorder’s Office:

- Melissa Boisen –80 % of the principal officer

Sheriff’s Department:

- Michael Ferguson –85 % of the principal officer
- John Lindaman – 80% of the principal officer

FURTHER BE IT KNOWN that the county attorney has set the salaries for the assistants in his office as follows:

- Brett Schilling – 85% of the principal officer
- Kelly Smith-\$69,010.00/year

Dated this 20th day of June 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

County Attorney David Thompson and Deb Fleming presented some figures from the 2016-2017 collections of delinquent court obligations. The report was broken down by the 3 counties involved: Benton, Tama and Bremer. Benton County netted \$147,069.46 out of the \$807,625.78 total collected not counting the month of June. Thompson feels

## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

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confident his staff is ready to take on another county without adding additional staff. Buchanan County has approached Benton County to enter into the same type of agreement Benton County has with Tama and Bremer County.

**Primmer moved/Bierschenk seconded:** To enter into a 28E Agreement for Benton and Buchanan County for collection of delinquent court obligations starting with fiscal year 2017-2018.

**Bierschenk moved/Primmer seconded:** To approve employee contract for Deb Fleming in the County Attorney's office effective July 1, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve and sign final IDOT contract construction progress voucher with LL Pelling Co., Inc for projects FM-CO06—55-06 & FM-CO06(105)—55-06. Motion carried.

The supervisors toured the Auditor's office. Auditor Rippel provided the tour and explained the different duties in her office and who handles what. The Auditor also houses the IT Director in her office space. She feels it is beneficial to have him more publicly available then housed in the basement in the noisy server rooms. Her office is adjusting well to all the changes in the past 6 months and is constantly learning new duties and cross training along the way.

**Primmer moved/ Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

June 27, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of June 20, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve payment of checks numbered 223713 through 223889, payroll checks numbered 139538 through 139558, and ACH deposits numbered 31283 through 31416, vendor checks numbered 223890 through 223894. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve fireworks application for Chris Herr on July 8, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve and sign Law enforcement contract for FY 18 with City of Walford with total cost of \$18,095.00 a year. An additional 250 hours will be divided over the months of July, August, September of 2017 and May and June of 2018. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Myron and Esther Lown in part of the SW SW of 28-85-9. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Myron Lown was present along with one adjoining property owner and one member of the media. Lown would like to place a motorhome on a 16X48 cement slab. Requesting to change 2 acres of the total 20 acre parcel. Residence needs new septic, and driveway. Adjacent property owner Rick Nugent had no objections other than his main concern being the water table. Greenlee pointed out that if in the future, anything other than an RV/Mobile home is in its place, the septic would require an update. It meets all other requirements.

**Primmer moved/Bierschenk seconded:** To approve land use change for Myron and Esther Lown to place a Recreational vehicle on 2 acres on part of the SW SW of 28-85-9. Motion carried.

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

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**Primmer moved/Bierschenk seconded:** To adopt Resolution #17-46, Sub-Division Variance. Motion carried.

**RESOLUTION #17-46**

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors by John and Norma Mitchell to vary the requirements of the ordinance to allow one additional division by plat of survey on a parcel located within the SW ¼ of 34-83-9.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied in its entirety for one additional division of real property located in the parcel located within the SW ¼ of 34-83-9.

Adopted this 27th day of June, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

**Bierschenk moved/Primmer seconded:** To adopt Resolution #17-47, Interfund Operating Transfers. Motion carried.

**RESOLUTION #17-47**  
**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 2017-2018 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, 2017, 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	\$ 181,202.00
General Basic	General Supplemental	\$ 1,200,000.00
General Basic	Debt Service	\$ -
General Basic	Land Acquisition	\$ 25,000.00
Rural Services Basic	Secondary Road	\$ 2,350,693.00

Section 2. The auditor shall order a transfer each quarter of fiscal year 2017-2018. Said quarterly transfers shall be one quarter of the total transfer to each fund as set forth in Section 1.

Section 3. Exceptions to Section 2 shall be transfers to the Conservation Land Acquisition fund, which may be done at any time during the fiscal year

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).

Section 4. The amount of any transfer shall not exceed available fund balances in the transferring fund.

Section 5. The auditor is directed to transfer said funds in accordance with this resolution 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 27th, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:  
  
\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

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**Primmer moved/Bierschenk seconded:** To adopt Resolution #17-48, Transfer of Funds. Motion carried.

**RESOLUTION #17-48**  
**TRANSFER OF FUNDS**

BE IT RESOLVED by the Benton County Board of Supervisors that the following interfund funds are ordered:

- Local Option Sales & Services (LOSST) to Secondary Roads - \$255,000.00
- Local Option Sales & Services (LOSST) to Rural Services - \$255,000.00
- Local Option Sales & Services (LOSST) to General Basic - \$65,634.00

The auditor is authorized to make the necessary adjustments to the FY17 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 27th, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

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**Primmer moved/Bierschenk seconded:** To approve Resolution #17-49, Commit/Assign fund Balances. Motion carried.

RESOLUTION #17-49  
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, 2017:

COMMITTED FUND BALANCES:

**General Fund:**

- \$16,000 sanitarian vehicle replacement;
- \$95,000 election equipment replacement;
- \$50,000 emergency response;
- \$500,000 infrastructure upgrades;
- \$74,000 land acquisition
- \$16,500 IT upgrades

**Rural Services Fund** - \$16,000 land use administrator vehicle replacement

**EMS Revolving Loan Fund** – \$119,353 for emergency services loans

**LOSST Fund** - \$50,000 for technology upgrades and infrastructure;  
\$234,000 GIS aerial flight;

BE IT RESOLVED that committed fund balances established prior to June 30, 2017, are hereby uncommitted as of June 30, 2017, 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

Signed this 27<sup>th</sup> of June 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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

**Bierschenk moved/Primmer seconded:** Approve Resolution #17-50, Amend Service Area. Motion carried.

**RESOLUTION #17-50**  
SERVICE AREA BUDGET AMENDMENT

**WHEREAS**, the Benton County Board of Supervisors adopted the FY2017 budget on March 8, 2016; 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 FY2017 county budget is hereby amended within the following service areas:

Service Area 1 - \$6,500 from Function 1000 (Fund 0001 Department 05) to Function 1110 (Fund 0001 Department 28)

**IT IS FURTHER RESOLVED** that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 27<sup>th</sup> day of June 2017.

\_\_\_\_\_  
Todd A. Wiley

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** To authorize Supervisor Bierschenk to prepare a letter of support for right hand turning lanes along HWY 30 for the following locations: 32<sup>nd</sup> Ave, 30<sup>th</sup> Ave, 26<sup>th</sup> Ave, 21<sup>st</sup> Ave, 15<sup>th</sup> Ave, 16<sup>th</sup> Ave and 13<sup>th</sup> Ave. Motion carried.

Members of the Benton County Fair board came to request more funding from Local Option Sales and Services Tax (LOSST) funds to help finish their projects. They originally requested \$150,000 last year but were allocated \$123,000 plus the additional annual support in the amount of \$23,500. Chairman Wiley pointed out that the annual funding can only be used for capital improvements and other areas and stressed the need for receipts. Bierschenk felt the fair was very valuable to the county and Primmer added that it brings a lot of people into town, but it would be nice to see what the money is going towards. Fair board members stated they would not be coming before the board every year asking for additional money, but would like to continue with the current improvements as planned. Wiley suggested they do the work, then provide invoices to get the funding.

**Primmer moved/Bierschenk seconded:** To approve funding to the Benton County Fair Board in the amount not to exceed \$27,000. Motion carried.

The Board conducted employee evaluations. Rick Bramow chose not to go into closed session. The board reviewed what was discussed last year as well as the future goals for the upcoming year and budgeted needs. The Board feels Bramow does an excellent job of keeping this facility well maintained and are grateful for the work he does.

Toni Parizek, Veterans affairs director requested that the board go into closed session to perform her evaluation.

**Primmer moved/ Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)(i). Motion carried at 11:05 a.m.

**Bierschenk moved/ Primmer seconded:** To return to open session. Motion carried at 11:45 a.m.

Ben Turnis, IT director requested that the board go into closed session to perform his evaluation.

**Primmer moved/ Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)(i). Motion carried at 11:50 a.m.

**Bierschenk moved/Primmer seconded:** To return to open session. Motion carried at 12:25 p.m.

**Bierschenk moved/Primmer seconded:** To approve and authorize chair to sign IEDA initiated contract amendment for the National Disaster Resilience (NDR) grant. Motion carried.

**Bierschenk moved/ Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

June 30, 2017

The Benton County Board of Supervisors met in special session with Supervisors Wiley, and Bierschenk via telephone and Primmer present. The meeting was called to order at 2:30 p.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve a handwritten check for the amount of \$17,477.00 to Iowa State Association of Counties. Motion carried.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Gina Edler, Benton County Deputy Auditor

July 11, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of June 27, 2017 and June 30, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 223895 through 224045, payroll checks numbered 139559 through 139577, and ACH deposits numbered 31417 through 31552, vendor checks numbered 224046 through 224052. Motion carried.

**Bierschenk moved/Primmer seconded:** To set land use hearing date of Tuesday August 8, 2017 at 9:15 a.m. for Terry and Sue Hart for part of the SW ¼ SW ¼ of 12-85-12. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve fireworks permit for Wildcat Golf Course for July 15, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve and authorize chair to sign Heartland Insurance Risk Annual Audit. Motion carried.

Chairman Wiley gave update about the RVP Draft proposal contract for the WMA Water Management plan. Interviews will be conducted soon.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Marty and Emily Fisher in part of the NW ¼ SW ¼ of 12-85-12. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Marty Fisher was present along with Traci Fisher, Schlarbaum Realty and one member of the media. Fisher's would like to build a new home on 1 acre of the total 5 acre parcel. Residence will need a new septic and well but has an existing useable driveway and CSR is a 37. There were no comments for or against from the adjoining property owners. This area of land meets all the requirements.

**Bierschenk moved/Primmer seconded:** To approve land use change for Marty and Emily Fisher to build a home on 1 acre on part of the NW ¼ SW ¼ of 12-85-12. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the hiring of three part-time employees in the sheriff's office. Catherine Clouse, Lydia Clouse and Sandra Rublack, effective June 29, 2017 at a starting wage of \$13.24 an hour then moving to \$14.24 an hour after training is completed. Motion carried.

Marc Greenlee, Sanitarian requested that the board go into closed session to perform his evaluation.

**Primmer moved/ Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)(i). Motion carried at 9:35 a.m.

**Primmer moved/ Bierschenk seconded:** To return to open session. Motion carried at 10:15 a.m.

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

**Bierschenk moved/ Wiley seconded:** To approve Resolution #17-51, Bridge Embargo Removal. Motion carried.

RESOLUTION #17-51

WHEREAS, the structure at this location has 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 restriction previously imposed on this structure be removed. The structure is located as follows:

FR-2006                    0.6 mile south of the NW corner of section 4-83N-9W (Fremont Township) on 30<sup>th</sup> Avenue

Signed this 11<sup>th</sup> day of July 2017.

\_\_\_\_\_  
Todd A. Wiley

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-52, Temporary Bridge Closure. Motion carried.

RESOLUTION #17-52

WHEREAS: Benton County has a bridge located on 21<sup>st</sup> Avenue south of the NW corner of Section 1-T84N-R11W (Big Grove Township), and

WHEREAS: This bridge deck has been damaged and deteriorated to the extent that it is unsafe for traffic.

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that this bridge be closed and

BE IT FURTHER RESOLVED that the bridge and approach road segment remain closed for construction through the completion of the project.

Signed this 11<sup>th</sup> day of July, 2017.

\_\_\_\_\_  
Todd A. Wiley

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Sheriff Tippet provided an update to the board along with his quarterly report. They replaced the kids' ID System and will be set up at the Benton County Fair. The jail has been busy housing out of county prisoners with an average of 24/25 inmates. The jail can hold up to 38 but Tippet said the goal is to keep it around 30 inmates to keep it more manageable with his staff. They currently are working on implementing a citizen's sheriff's academy. This will be training sessions open to the public to bring awareness to citizens of what all the Sheriff's department handles. Also touched on body cams on the deputies and how they are working on a policy to be in accordance with the law. Sheriff Tippet also commented on how accommodating the Auditor's office has been with various questions that have arised.

## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

**Bierschenk moved/Primmer seconded:** To approve the Sheriff’s quarterly report ending June 30, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, County Auditor

July 18, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

Land owner, Wayne Siela, discussed with the board, a weed complaint in the counties ditches. He questioned if the weed department would use a 15 foot boom, if that would help spray the ditches. He told the board to look at the Mt Auburn black top and look in the ditches to see what he is talking about.

**Bierschenk moved/ Primmer seconded:** Approve the minutes of July 11, 2017 with correction of RFE to RFP. Motion carried.

Bob Dahl presented the board a petition for seal coating estimate on 22<sup>nd</sup> Ave. County Engineer, Myron Parizek, presented the board an estimate coming to a total of \$125,000. The board explained to Dahl that there would be a special property tax levy on the properties for the land owner’s responsibility of 50%. Board questioned if the neighbors that signed the petition had seen the estimate yet and were made aware of their responsibility to pay 50% of the cost? Dahl said that they have not seen the estimate yet. Board questioned if the neighbors would still be in favor of the seal coating after seeing the estimate and knowing what they would have to pay. Since 22<sup>nd</sup> Ave butts up to a County Highway, the board would be in favor of sealcoating this road if the land owners pay their 50%. Parizek stated that the Iowa Code allows 5-10 years with interest to pay off the special property tax levy. The other 2 seal coating projects that the county has shared with land owners has been done on a 5 year plan. The Board directed Dahl to talk to the neighbors on how to split the cost and how they would like to pay for it.

**Primmer moved/Bierschenk seconded:** To approve semi-annual and quarterly investment report. Motion carried.

**Primmer moved/Bierschenk seconded:** To authorize chair to sign AIA Contract agreement with T & K roofing for Cedar Valley Ranch roof. Motion carried.

Jerry Petermeier gave a quick update on the status of the Cedar Valley Ranch roof. Petermeier stated that they look to be ahead of schedule and are doing well.

Sheriff Ron Tippett discussed with the board loaning city of Belle Plaine Police department a car because they are down a squad car. It would be for maximum of a week. Supervisor Wiley stated he didn’t think he needed formal action from the board on it and the board didn’t see a problem with it.

**Bierschenk moved/Primmer seconded:** To approve Veterans Affairs Quarterly Report ending June 30, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve Quarterly General Assistance Report ending June 30, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve use of courthouse lawn for Vinton Kiwanis Club on August 26, 2017. Pending correction of application with correct year. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Recorders Quarterly Report ending June 30, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To authorize chair to sign final IDOT Contract Construction progress voucher with Iowa Bridge & Culvert, LC for project FM-CO06(62)—55-06. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve utility permit requested by Farmer’s Mutual Telephone to install utility line in the county’s right-of-way in Benton Township. Motion carried.

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-53, Temporary Bridge Closure. Motion carried.

**RESOLUTION #17-53**

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for **CONSTRUCTION** effective from July 20, 2017, through the completion of the project.

From 74<sup>th</sup> Street south approximately 1.5 miles to 75<sup>th</sup> Street Drive along 20<sup>th</sup> Avenue in Leroy Township.

Signed this 18<sup>th</sup> day of July, 2017.

BENTON COUNTY BOARD OF SUPERVISOR'S

\_\_\_\_\_  
Chairperson

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

Board discussed with County Engineer, Myron Parizek, the protocol on spraying ditches in counties right-of-way. Parizek stated that the State/Federal guidelines do dictate what the county can and cannot spray in respect to endangered species.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Gina Edler, County Deputy Auditor

July 25, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of July 18, 2017 with a few wording changes about the road side spraying. Motion carried.

**Primmer moved/Bierschenk seconded:** To set land use hearing date of Tuesday August 22, 2017, at 9:15 a.m. for Jon and Ronda Welper in part of the SE ¼ SW ¼ of 32-86-10. Motion carried

**Bierschenk moved/Primmer seconded:** To approve farm exemption application for Joshua Hennings in SW ¼ of 10-83-12. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve use of courthouse lawn for Vinton Unlimited on Saturday August 26, 2017 for the 8<sup>th</sup> annual Boomtown festivities. Motion carried.

**Primmer moved/Bierschenk seconded with regret:** To acknowledge resignation of Alberta Reifenthal to the Benton County Historical Preservation Commission. Motion carried.

Early Retirement discussion was had concerning the history of the early retirement incentive and which employees are eligible. No action was taken, but it was agreed that this resolution will be re-visited in the near future. Supervisor Wiley would like to visit with Attorney Gruhn regarding the implication of the State Collective Bargaining statute as it relates to this county policy.

Dana Burmeister requested that the board go into closed session to perform her employee evaluation.

**Primmer moved/ Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)(i). Motion carried at 10:15 a.m.

**Primmer moved/ Bierschenk seconded:** To return into open session. Motion carried at 10:50 a.m.

Engineer presented bids that were received for HMA resurfacing PROJECTFM-CO06 (111)—55-06 (65<sup>TH</sup>Street/Homer Center) as follows:

- Pelling, L.L. Co., Inc. -\$1,909,954.00
- Aspro, Inc. -\$1,932,459.40
- Mathy Construction Company- \$2,069,602.62

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

OMG Midwest, Inc., d/b/a Cessford Construction Company -\$2,165,122.35

**Bierschenk moved/ Primmer seconded:** Accept bid with Pelling, L.L. Co, Inc. for \$1,909,954.00 for HMA resurfacing PROJECTFM-CO06 (111)—55-06. Motion carried.

Myron Parizek requested that the board go into closed session to perform his employee evaluation.

**Bierschenk moved/ Primmer seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)(i). Motion carried at 11:00 a.m.

**Primmer moved/ Bierschenk seconded:** To return into open session. Motion carried at 12:05 a.m.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 224053 through 224199, payroll checks numbered 139578 through 139592, and ACH deposits numbered 31553 through 31690, vendor checks numbered 224200 through 224205. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve and sign Law enforcement contracts for FY 18 with City of Urbana with total cost of \$12,220/year, City of Shellsburg -\$24,440/year, City of Norway-\$12,220/year and City of Keystone -\$24,440/year. Motion carried.

**Bierschenk moved/Primmer seconded:** To acknowledge receipt and approve amended annexation plat to City of Blairstown. Motion carried.

**Bierschenk moved/Primmer /seconded:** To Authorize chair to sign Quit Claim Deed(s) for the vacated county property in C. G. Turner's Addition to the unincorporated town of Watkins, and also for a parcel in Buffum's Addition to the City of Vinton. Motion carried.

**Primmer moved/ Bierschenk seconded:** Approve Resolution #17-53, Homestead, Military and Disabled Veterans Credits for FY 2017. Motion carried.

### RESOLUTION #17-53

#### APPROVAL AND DISAPPROVAL OF HOMESTEAD TAX CREDITS, MILITARY TAX CREDITS, AND DISABLED VETERAN'S HOMESTEAD TAX CREDITS FOR 2017 ASSESSMENT

WHEREAS, Iowa law provides that property owners may apply for certain credits against their property tax; and

WHEREAS, new applications for various credits have been submitted to the assessor, in accordance with law, for his approval or disapproval; and

WHEREAS, the assessor has made recommendations and provided said applications to the auditor; and

WHEREAS, the auditor has submitted said applications to the board of supervisors for their consideration; and

WHEREAS, the board of supervisors is required to allow or disallow the credit,

NOW THEREFORE BE IT RESOLVED that the following application for Disabled Veteran's Homestead Credit submitted to the assessor on or before July 1, 2017, is hereby disallowed based on the assessor's recommendation:

Parcel # 360-00600– Disabled Veteran's Homestead Credit

IT IS FURTHER RESOLVED that the remainder of the applications for Homestead Credit, Military Credit, and/or Disabled Veteran's Homestead Credit that were filed with the assessor on or before July 1, 2017, for the 2017 assessment year are allowed based on the assessor's recommendation. The assessor is to maintain a permanent file of the applications in accordance with law.

Signed this 25th day of July, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

It was reported that the weeds reported at the county parks have been taken care of.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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August 1, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of July 25, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve Auditor's Quarterly Report for period ending June 30, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To authorize chair to sign janitorial contract for the DHS office. Motion carried.

Discussion about the river rock that is needed to be removed from the Cedar Valley Ranch from the roof replacement construction that is progressing. The fair market value for the rock is \$20 a ton plus costs to transport it. Benton County Conservation has offered \$10 a ton and will use their equipment staff to do the hauling. The rock will be used in the county's parks and stored until needed.

**Primmer moved/Bierschenk seconded:** To agree to allow Benton County Conservation to haul the rock away from the Cedar Valley Ranch facility and do the clean-up as needed afterwards. They are obligated to verify the total weight hauled and pay \$10/ ton back to the county. Motion carried.

Carol Zander requested that the board go into closed session to perform her employee evaluation.

**Primmer moved/ Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)(i). Motion carried at 9:30 a.m.

**Primmer moved/ Bierschenk seconded:** To return into open session. Motion carried at 10:30 a.m.

**Bierschenk moved/Primmer seconded:** To set land use hearing date of Tuesday, August 29, 2017 at 9:15 a.m. for Elwick Bros, LLC in part of the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  and SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of 22-85-10. Motion carried

**Primmer moved/Bierschenk seconded:** Approve the hire of up to two part-time employees for the Transportation Department for \$13.68 an hour. Motion carried.

Benton County Weed Commissioner, Ben Bonar presented the board a rough draft of the right of way vegetation management policy. After some discussion, there was a few places to make some changes. Bonar will put on the Boards agenda when this is ready for adoption.

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

**Bierschenk moved/ Primmer seconded:** Approve Resolution #17-54, Bridge Embargo Removal. Motion carried.

### RESOLUTION#17-54

WHEREAS, the structure at this location has 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 restriction previously imposed on this structure be removed. The structure is located as follows:

KA-4420                      0.4 mile east of the NW corner of section 14-83N-12W (Kane Township) on 70<sup>th</sup> Street/E44

Signed this 1<sup>st</sup> day of August 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Reports on various committee meetings attended and a few reminders for others upcoming.  
**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

August 8, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of August 1, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 224206 through 224354, payroll checks numbered 139593 through 139612, and ACH deposits numbered 31691 through 31826, vendor checks numbered 224355 through 224361. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve Class B Liquor License for Blairstown Sauerkraut Days. Motion carried.

**Primmer moved/ Bierschenk seconded:** To approve and sign Law enforcement contract for FY 18 with City of Blairstown with a total cost of \$18,330 a year to be paid quarterly. Motion carried.

**Bierschenk moved/Primmer seconded:** Acknowledge resignation from Kary Moore as Homer Township Clerk. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Terry and Sue Hart in part of the SW SW of 12-85-12. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Hart's would like to create a new non agriculture use for a country store in the basement of their existing home. There is a possibility of them building a separate building in the future. Only hearing from one adjoining neighbor by phone call concerning animals. Hart's currently raise Alpaca's. They produce yarn from their shavings that they will sell within the new store along with other products. **Primmer moved/Bierschenk seconded:** To approve land use change for Terry and Sue Hart to create a country store on an existing residence in part of the SW SW of 12-85-12. Motion carried.

Jerry Petermeier provided an update on the Cedar Valley Ranch roof. The project is progressing well but still not complete. The conservation department has picked up all the rock as agreed.

Benton County Weed Commissioner, Ben Bonar presented the board a final draft of the right of way vegetation management policy. He went over the changes he made. The board questioned if they want this policy to be incorporated

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

into the Integrated Roadside Vegetation Management (IRVM) plan or have it as a separate policy. It was agreed to hold off on adopting the policy until the IRVM committee meets again and can give their input.

**Bierschenk moved/Primmer seconded:** Approve and sign contract and contractors bond with L.L. Pelling Co., Inc. for HMA resurfacing on E36: Project No. FM-CO06-(111)—55-06. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve and sign Agreement 2018-C-009 for IDOT project along HWY 30/218 intersection. Motion carried.

**Bierschenk moved/Primmer seconded:** Appoint Randy Schirm to fill the position of Homer Township Clerk. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

August 15, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of August 8, 2017. Motion carried.

**Primmer moved/ Bierschenk seconded:** To approve and sign law enforcement contract for FY 18 with City of Garrison with a total cost of \$3,666.00 a year to be paid quarterly. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve claim for the University of Iowa, WMA administration costs. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve Resolution #17-55, Tax abatement. Motion carried.

**RESOLUTION #17-55**

WHEREAS, the City of Belle Plaine and State of Iowa have acquired property and were given the appropriate notice of the taxes due; and

WHEREAS, these entities failed to pay said tax; and

WHEREAS, Iowa Code 445.63 provides that the board of supervisors shall abate the tax if the governing body fails to immediately pay the tax,

IT IS THEREFORE RESOLVED that the 2016 tax assessed against parcels #660-01700, 740-11220 and 890-17110 are hereby abated in full pursuant to Iowa Code 445.63. The treasurer is directed to strike the amount due from the county system.

Dated this 15<sup>th</sup> day of August 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:  
\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

**Primmer moved/Bierschenk seconded:** Approve Resolution #17-56, Compromise Tax. Motion carried.

### RESOLUTION #17-56

WHEREAS, the Benton County Treasurer has reported that we hold a "County Held Tax Sale Certificate" and

WHEREAS, there are currently tax liens filed against the property and has determined that it is impractical to pursue collection of the total amount of taxes due, and there is a n interested party in purchasing the property and has recommended that the board of supervisors compromise the tax on this parcel,

IT IS THEREFORE RESOLVED that the delinquent tax, penalty, interest and costs assessed on the below listed parcel and unpaid through the 2017 assessment year, are hereby compromised pursuant to Iowa Code 445.16. The agreement has been approved with the stipulation the interested party will sign agreement within 30 days of this resolution.

18B102LS1873-\$574.00

Dated this 15th day of August, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

The Supervisors visited the Treasurer's office.

**Bierschenk moved/Primmer seconded:** Approve hiring of Shelly Lynn Flickinger-Williams, as a part-time driver in the transportation department with a starting pay of \$13.68 an hour, effective August 16, 2017. Motion carried.

The Board toured various Benton County Conservations Parks within Benton County.

**Primmer moved/Bierschenk seconded:** To adjourn at 6:24 p.m. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

August 22, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of August 15, 2017. Motion carried.

**Primmer moved/ Bierschenk seconded:** To approve and sign law enforcement contract for FY 18 with City of Mt. Auburn with a total cost of \$611.00 a year to be paid quarterly. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve payment of checks numbered 224362 through 224523, payroll checks numbered 139613 through 139632, and ACH deposits numbered 31827 through 31964, vendor checks numbered 224524 through 224529. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for John and Ronda Welper in part of the SE SW of 32-86-10. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. John Welper was present along with adjoining land owner John McNeill. Welper's would like to build a new home and change the use of 2 of the 36 acres they own. Greenlee feels that it is a compatible use in reference to adjoining land use. The CSR of this ground is a 25, and this area will need a new well and septic. A new driveway already exists and is in compliance. McNeill commented how the property looks nice and he is in favor. **Bierschenk moved/Primmer seconded:** To approve land use change for John and Ronda Welper to change 2 acres for a new residence in part of the SE SW of 32-86-10. Motion carried.

**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-57, Change Employee’s Status in Sheriff’s office. Motion carried.

**RESOLUTION #17-57**

CHANGING EMPLOYMENT STATUS OF Caitlan Schoenberger FROM FULL-TIME EMPLOYEE TO PART-TIME EMPLOYEE

WHEREAS, Schoenberger has been employed by Benton County since May 29, 2015, and WHEREAS, the Sheriff recommended that Schoenberger have her employment status be changed from full-time to part-time,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Caitlin Schoenberger be changed to part-time communications specialist in the Sheriff’s office, effective August 22, 2017.

AND

CHANGING EMPLOYMENT STATUS OF Trish Lagrange FROM PART-TIME EMPLOYEE TO FULL-TIME EMPLOYEE

WHEREAS, the Benton County Sheriff’s office has a need for a full-time communication specialist; and WHEREAS, Lagrange has been employed by Benton County as part-time since December 27, 2016, and

WHEREAS, the Sheriff recommended that Lagrange have her employment status be changed from part-time to full-time, NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Trish Lagrange be changed to full-time

Communications officer in The Sheriff’s office, effective August 28, 2017 at \$15.99 an hour and waive her probation period.

AND

CHANGING EMPLOYMENT STATUS OF Keith Mell FROM PART-TIME EMPLOYEE TO FULL-TIME EMPLOYEE

WHEREAS, the Benton County Sheriff’s office has a need for a full-time corrections officer; and WHEREAS, Mell has been employed by Benton County as part-time since December 27, 2016, and

WHEREAS, the Sheriff recommended that Mell have his employment status be changed from part-time to full-time, NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Keith Mell be Changed to full-time corrections officer in the Sheriff’s office, effective August 31, 2017 at \$14.99 an hour and after he Completes his required training will waive his probation period and change his wage to \$15.99 an hour.

Dated this 22<sup>nd</sup> day of August, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To approve and authorize the chair to sign Affirmation of Duplication of Benefits and Subrogation and Assignment for National Disaster Resiliency Infrastructure/Watershed CDBG Grant Project, and the Procurement Professional Services Memorandum as associated with the Resiliency ( Watershed) Grant. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve and authorize a signature on the agreement contract with Emmons & Olivier Resources, Inc. and Benton County, Iowa for the Resiliency Grant Planning Services. Motion carried.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

August 29, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of August 22, 2017. Motion carried.

## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

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**Bierschenk moved/Primmer seconded:** To Approve Resolution #17-58, Gift of LOSST Funds. Motion carried.

### RESOLUTION #17-58

WHEREAS, the Benton County Board of Supervisors has established a program for gifting funds to emergency service providers who provide services within the unincorporated area of Benton County; and

WHEREAS, the Newhall Department has requested a gift of funds; and

WHEREAS, the Newhall Fire Department provides emergency services to areas in Eldorado Township, City of Newhall and mutual aid to other townships; and

WHEREAS, the Newhall Fire Department has provided an invoice for \$36,000 for the purchase of a used tanker truck; and

WHEREAS, the Newhall Fire Department agrees that the truck obtained with the proceeds of this gift shall be used when necessary for rural fire protection and/or life support operations, consistent with the intended use of the money from the Local Option Sales and Services Fund,

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors approves an Emergency Services Equipment Gift to the Newhall Fire Department in the amount of \$3,600.00 which represents ten percent of the total purchase price for the truck.

Adopted this 29th day of August, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/ Bierschenk seconded:** To approve and sign law enforcement contract for FY 18 with City of Newhall with a total cost of \$18,330.00 a year to be paid quarterly. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Elwick Bros LLC in part of the SW SW & SE SW of 22-850-10. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Mike Elwick, his realtor and surveyor were all present, along with one member of the media, and various adjoining land owners and representatives. Elwick's would like to change 22.7 acres into non agricultural use and has proposed a 9 lot sub-division. Average CSR is 62. It is off a hard surfaced road. Evaluations have been done on the site and it is suitable for individual wells and septic. Part of the land is in production currently and the rest is timber and creek. Nothing will be built in flood plain area and there will be some restrictive covenants. Supervisor Wiley asked to limit the comments to keep things moving efficiently. A letter written by Carolyn Hibbs was read by Greenlee. Hibbs was concerned about the housing so close to her ground consisting of a quarry, along with safety issues and the impact of the current use of the wildlife habitat. An additional letter was read by Hibbs' Attorney written by Jerry Ackerman, a friend of Hibbs who frequents the property. This development would disrupt all the years of nurturing that has been done to cherish the late Mike Hibbs "sacred place". Another adjoining land owner Brad Knudson spoke of his concerns with lots 6 and 7 and the high CSR of that particular triangular area and how that is reflected in the land use and preservation ordinance. Barry Adams was there to provide support to maintaining Hibbs legacy. Carolyn Hibbs provided additional photos and questioned easements and a possible boundary dispute. Mike Elwick assured they would not stop current easements and assured that the future new owners wouldn't either. After no further comments, Wiley entertained a motion.

**Primmer moved/Wiley seconded:** To approve land use change for Elwick Bros LLC to change 22.7 acres for non- agricultural use in part of the SW SW & SE SW of 22-85-10. Voting aye were Wiley and Primmer, Bierschenk nay. Motion carried.

**Primmer moved/Wiley seconded:** To approve Preliminary Plat of Stoney Arch Estates First Addition. Wiley and Primmer ayes, Bierschenk nay. Motion carried.

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-59, Variance to Sub-Division. Motion carried.

### RESOLUTION #17-59

Variance to the Benton County Subdivision Ordinance

WHEREAS, Elwick Bros LLC., has requested a variance to the Benton County Subdivision Ordinance #72; and

WHEREAS, the Board believes that certain requirements should be varied,

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with regards to the division of real property located in the SW ¼ SW ¼ & SE ¼ SW ¼ of 22-85-10 and owned by Elwick Bros LLC.

#### Article VII: Section 7.01 Other Provisions

FURTHER IT IS RESOLVED that the owners shall comply with the remaining requirements set forth in the Benton County Subdivision Ordinance #72.

Adopted this 29th day of August, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)k. Motion carried at 10:40 a.m.

**Primmer moved/Bierschenk seconded:** To enter into open session. Motion carried at 11:05 a.m. Ben Turnis, IT Director, presented an RFP for printer contracts to the board. It was agreed by the board to move forward.

**Bierschenk moved/Primmer seconded:** To authorize Mindy Burke, DHS to enter into a service agreement for a new copier. Motion carried.

Scott Hansen invited the board to an EOC training session to be held on Wednesday August 23, 2017. Early Retirement Discussion was had. The original intent was to save money by providing longtime employees an incentive to retire and hiring a replacement for less. There was also debate on how this would affect those in bargaining units, particularly if there are no longer bargaining units. And if elected officials get replaced at the same salary as they left, where was the cost saving. Supervisors questioned the benefit to tax payers, and if everyone was being treated fairly. This was a policy adopted by a previous board and it was agreed it definitely has controversy. If kept, it will need to be made clearer. No action was taken.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

September 5, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of August 29, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To acknowledge resignation of John Mayhew in Secondary Roads Department effective November 30, 2017. Motion carried.

**Bierschenk moved/ Primmer seconded:** To approve farm exemption application for Brandt Fehl in part of the SW ¼ NW ¼ 25-86-12. Motion carried.

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

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**Bierschenk moved/Primmer seconded:** To Approve Resolution #17-60, Variance to Sub-Division. Motion carried.

### RESOLUTION #17-60

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors by Vernon Kuhn Trust to vary the requirements of the ordinance to allow one additional division by plat of survey on a parcel located within the NW  $\frac{1}{4}$  of 11-86-9.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied in its entirety for one additional division of real property located in the parcel located within the NW  $\frac{1}{4}$  of 11-86-9.

Adopted this 5th day of September, 2017.

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Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To acknowledge resignation of Craig Petersen, part-time driver in the Transportation Department effective August 29, 2017. Motion carried.

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-61, Accepting final plat of Stoney Arch Estates First Addition to Benton County, Iowa. Motion carried.

**RESOLUTION #17-61  
RESOLUTION APPROVING PLAT  
STONEY ARCH ESTATES FIRST ADDITION TO BENTON COUNTY, IOWA**

WHEREAS, A PLAT OF STONEY ARCH ESTATES FIRST ADDITION TO BENTON COUNTY, IOWA containing ten (10) lots, numbered 1 through 9, and Outlot A, has been presented to the Benton County, Iowa, Supervisors consisting of the following described real estate: A part of the SW1/4 SW 1/4 and SE 1/4 SW 1/4 Section 22-T85N-R10W of the 5th PM, Benton County, Iowa described as follows:

Beginning at the NW corner of said SW1/4 SW1/4;  
thence N89°07'20"E along the north line of said SW 1/4 SW 1/4 and SE 1/4 SW 1/4 Section 22, 1888.18 feet;  
thence S00°26'34"E, 259.94 feet;  
thence S89°38'15"W, 126.94 feet;  
thence W-ly on an arc of 80.13 feet of a 200.00-foot radius curve to the left having a chord length of 79.59 feet bearing S78°09'37"W;  
thence S00°27'09"E, 849.22 feet to the centerline of 61<sup>st</sup> St Ln;  
thence E-ly along said centerline on an arc of 633.92 feet of a 1407.40-foot radius curve to the left having a chord length of 628.57 feet bearing S71°26'02"E to the south line of said SE 1/4 SW 1/4 Section 22; thence S89°18'51"W along said south line, 973.33 feet to the west line of said SE 1/4 SW 1/4 Section 22; thence N00°10'54"E along said west line, 506.81 feet to said centerline;  
thence N49°59'50"W along said centerline, 988.64 feet;  
thence continuing W-ly along said centerline on an arc of 406.34 feet of a 572.96-foot radius curve to the left having a chord length of 397.88 feet bearing N70°18'51"W;  
thence continuing S89°22'08"W along said centerline, 184.39 feet to the west line of said SW 1/4 SW 1/4 Section 22;  
thence N00°27'02"E along west line of said SW 1/4 SW 1/4 Section 22, 34.78 feet to the Point of Beginning, containing 23.18 acres which includes 2.32 acres of road right of way.

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 have executed and filed 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 Stoney Arch Estates First Addition to Benton County, Iowa, will be the same and is hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981.
2. Any new private water supply will be constructed with the approval of the Benton County Department of Health.
3. Any private on-site sewage treatments systems will be constructed with the approval of the Benton County Department of Health.

The Benton County Auditor is hereby directed to certify this Resolution Approving Plat and affix the same to said Plat as provided by law.

Adopted this 5th day of September, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor



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

**Primmer moved/Bierschenk seconded:** To approve tax suspension on parcel #240-72600 pursuant to Iowa Code section 427.9. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

September 12, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes of September 5, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve payment of checks numbered 224539 through 224703, payroll checks numbered 139633 through 139657, and ACH deposits numbered 31965 through 32101, vendor checks numbered 224530 through 224539. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve and sign law enforcement contract for FY 18 with City of Van Horne with a total cost of \$18,330.00 a year to be paid quarterly. Motion carried.

**Bierschenk moved/ Primmer seconded:** To approve farm exemption application for David Holst in part of the E ¼ SE ¼ 29-83-12. Motion carried.

**Primmer moved/Bierschenk seconded:** To acknowledge resignation of Logan Hahn, Park Ranger for Benton County Conservation effective September 22, 2017. Motion carried.

Auditor Rippel provided the 1999 agreement between Benton County and the Cedar Valley Ranch regarding the Audit report reflecting the amount payable to Benton County for FY 17.

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-62, Temporary Road Closure. Motion carried.

### RESOLUTION #17-62

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from September 5, 2017, through the completion of the project.

From Hwy 21 east approximately 5 miles to County Route V42 (15<sup>th</sup> Avenue) along County Route E36 (65<sup>th</sup> Street) in Homer Township.

Adopted this 12th day of September, 2017.

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Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-63, Bridge Embargo in Homer and Big Grove Township. Motion carried.

**RESOLUTION #17-63**

WHEREAS, the structures at these locations due to load rating computations, 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 new weight restrictions be imposed and restricted as follows:

- BG-1057                    **20** ton  
0.3 mile north of 68<sup>th</sup> Street on 17<sup>th</sup> Avenue (Big Grove Township).
- HO-1007 **25/40/40** ton  
0.3 mile north 63<sup>rd</sup> Street on 11<sup>th</sup> Avenue (Homer Township).

Adopted this 12th day of September, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To approve a request for a utility permit requested by Windstream to place utility lines in the county's right-of-way in Union Township along HWY 30 and 19<sup>th</sup> Ave. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve IT Acceptable Usage Policy per Jon Swanson's recommendations and IT Director's final review. Motion carried.

Ben Turnis, IT Director wanted guidance about attending a 2-day training session in Minnesota. The cost of the training is free, he would just have some travel expenses.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

September 15, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 2:30 p.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** To declare the canvass of the School Election to be complete and the votes cast to be official. The official results are to be recorded in the office of the County Auditor. Motion carried.

The following **School Board Directors** were elected:

- Belle Plaine: Valerie Coffman and Rima K. Johnson
- Public Measure A: 80-Yes 32-No
- Benton Community: District 4-Patrick Stepanek  
District 5-Theresa Ludeking  
District 6-Wayne Reinhardt
- Vinton-Shellsburg: District 1-Michael Timmermans  
At Large -Sue A. Gates and Robert S. Levis
- Kirkwood Community College Director District 6:  
Joel G. Thys
- Public Measure Z: 285-Yes 136-No

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Gina Edler, Benton County Deputy Auditor

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

September 19, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Primmer seconded:** Approve the minutes of Tuesday, September 12 and Friday, September 15, 2017. Motion carried.

**Bierschenk moved/Wiley seconded:** To appoint Rick Primmer to the Early Childhood Development Committee. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve pay increase for Marla Sutton, part-time in the Recorder's office to \$15 an hour effective September 16, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To set land use hearing date of Tuesday October 17, at 9:15 a.m. for Dave and Mary Coots in Parcel A in SW ¼ SW ¼ of 31-86-10. Motion carried.

Tami Stark, Brenda Hackbarth and Tom Pingenot were present to voice their concerns with the safety of the Benton County Fairgrounds' grandstands. Stark stated they were not there asking for financial support from the county, but instead to bring safety concerns to their attention. There was an incident at Boomtown in the grandstands, and it could have been much worse than it was. The Fair Board is not taking any action and Stark didn't want anyone held liable if and when a future accident could happen. The Articles of the Incorporation of the Benton County Agricultural Society was presented and also discussed. Wiley pointed out that the Fair Board is its own entity, and that they should have their own contracts to cover upkeep and maintenance on their facilities. This group encouraged the board members to all go out and take a look at the mentioned areas where there was safety concerns.

Gary Hughes, ECICOG, presented the environmental review for the Middle Cedar Watershed Project that was prepared by EOR Iowa, LLC. CDBG requires projects as such to go through the tiered review process. He explained the difference in the tier 1 and tier 2 reviews. There is a copy of this said review retained in the Auditor's office for viewing requests.

**Bierschenk moved/Primmer seconded:** To approve the Environmental Assessment for practices associated with the Middle Cedar River Watershed Project. To approve and publish the public notice of the findings of no significant impact and also sign the intent to request the release of funds. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-64, Bridge Embargo. Motion carried.

## RESOLUTION #17-64

WHEREAS, the structure at this location due to age and design have reached the point in time where a restricted weight limit should be imposed,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the following weight restriction be imposed and restricted as follows:

FR-3035                      **15 ton**  
0.5 miles south of 71<sup>st</sup> Street along the west line of section 22-83-09 (Fremont Township)  
on 31<sup>st</sup> Avenue.

Adopted this 19th day of September, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** To set Tuesday October 3, 2017 at 10:00 a.m. for bid letting for longitudinal sub drains on County Road D65. Motion carried.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

September 19, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 11:15 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/Bierschenk seconded:** To approve fireworks permit for Bloomsbury Farms for September 20, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

September 26, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Primmer seconded:** Approve both sets of minutes from Tuesday, September 19th, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 224704, 224711 through 224882, payroll checks numbered 139658 through 139711, and ACH deposits numbered 32102 through 32238, vendor checks numbered 224705 through 224710. Motion carried.

Brian Parr met with the board to discuss the adjoining property he purchased next to the DHS building. Parr is putting a new roof on his building and was letting the board know that the roofs of the two buildings overlap a small section. Parr wanted to make sure it was ok to go onto that portion of the county's roof to get the roof fixed properly on his property. The Board told Parr to go ahead and fix what overlaps on the roofs.

**Bierschenk Moved/ Primmer seconded:** To approve Resolution #17-65, Abatement of Tax. Motion carried.

### RESOLUTION #17-65

WHEREAS, Benton County has acquired property and was given the appropriate notice of the taxes due; and

WHEREAS, Benton County failed to pay said tax; and

WHEREAS, Iowa Code 445.63 provides that the board of supervisors shall abate the tax if the governing body fails to immediately pay the tax,

IT IS THEREFORE RESOLVED that the 2016 tax assessed against parcel #870-44700 is hereby abated in full pursuant to Iowa Code 445.63. The treasurer is directed to strike the amount due from the county system.

Dated this 26<sup>th</sup> day of September 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Nancy Jorgensen, Deputy Benton County Auditor

**Primmer moved/Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)c). Motion carried at 9:34 a.m.

**Primmer moved/Bierschenk seconded:** To return to open session. Motion carried at 10:18 a.m.

**Bierschenk Moved/Primmer seconded:** To approve a request for a utility permit requested by East Central Iowa REC to place utility lines in the county's right-of-way in Benton Township. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Nancy Jorgensen, Deputy Benton County Auditor

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

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October 3, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/Bierschenk seconded:** Approve the minutes from Tuesday, September 26th, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-66, Variance to the Sub-Division Ordinance. Motion carried.

### RESOLUTION #17-66

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors by Mark Harvey to vary the required provisions in Articles 4.01-4.05, 5.01-5.07, 6.01-6.03 and 7.01 of the ordinance to allow one additional division on a parcel located in the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of 16-85-12.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the above mentioned article provisions of Ordinance #72 are hereby varied for one additional division of real property located described as parcel located in the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of 16-85-12, with the deed restricting this new parcel to only be used for a communication tower.

Adopted this 3<sup>rd</sup> of October, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-67, Approving Final Plat. Motion carried.

**RESOLUTION #17-67**

APPROVING FINAL PLAT OF "WHEELER'S OAK GROVE SECOND ADDITION" TO BENTON COUNTY, IOWA

**WHEREAS**, A PLAT OF WHEELER'S OAK GROVE SECOND ADDITION TO BENTON COUNTY, IOWA containing five (5) lots, numbered 1 through 5, has been presented to the Benton County Iowa, Supervisors consisting of the following described real estate: Lots 5, 6, 7, 8 and 9, Wheeler's Oak Grove Addition to Benton County, Iowa containing 13.23 acres.

**WHEREAS**, the property owner(s) has submitted the following executed agreement(s), and are included as part of the final plat documents:

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 have executed and filed 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 Wheeler's Oak Grove Second Addition to Benton County, Iowa, will be the same and is hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981.
2. Any new private water supply will be constructed with the approval of the Benton County Department of Health.
3. Any private on-site sewage treatments systems will be constructed with the approval of the Benton County Department of Health.

The Benton County Auditor is hereby directed to certify this Resolution Approving Plat and affix the same to said Plat as provided by law.

Adopted this 3<sup>rd</sup> of October, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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

**Bierschenk moved/Wiley seconded:** To approve Resolution #17-68, Approving Final Plat. Motion carried.

### RESOLUTION #17-68

APPROVING FINAL PLAT OF "WALFORD TERRY SUBSTATION SUBDIVISION", TO BENTON COUNTY, IOWA

**WHEREAS**, a final plat of Walford Terry Substation Subdivision to Benton County, Iowa, containing one

1) lot, has been submitted for approval to the Benton County board of Supervisors consisting of the following described real estate:

Walford Terry Substation Subdivision is a subdivision of that portion of the Northwest Quarter of Section 23, Township 82 North, Range 9 West of the 5<sup>1</sup>" Principal Meridian, Benton County, Iowa.

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

**WHEREAS**, the Benton County Board of Supervisors find that the Final Plat of Walford Terry Substation Subdivision would be advantageous to Benton County, Iowa, and

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that said Final Plat of Walford Terry Substation Subdivision to Benton County, Iowa, will be the same and hereby acknowledge and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

- a) Any new private water supply system will be constructed with the approval of the Benton County Health Department.
- b) Any new private on-site sewage treatment system will be constructed with the approval of Benton County Health Department.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, by the Benton County Board of Supervisors that said board, on October 3, 2017 with Resolution at the request of Verne E. Miller Trust, Sub divider, did grant a variance waiving all requirements except the following regarding the submission of the "Walford Terry Substation Subdivision" Final Plat:

Article VI: 6:04 Requirements of the Final  
Plat Article VI: 6:05 Attachment to the  
Final Plat  
Article VI: 6:06 Procedure for Review & Approval of the Final Plat

The Benton County Auditor is hereby authorized and directed to certify a copy of this Resolution to the County Recorder of Benton County, Iowa and affix the same to said Final Plat as provided by law.

Adopted this 3<sup>rd</sup> of October, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

Carol Zander, and Ron Tippet discussed the SF 504 regarding Mental Health region fund balances and what project(s) the county has planned. There is a Regional Governing Board meeting on October 5, 2017 where they will need to provide board decisions. Also in attendance was Tina Eden, VGH and Judy Breja, 6<sup>th</sup> Judicial Jail Diversion Program. The group discussed various projects for the regional approach to mental health. The Board agreed to use the fund balance to help the citizens of Benton County, and anything above and beyond that could be used for levy reduction.

The time of 10:00 a.m. having arrived, and this was the time and date set for Bid Letting for D65 Longitudinal subdrains. Bids were received as follows:

Edwards Contracting, Algona, IA-\$350,729.90

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

Manatts, Inc., Brooklyn, IA-\$372,414.30  
 Tschiggfrie Excavating, Dubuque, IA- \$276,240.00  
 Peterson Contractors, Inc., Reinbeck, IA-\$275,057.00

**Bierschenk moved/Primmer seconded:** Approve and accept bid with Peterson Contractors, Inc. for \$275,057.00. Motion carried.

**Primmer moved/Bierschenk seconded:** To Approve Utility Permit for East Central Iowa REC in section 22 of Benton Township to bore utility lines underneath right of way to provide r services to a new house. Motion carried.

**Primmer moved/Bierschenk seconded:** Approval to purchase a used Caterpillar Compact Truck Loader for a quoted cost of \$53,500. Motion carried.

Ben Turnis, IT Director presented some quotes for printer contracts he received. He discussed a cost savings of \$1100 a month with a consolidated policy to include all departments.

**Primmer moved/Bierschenk seconded:** To approve quote and policy for a 5 year lease with Marco for \$2212.51 a month. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Auditor's Quarterly Report ending September 30, 2017. Motion carried.

Brian Parr presented estimates for the roof repairs at the old DHS building. Photos were shared along with discussing the findings after Rick Bramow and Rick Primmer both viewed it over the weekend.

**Primmer moved/Bierschenk seconded:** Approve the bid of \$2100 from Roger Rouse, for the needed roof repairs and cleaning of the county's portion on the DHS building. Rick Primmer will oversee and approve modifications as necessary. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve and sign Flexible Savings Account Renewal with Employee Benefit Systems for 2018. Motion carried.

Kristina Kremer and Marlyn Jorgensen, Benton Development Group (BDG) met with the board to introduce Kate Robinson, the new BDG Director. She is a Belle Plaine native and has previously served on the economic board. Jorgensen thanked the board for their support and also provided them an update on upcoming projects. The Board welcomed Robinson and was excited to hear she is a Benton County Resident and will hit the ground running.

Various members of the Benton County Fair Board met with the board to discuss the previous safety concerns that were brought to their attention at a previous meeting. Fair Board chairman, Dick Meyer first addressed the comment about nothing being done for the grandstand. It was built in the 50s but was completely refurbished in 1993. When asked about the fair board's non-profit status, it is still in the works. The process to obtain the 501c3 status can take several years. The fair board plans to accept donations in the future and has a few projects already in the works now that racing season is over. County Attorney Dave Thompson who was also present for the discussion suggested that the fair board invite a supervisor to a meeting as an ex-officio member to help with a better working relationship in the future. The fair board acknowledged that it doesn't have regularly scheduled meetings, but meet on an as needed basis only. Thompson also suggested that the fair board open up the meetings to the public. The more open a group is, the easier it is to raise money.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
 Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
 Hayley Rippel, Benton County Auditor

October 10, 2017

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Wiley, Primmer, and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Primmer seconded:** To approve 64 hours of vacation carry over for Dana Burmeister to be used by January 1, 2018. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve the minutes from Tuesday, October 3, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** Approve payment of checks numbered 224891 through 225075, void 225076, handwritten 225077 and 225078, payroll checks numbered 139712 through 139736, and ACH deposits numbered 32239 through 32372, vendor checks numbered 224883 through 224890. Motion carried.

**Bierschenk Moved/Primmer seconded:** To approve Recorder's Quarterly Report ending September 30, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve General Assistance Quarterly Report ending September 30, 2017. Motion carried.

Ted Paxton, Vinton Police Chief met with the board to discuss sharing some IT services with Benton County. Ben Turnis, IT Director for Benton County was also present for the discussion along with Paxton's administrative assistant Leslie McKibben. Paxton currently contracts with Frieltek out of Cedar Falls. He is happy with their service, but would like to share some resources and save costs regarding travel expenses. Paxton is willing to sub services out at the same cost or more the county's hourly rate is including benefits for Turnis. Estimating a few hours a week. The Supervisors agreed that they would entertain the offer as long as it doesn't overwhelm Turnis, Benton County has priority. Paxton and Turnis are to prepare an agreement and come back for final approval at a later date.

**Bierschenk moved/Primmer seconded:** To approve Sheriff's Quarterly Report ending September 30, 2017. Motion carried.



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

**Primmer moved/Wiley seconded:** To approve and sign final application and certification of payment regarding the completion of the Cedar Valley Ranch Roof. Motion carried.

**Motion/seconded:** To approve Resolution #17-68, wage and classification change. Motion carried.

### RESOLUTION #17-69

WHEREAS: A posting for the position of Grade Working Foreman has been completed, and

WHEREAS: The present employees have had three (3) days to sign the posting, and

WHEREAS: Two present employees have signed the posting, and

WHEREAS: One of these employees is more qualified than the other,

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Daniel McKenna be the Grade Working Foreman with a Labor Grade Classification of LG VID. The base wage will be \$21.48. The effective date will be October 2, 2017.

Signed this 10<sup>th</sup> day of October, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:** To approve and authorize chairman to sign IDOT Agreement for Primary HWY Detour with 218/30 intersection project. Motion carried.

**Bierschenk moved/Primmer seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST:

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Hayley Rippel, Benton County Auditor

October 17, 2017

The Benton County Board of Supervisors met in special session at 8:00 a.m. at the Cedar Valley Ranch. They viewed the new roof along with members of the CVR Board and discussed the FY Audit. Supervisors Wiley and Bierschenk were present. Primmer was absent. The meeting was moved back into the courthouse for regular session and was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Wiley seconded:** Approve the minutes from Tuesday, October 10, 2017. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Dave and Mary Coots in Parcel A, in part of government lot 4 of 31-86-10. Duane and Carol Flickinger, land owners were present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Coots would like to build a new home and change the use of 2.63 Acres. Average CSR is 42 and this ground is currently not in production. This sight will need a new well and septic. They will get an access easement from adjoining property owners, the Engledow's. The existing driveway met all requirements and is within close proximity to a hard surfaced road.

**Bierschenk moved/Wiley seconded:** To approve land use change for Dave and Mary Coots in Parcel A, in part of government lot 4 in 31-86-10. Motion carried.

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

**Bierschenk moved/Wiley seconded:** To approve Resolution #17-70, changing employee status in Sheriff's office. Motion carried.

### RESOLUTION #17-70

#### CHANGING EMPLOYMENT STATUS OF ZACHARY MANN FROM PART-TIME EMPLOYEE TO FULL-TIME EMPLOYEE

WHEREAS, the Benton County Sheriff's office has a need for a full-time communication specialist; and

WHEREAS, Zachary Mann has been employed by Benton County as part-time since January 31, 2017, and

WHEREAS, the Sheriff recommended that Mann have his employment status be changed from part-time to full-time and also waive his probation period,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Zachary Mann be changed to full-time communication specialist in the Sheriff's office, effective October 17, 2017 at \$15.99 an hour and waive his probation period.

Dated this 17<sup>TH</sup> of October, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Carol Zander and various members of the SF504 workshop group met with the Board to present some of the mental health and disability projects and plans they have presented to the Regional Board. Senate File 504 (SF504) is an act relating to mental health and disabilities, including the funding of mental health and disability services by modifying the mental health and disability services property tax levy. They asked that they have some decisions made regarding how Benton County plans to lower the fund balance by December at the latest so they can present it at the January meeting.

**Bierschenk moved/Wiley seconded:** To approve Treasurer's Quarterly Investment Report ending September 30, 2017. Motion carried.

Marlyn Jorgensen and Kate Robinson with BDG, met with the board to discuss an upcoming 3.4 million dollar project with Frontier Co-op. They want to keep them informed as things progress, and they will eventually need a letter of support from the Supervisors. This will be in addition to the original resolution and agreement adopted in 2015. They are also in the process of helping do market research for a Brothers Market grocery store in Atkins.

**Bierschenk moved/Wiley seconded:** To approve and authorize chairman to sign contract and contractor's bond with Peterson Contractors, Inc. for Longitudinal Subdrains on D65: Project No. LFM-(D65)—7X-06. Motion carried.

**Bierschenk moved/Wiley seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST:

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Hayley Rippel, Benton County Auditor

October 24, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/ Wiley seconded:** Approve the minutes from Tuesday, October 17, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve and sign amendment to agreement between Emmons & Olivier Resources, Inc. and Benton County for resiliency grant planning services regarding the WMA. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 225086 through 225220 , payroll checks numbered 139737 through 139749, and ACH deposits numbered 32373 through 32503, vendor checks numbered 225079 through 225085. Motion carried.

**Primmer moved/Wiley seconded:** To approve that Karen Uthoff in the sheriff office be allowed to earn comp time effective October 24, 2017. Motion carried.

Supervisor Wiley read aloud the jail inspection report received after the recent compliance check while Sheriff Tippett was present. Congratulating him and his staff for the positive review.

**Primmer moved/Bierschenk seconded:** To Approve Utility Permit for Alliant Energy in sections 5, 8 and 17 of Iowa Township along 11<sup>th</sup> Ave. Drive to bore utility lines underneath right of way. Motion carried.

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

**Bierschenk moved/Primmer seconded:** To approve tax suspension on parcel #120-02700 pursuant to Iowa Code section 427.9. Motion carried.

Frank Pisciotta from Business Protection Specialists presented his security assessment proposed outline to the Board. This group was asked to take an independent look at security concerns in the county. There was also members from the security committee present. The board will wait for a recommendation from the security committee before taking any action.

Supervisors also reported on various committee meetings they attended.

**Primmer moved/ Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

October 31, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/ Bierschenk seconded:** Approve the minutes from Tuesday, October 24, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To set land use hearing date of Tuesday November 28, 2017 at 9:15 a.m. for Aaron Brandley in part of Parcel A NE ¼ NE ¼ Sec 3-84-9. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve Resolution #17-71, Variance to Sub Division. Motion carried.

### RESOLUTION #17-71

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #61, amendments made to Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors by Nicholas Reiter and Brook Strang to vary the required provisions in Articles 4.01-4.05, 5.01-5.07, 6.01-6.03, 6.05 (F) and 7.01 of the ordinance to allow one additional division on a parcel located in part of the E½ SW¼ SW¼ of 36-86-9.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the above mentioned article provisions of Ordinance #61, and amendments made to Ordinance #72 are hereby varied for only one additional division of real property located in the parcel in part of the E½ SW¼ SW¼ of 36-86-9.

Adopted this 31st day of October, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-72, Wage classification change. Motion carried.

**RESOLUTION #17-72**

WHEREAS: The Benton County Sheriff's Office has a detective who is planning retirement,

WHEREAS: Mark Johnson has shown interest in the position and he has been employed full time since June 9, 1990 and

WHEREAS: This employee as part of the union contract is entitled to a wage increase.

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the classification of Mark Johnson be changed to Detective at an hourly rate of \$ 27.02 per hour will to be effective November 4, 2017.

Signed this 31st day of October, 2017.

Benton County Board of Supervisors

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To approve to have Michael Smith, intern for Veterans Affairs Office cover while Toni Parizek is on maternity leave. He will fill in for 6 weeks with an additional week of training beforehand. He would be in the office Monday, Tuesday and Thursdays from 8 a.m. until 3:00 p.m. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-73, Wage and classification change. Motion carried.

**RESOLUTION #17-73**

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

WHEREAS: The bargaining unit employees have had three (3) days to sign the posting, and

WHEREAS: Four bargaining unit employees have signed the posting, and

WHEREAS: these employees have been evaluated for their qualifications and seniority,

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Donald Erger be the Equipment Operator II with a Labor Grade Classification of LG IVC. The base wage will be \$20.89. The effective date will be November 1, 2017.

Signed this 31st day of October, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

Committee members for the Sheriff Frye Memorial provided an update and shared a power point video. The committee has raised \$12,200 and is hoping the county can help fund the additional \$6,000 needed. The group went outside and agreed to place the pedestal and bronze bust memorial on the South East side of the courthouse.

**Primmer moved/ Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

November 7, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Primmer seconded:** Approve the minutes from Tuesday, October 31, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To set land use hearing date of Tuesday December 5, 2017 at 9:15 a.m. for Doug Wilkerson in part of the E ½ of SW ¼ SW ¼ of 36-86-9. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 225229 through 225348 , payroll checks numbered 139750 through 139764, and ACH deposits numbered 32504 through 32633, vendor checks numbered 225221 through 225228. Motion carried.

Ann Jorgensen with the Benton County Community Foundation, met with the board to get permission to set up a display in the courthouse. The display will promote what the Foundation does, make the public aware of this opportunity and also explain where the funding comes from.

**Primmer moved/Bierschenk seconded:** To approve a display for the Benton County Community Foundation, to be determined where in the courthouse by the Auditor's office. Motion carried.

Michelle Dhondt discussed the regional mental health fund balance and occupancy at Cedar Valley Ranch and other facilities.

**Bierschenk moved/Primmer seconded:** To Approve Utility Permit for Windstream Iowa Communications in Harrison Township west of Brandon Blacktop. Motion carried.

The Board reported on various committee meetings they recently attended. Early Childhood Development: the State is cutting back on funding in the middle of the year for funding of Horizons in Benton County. The Middle Cedar Watershed is accepting an 11.5 million dollar grant to create an implantation fund. The fund would maintain staff as well as projects. Cleaning and repair was recently done at the old DHS building and some vents were found leaking.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Nancy Jorgensen, Deputy Benton County Auditor

November 14, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Primmer seconded:** Approve the minutes from Tuesday, November 7, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve abatement of penalty and interest on a parcel #300-01400 due to a clerical error. Motion carried.

Charmaine Wickwire and Loel Fink, Benton County Volunteer Program came to discuss FY 19 funding. Wickwire presented a packet on the history and oversight of the Volunteer Board consisting of seven members holding meetings quarterly. FY19 funding request is an increase of \$6,250, and also inquired on allowed use of internet and phone service in the Vinton office. The Board would discuss the possibility of phone/internet with County IT Director Ben Turnis, and get back to them.

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

**Bierschenk moved/Primmer seconded:** To adopt Resolution #17-75, Establishing General Services Cremation Service Rates. Motion carried.

**RESOLUTION #17-75**  
REPEALING RESOLUTION #14-67 and RESOLUTION #15-90  
ADOPTING BENTON COUNTY GENERAL ASSISTANCE  
CREMATION SERVICE RATES

WHEREAS, the Benton County Board of Supervisors adopted a resolution establishing cremation service rates through the county general assistance on November 25, 2014; and

WHEREAS, The Board amended said resolution, and adopted resolution #15-90 on December 15, 2015; and

WHEREAS, the Board desires to change the rates approved for said services through the repeal of the existing resolutions and the adopting of new rates in lieu thereof,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Resolution #14-67 and Resolution #15-90, *Benton County General Assistance Establishing Cremation Service Rates*, are HEREBY REPEALED in their entirety, effective December 1, 2017,

BE IT FURTHER RESOLVED that the following cremation service rates are HEREBY ADOPTED effective December 1, 2017.

**Cremation Service**

Crematory Expense	\$295.00
Cremation Tray	39.00
Medical Examiners Permit	75.00
Funeral Home Director's Fee	750.00
Optional Expenses:	
Grave Opening @ cost, not to exceed (Family must pay opening charges above \$225.00)	225.00
Minister Stipend (if used)	25.00

Signed this 14th day of November 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To approve funding not to exceed the amount of \$7,000 out of LOSST funds for Sheriff Frye Memorial. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve and sign Annual Urban Renewal Report. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Veteran's Quarterly Report ending September 30, 2017. Motion carried.

The time of 10:00 a.m. having arrived, the board proceeded with canvassing the November 7, 2017, regular City Election.

**Bierschenk moved/Primmer seconded:** The write-ins for Lee E. Bossom and Lee Bossom, are both to be counted as same person. Motion carried.

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

**Bierschenk moved/Primmer seconded:** The write-ins for Mark Andresen and Mark W. Andresen to be counted as Mark W. Andresen. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-ins for Genie Brandt and Jeanie Brandt to be counted as Jeanie Brandt. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-ins for Pat McCloud and Patrick McLeod are to be counted as Patrick McLeod. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-ins for Barbara Shield and Barbara Shields are to be counted as Barbara Shield. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-in variations for Hendryx Justin and Justin Dale Hendryx and Justin Hendryx are to be counted as Justin Hendryx. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-in variations for Kenneth Bahr, Ken Barr and Ken Bahr are all to be counted as Ken Bahr. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-in variations for Charles Ancelet and Charles Ancelot and Chuck Ancelet are all to be counted as Charles Ancelet. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-ins for Darrell Schulte and Daryle Schulte will both be counted as Darrell Schulte, not counted was Darryl Sch. Motion carried.

**Bierschenk moved/Primmer seconded:** The write-ins for Matt Hepker and Matthew Hepker be counted as Matt Hepker. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-in variations for Nate Edwards, Nathan Edwards and Nate Edward be counted as Nate Edwards, not counted were Edwards, and N. Edwards. Motion carried.

**Primmer moved/Bierschenk seconded:** The write-ins variations for Dakota Rundlett and Dakota Rundlett be counted as Dakota Rundlett, not counted were D. Rundlett and Rundlett. Motion carried.

**City of Atkins:** Mayor-Bruce E. Visser, Council-Heather Rinderknecht, Robert Spading and Joey Svejda.

**City of Belle Plaine:** Council at Large-Mitch Malcolm, Council District 1-Mark D. Tegeler, Council District 3-Judy Schlesselman, Park Commissioner-Lena White, Park Board Vacancy-Shawn Welsh.

**City of Blairstown:** Mayor-Rodney C. Kubichek, Council -Bo Benish, Brad Davidson and Lee E. Bossom

**City of Garrison:** Mayor-Allan R. Lindsey, Council-Jeff Bahr, Tammy L. Schroeder and Lindsay Shaver

**City of Keystone:** Mayor-Michael Seeck, Council-Cindy Behrens, Kathy Janss and Tim Kruse

**City of Luzerne:** Mayor-John W. Brandt, Council-Dwight Glinsmann, Kelly W. Kendall and Lorin Potter, Barbara Shield and Patrick McLeod

**City of Mt. Auburn:** Mayor-Jeff Whitson, Council-Michelle Docherty, Jessica Helms, Justin Hendryx, Michelle Oldfather and Dean Vrba

**City of Newhall:** Mayor-Jan Mattson, Council-Doug Boddicker, Michael Gardemann, Gerald Gessner, Bill Much and Douglas Rinderknecht

**City of Norway:** Mayor-Martin Schulte, Council-Curtis L. Mell, Darrell Schulte and Bruce E. Volz

**City of Shellsburg:** Mayor-Lonnie M. Speckner, Council-Lindsey Chapman, Alisha Knight and Shadov Vogt

**City of Urbana:** Mayor-Mitch McDonough, Council-Joshua E. Holthaus and Jacqueline Michael

**City of Van Horne:** Mayor-Martin J. Junge, Council-Amy L. Knaack, Rebecca Norton and Jim Parmenter, Council Vacancy-Craig C. Ivester

**City of Vinton:** Mayor-Bud Maynard, Council at Large-Brian Parr, Council District 1-Ron Hessenius, Council District 3-Nate Edwards

**Vinton Public Measure:** "Shall the City of Vinton, Iowa impose a hotel/motel tax as provided by Chapter 423A of the Code of Iowa, at the rate of seven percent (7%) effective July 1, 2018, upon gross receipts from the renting of any and all rooms in any hotel, motel, inn or public lodging house and direct that seventy-five percent (75%) of the revenue from this tax be paid to and administered by the City of Vinton for recreation, convention, cultural, or entertainment facilities in Vinton. The remaining twenty-five percent (25%) of revenue shall go into the general fund for the City of Vinton. " Passed

**City of Walford:** Mayor-William H. Voss, Council-John Pegump and Aaron Voss

**Primmer moved/Bierschenk seconded:** To approve the canvass of the November 7, 2017, City Election, and declare the winners so elected. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Utility Permit for East Central Iowa REC to bore under 78<sup>th</sup> Street in sections 21 and 28 of Florence Township. Motion carried.

**Bierschenk moved/Wiley seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)k. Motion carried at 10:45 a.m.

**Primmer moved/Bierschenk seconded:** To enter into open session. Motion carried at 11:08 a.m.

**Primmer moved/Bierschenk seconded:** To accept and support the county security committee in proceeding with security needs as discussed in closed session. Motion carried.

Board recessed at 11:10 to attend a safety meeting with Heartland Risk Insurance.

Board reconvened at 12:20.

Discussion was had regarding repairs needed to the county owned property at 114 E 4<sup>th</sup> St. (Old DHS bldg.)

There is some vent roof repairs that need to be done. The county was also approached in regards to an adjoining building that could possibly be bought. This will be discussed further at a later time.

**Bierschenk moved/Primmer seconded:** To approve the estimate to have the repairs made to the vents on the roof at old DHS building. Motion carried.

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

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

November 21, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 225356 through 225530, payroll checks numbered 139765 through 139824, and ACH deposits numbered 32634 through 32764, vendor checks numbered 225349 through 225355. Motion carried.

**Primmer moved/Bierschenk seconded:** Approve the minutes from Tuesday, November 14, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To appoint Russ Glime to the County Facility Security Committee. Motion carried.

Discussion about the proposed 28E agreement between City of Walford and the Benton County Sheriff using office space. The board would rather see an amendment to the law enforcement contract that is already in place. So no action was taken, the Sheriff will bring back the correct paperwork at a later time.

**Bierschenk moved/Primmer seconded:** To approve Utility Permit for East Central Iowa REC to bore utility lines underground along 52<sup>nd</sup> Street between sections 8 and 17 of Bruce Township. Motion carried.

The board exchanged labor proposals with Public Professional & maintenance Employees (PPME), Local 2003, representing the employees of the secondary roads department.

**Primmer moved/Bierschenk seconded:** To enter into exempt session pursuant to Iowa Code 20.17. Motion carried at 11:25a.m.

**Primmer moved/Bierschenk seconded:** To adjourn at 11:45 a.m. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

November 28, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley and Bierschenk present, Primmer absent. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Wiley seconded:** Approve the minutes from Tuesday, November 21, 2017. Motion carried.

**Bierschenk moved/Wiley seconded:** To approve 7 day's vacation carry over for Marc Greenlee to be used by February 1, 2018. Motion carried.

The time of 9:15 a.m. having arrived, the board opened the public hearing on a land use change requested by Aaron Brandley couldn't attend. Adjoining land owner Michael Devera was present. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The change in use is for approximately 1 acres located in part of Parcel A in NE ¼ NE ¼ of section 3-84-9. The request is to change the classification to a new non-agricultural use and create an apartment building within an existing building on the property. This property has an existing well and would need its own septic. Discharge permit might be necessary. This existing lot is surrounded by 13 adjacent lots known as Deer Run Estates. There was 3 phone calls received prior to the meeting from adjacent owners that were opposed to the change. Devera voiced his opposition about the concern of this affecting the value of his property with the proposed use of an apartment.

**Bierschenk moved/Wiley seconded:** To deny the request for a land use change from agricultural to non-agricultural use on approximately 1 acres for a residential purpose on a parcel generally described as being located in part of Parcel A in the NE ¼ NE ¼ of section 3-84-9. The reason being is this is not a compatible use when surrounded by single family dwellings and this could alter the overall stability of the land use pattern of the area. Motion carried

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

**Bierschenk moved/Wiley seconded:** To approve Resolution #17-76, Variance to Sub-Division. Motion carried.

### RESOLUTION #17-76

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors by Victor Jones to vary the required provisions in Article IV, Sections 4.01 through 4.04; Article V, Sections 5.01 through 5.07; Article VI, 6.1 through 6.03; and Article VII, Section 7.01 of the ordinance to allow one additional division on a parcel located in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of 2-85-9.

WHEREAS, an additional request has also been presented by Victor Jones to vary the ordinance in its entirety for the division of real property located in the NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of 2-85-9, owned by Ralph and Lorena Karr.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied as stated for the division of real property located in a parcel within the NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  and a separate parcel in the NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  both in section 2-85-9. These two parcels will be contiguous after ownership is transferred.

Adopted this 28th day of November, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

**Bierschenk moved/Wiley seconded:** To approve Resolution #17-77, Abatement of Tax. Motion carried.

### RESOLUTION #17-77 ABATEMENT OF TAX

WHEREAS, The Benton County Treasurer has reported that there are currently taxes due on parcels and that it is impractical to pursue collection of the total amount of taxes due and has recommended that the board of supervisors compromise the taxes on these parcels,

IT IS THEREFORE RESOLVED that the delinquent tax, penalty, interest and costs assessed on the parcel #14866 is unpaid through the 2017 assessment year, are hereby compromised pursuant to Iowa Code 445.16.

IT IS THEREFORE RESOLVED that the delinquent tax, penalty, interest and costs assessed on the below listed parcels are unpaid through the 2017 assessment year, are hereby compromised pursuant to Iowa Code 427.2.

470-07400  
470-07550  
470-07850

Dated this 28th day of November, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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

**Bierschenk moved/Wiley seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

December 5, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*  
**Bierschenk moved/Wiley seconded:** Approve the minutes from Tuesday, November 28, 2017. Motion carried.  
**Bierschenk moved/Primmer seconded:** To approve 14.5 hours vacation carry over for Carol Zander, to be used by February 15, 2018. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve (2) Utility permits for East Central Iowa REC for placing utility lines in the county's right of way in Polk Township between sections 6 and 7 and in section 2 of Benton Township. Primmer and Bierschenk voting aye. Wiley abstained due to conflict of interest. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve providing phone and internet service to the Benton County Volunteer Office located in Vinton. Motion carried.

The time of 9:15 a.m. having arrived, the board opened the public hearing on a land use change requested by Doug Wilkerson. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Use Preservation Ordinance. The change in use is for approximately 2 acres located in part of the 12.5 Acres within the SW ¼ SW ¼ of section 36-86-9. The request is to change the classification to a new non-agricultural use and construct a new home and driveway on the property. There are 11 existing residences nearby, 10 of those adjacent owners were notified and received 2 phone calls. One concern about driveway safety issues and the other was only interested in what the project was but nothing opposed. CSR is a 29.

**Primmer moved/Bierschenk seconded:** To approve the request for a land use change from agricultural to non-agricultural use on approximately 2 acres for a residential purpose on a parcel generally described as being located in part the SW ¼ SW ¼ of section 36-86-9. Motion carried

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-78, Gift of LOSST for North Benton EMS. Motion carried.

### RESOLUTION #17-78

WHEREAS, the Benton County Board of Supervisors has established a program for gifting funds to emergency service providers who provide services within the unincorporated area of Benton County; and

WHEREAS, the North Benton Ambulance Service has requested a gift of funds; and

WHEREAS, the North Benton Ambulance Service provides fire and emergency services to various areas in Benton County and to the City of Vinton and Van Horne and mutual aid to other areas; and

WHEREAS, the North Benton Ambulance Service has provided invoices for \$79,941.46 for the cost of a remounted 2009 Medtec emergency vehicle and all the lights and equipment replaced; and

WHEREAS, the North Benton Ambulance Service agrees that the emergency vehicle obtained with the proceeds of this gift shall be used when necessary for rural emergency assistance and/or life support operations, consistent with the intended use of the money from the Local Option Sales and Services Fund,

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors approves an Emergency Services Equipment Gift to the North Benton Ambulance Services in the amount of \$7,994.15 which represents ten percent of the total purchase price for the emergency vehicle.

Adopted this 5th day of December, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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

Kelly Geater, Treasurer provided an overview of the wellness program participation. The more employees that participate the better it lowers the county's health insurance premiums. If we have the maximum amount participate it's a 5% reduction. The county qualified for 4 % this year vs 3% last year, so going in the right direction at least.

**Primmer moved/Bierschenk seconded:** To recess at 10:10 a.m. until 1:30 p.m. Motion carried.

Reconvened at 1:30 p.m.

Various department heads met with the Board to discuss facility management on renovation and possible of moving offices. The Supervisors asked what each office would need in terms of space. Those in attendance were social services, BDG, Veterans Affairs, food pantry, probation and parole officer, Transportation, volunteer program and Department of Human Services (DHS). Going into Budget planning for next year, a main concern is the mental health fund balance needs to be reduced. The board stressed that the money was raised by Benton County Taxpayers, it isn't the regions funds. They would like to utilize it for the benefit of Benton County citizens. One thought is to reduce the mental health levy, and increase the debt service levy and overall would be a net zero. The debt service money would be used to remodel the DHS space or start over. There is also security needs for county offices and facilities. Currently the county leases office space to house DHS. Wiley felt it makes more sense as a business model, to use the space the county already owns. Use the space we have and upgrade it. Primmer said the departments have common needs, there could be conference rooms and training equipment that could be shared. Bierschenk agreed that it would be more efficient for these offices to be near the courthouse. Another suggestion was to have a general receptionist or assistant to be up front and direct people where they need to go.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

December 12, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/Bierschenk seconded:** Approve the minutes from Tuesday, December 5, 2017. Motion carried.

While going through the claims, it was questioned why an invoice is dated March of 2016 and was just now being submitted for payment for service done on the courthouse clock. This will be pulled from the list at this time and discussed further and submitted in the next scheduled claim list.

**Bierschenk moved/Primmer seconded:** Approve payment of checks numbered 225531, 225538 through 225709, payroll checks numbered 139825 through 139840, 139841 through 139857, and ACH deposits numbered 32765 through 32895, 32896 through 33027 vendor checks numbered 225532 through 225537 and 225710 through 225717. Motion carried.

Discussion was had to clarify appointed Benton County Facility Security Committee members and/or designees. Primmer brought up the concern about those attending the meetings who aren't appointed to the committee, or weren't designated as alternate. The Board agreed to leave as is, if they weren't appointed as designee from the beginning then the appointed committee member should be the only one in attendance. If they are absent, they will receive the minutes.

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**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-79, Variance to Sub-Division. Motion carried.

**RESOLUTION #17-79**

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors by John and Kandice Dennis to vary the required provisions in Article IV, Sections 4.01 through 4.04; Article V, Sections 5.01 through 5.07; Article VI, 6.1 through 6.03; and Article VII, Section 7.01 of the ordinance to allow one additional division on a parcel located in the NE ¼ NE ¼ of 2-82-9.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied as stated for the division of real property located in a parcel within the NE ¼ of NE ¼ in section 2-82-9.

Adopted this 12th day of December, 2017.

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Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-80, Security Procedures. Motion carried.

**RESOLUTION #17-80  
DECLARING CERTAIN INFORMATION CONFIDENTIAL CONCERNING SECURITY PROCEDURES AND  
EMERGENCY PREPAREDNESS INFORMATION DEVELOPED AND MAINTAINED BY BENTON COUNTY, IOWA,  
FOR THE PROTECTION OF GOVERNMENTAL EMPLOYEES, VISITORS TO THE GOVERNMENTAL BODY,  
PERSONS IN THE CARE, CUSTODY OR UNDER THE CONTROL OF BENTON COUNTY, IOWA, OR PROPERTY  
UNDER ITS CONTROL**

**WHEREAS**, the Benton County Facility Security Committee has recommended, pursuant to the Judicial Branch guidelines for courthouse and public building security in Iowa, that the Benton County Board of Supervisors adopt a rule or policy identifying specific records or class of records as confidential pursuant to Iowa Code §22.7(50)(2017), including, but not limited to, information directly related to vulnerability assessments; information contained in records relating to security measures such as security and response plans, security codes and combinations, passwords, security camera recordings, restricted area passes, keys, and security or response procedures; emergency response protocols; and information in and records that if disclosed would significantly increase the vulnerability of critical physical systems or infrastructures of Benton County, Iowa, to attack, and

**WHEREAS**, the Benton County Board of Supervisors has determined that disclosure of the above information could reasonably be expected to jeopardize its employees, visitors to its premises, persons in the care, custody, or under the control of Benton County, Iowa, or property under its jurisdiction, and

**WHEREAS**, the Benton County Courthouse Security Committee, the Benton County Attorney and the Benton County Sheriff concur that such action is appropriate.

**THEREFORE, BE IT RESOLVED** that information contained in records related to Courthouse security, security measures such as security and response plans, security codes and combinations, passwords, security camera recordings, restricted area passes, keys, and security or response procedures; emergency response protocols; and information contained in records that if disclosed would significantly increase the vulnerability of critical physical systems or infrastructures of Benton County, Iowa, to attack is declared confidential pursuant to Iowa Code Section 22.7(50)(2017).

Adopted this 12th day of December, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

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Rick Primmer

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

Further discussion on the Policy for Disclosure of Security Related Information was had. The board would like to share the proposed policy with Heartland Insurance Risk before they formally adopt. No action was taken.

**Bierschenk moved/Primmer seconded:** To approve Utility permit for Farmer's Mutual Telephone for placing utility lines in the county's right of way in Benton Township section 28. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Utility permit for City of Garrison for placing sewer lines in the county's right of way in Jackson Township. Motion carried.

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

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-81, Bridge Embargo. Motion carried.  
**RESOLUTION #17-81**

WHEREAS, the structures at these locations due to load rating computations, 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 new weight restrictions be imposed and restricted as follows:

- CA-0011            **10** ton  
0.1 mile south of the NW corner of section 7-84-9 (Canton Township) on 28<sup>th</sup> Avenue.
- CE-0047            **12** ton  
0.3 mile north of the SW corner of section 30-86-11 (Cedar Township) on 16<sup>th</sup> Avenue.
- CE-0940            **15** ton  
0.1 mile west of the NE corner of section 30-86-11 (Cedar Township) on 54<sup>th</sup> Street.
- PO-5037 **3** ton  
0.3 mile north of the SE corner of section 23-86-9 (Polk Township) on 33<sup>rd</sup> Avenue.

Signed this 12<sup>th</sup> day of December 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-82, Bridge Embargo. Motion carried.  
**RESOLUTION #17-82**

WHEREAS, the structures at these locations are not currently posted for any embargo restrictions, and  
WHEREAS, these structures, due to age, design and load rating computations have reached the point where a restricted weight limit should be imposed,  
BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the following weight restrictions be imposed and restricted as follows:

- BG-5210            **23/34/35** ton  
0.2 mile east of the SW corner of section 01-84-11 (Big Grove Township) on 63<sup>rd</sup> Street.
- ED-4710            **21/29/29** ton  
0.3 mile west of the NE corner of section 11-84-10 (Eden Township) on 63<sup>rd</sup> Street.
- FL-4515            **22/38/39** ton  
0.5 mile south of the N ¼ corner of section 11-82-09 (Florence Township) on 32<sup>nd</sup> Avenue Drive.
- FR-1510            **23/36/40** ton  
0.5 mile east of the NW corner of section 08-83-09 (Fremont Township) on 69<sup>th</sup> Street.
- LE-0110            **23/39/39** ton  
0.1 mile east of the NW corner of section 07-82-11 (Leroy Township) on 75<sup>th</sup> Street.
- BE-5737            **One Truck on Bridge at a Time**  
0.3 mile east and 0.3 mile north of the SW corner of section 24-85-09 (Benton Township) on 59<sup>th</sup> Street Trail.
- CA-2001            **One Truck on Bridge at a Time**  
0.1 mile south of the NW corner of section 04-84-09 (Canton Township) on 30<sup>th</sup> Avenue Drive.

Signed this 12<sup>th</sup> day of December 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

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

Larry Andreesen, Assessor talked to the Supervisors and Engineer about the Pictometry projected aerial flight. They would like to see a low flight for the entire county and possibly contributing half of the additional costs out of the Assessor's budget starting in FY19. This will be placed on next week as an agenda item.

**Primmer moved/Bierschenk seconded:** to enter into closed session pursuant to Iowa Code 22.7(50). Motion carried at 11:05 a.m.

**Primmer moved/ Bierschenk seconded:** to return to open session. Motion carried at 11:30a.m. No action was taken.

Supervisors looked at a quote provided by ZOLL for a defibrillator to place in the courthouse for \$1259.00. They were in agreement to purchase but would like to check with other department heads outside of the courthouse and see if there was a discount for more than one machine if needed in other facilities as well. The Auditor will also check into possible grants that might be available. No action taken.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

December 19, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 8:45 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Primmer seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)c. Motion carried at 8:45 a.m.

**Primmer moved/Bierschenk seconded:** To enter back into open session at 9:13 a.m. Motion carried.

**Bierschenk moved/Primmer seconded:** To set land use hearing date for John C Dennis in part of the E ½ NE ¼ of 2-82-9 for Tuesday January 16, 2018. Motion carried.

Chris Young, rural resident was requesting a variance for his driveway along 30<sup>th</sup> Ave. Drive. The county passed a driveway resolution in April of 2008. In said policy there is a 500foot sight distance requirement and he is about 100 'short to the North. Young needs this for his trucking business and is willing to help pay for a blind driveway sign if the county would grant the variance. **Bierschenk moved/Primmer seconded:** To approve the variance for driveway sight distance requirements and allow Chris Young to cover the costs of the blind driveway and lowered speed limit signs that the secondary roads department will install. Motion carried.

Nick Longbucco with the Nature Conservancy provided the Board a map with Oxbow pond locations within Benton County. The main topic of interest was the ones located at the corner of 77<sup>th</sup> Street and 23<sup>rd</sup> Ave, East of the City of Blairstown. They would like to explore the opportunity to dig it back out, after comparing a map from the 1950s to the present, you could see how the stream changed. **Primmer moved/Bierschenk seconded:** To allow the Nature Conservancy to further explore the nature of oxbows on this Blairstown property location and work along with the county conservation in this matter. Motion carried.

Karen Phelps, Conservation Director discussed the possible need for a budget amendment for FY 18. One of the park rangers leaving and a new hire that will need to attend the academy. The combined estimated cost with everything including travel and uniforms is roughly \$9,000.00. Phelps said she will work with the Auditor and they can stretch this out until later in the fiscal year but wanted to bring this to the Boards attention.

**Bierschenk moved/Primmer seconded:** To approve minutes of December 12, 2017. Motion carried.

Clarification was had on the handbook section 5.1, regarding separation date and how it affects health insurance coverage. The Board was hesitant to amend the handbook, so a suggestion was made to provide a variance to the wording and have it read the 10<sup>th</sup> of the month following separation date and advised the Auditor's office to allow this employee to pay half of their premium by the 10<sup>th</sup> of January to allow for continued coverage through December. Then if this employee wishes to apply for cobra, they can continue on with health insurance coverage at their own expense.

Larry Andreesen, Assessor talked to the Supervisors and Engineer about the Pictometry projected aerial flight. They would like to see a low flight for the entire county and possibly contributing half of the additional costs out of the Assessor's budget starting in FY19. This will be placed on next week as an agenda item.

**Primmer moved/ Bierschenk seconded:** To approve change in the upcoming spring aerial Pictometry flight grid to allow for low flight for the entire county at the additional \$30,000 year cost to be divided between the Assessor, Engineer, Sheriff and GIS budgets starting FY 19. Motion carried.

**Bierschenk moved/Primmer seconded:** To acknowledge retirement of part-time Deputy Sheriff Larry Feaker in the Sheriff's office effective December 2, 2017. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve hiring of Justin Coshow as a part-time Deputy in the Sheriff's office effective January 1, 2018 at 21.18 an hour and after probation period is over 22.18 an hour. Motion carried.

**Bierschenk moved/Primmer seconded:** To acknowledge resignation of Jacob Reineke as communication officer in the Sheriff's office effective November 27, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve and sign law enforcement contract with City of Atkins for a yearly sum of \$21,996 to be paid quarterly. Motion carried.

Nathan Summers with Davidson & Co., presented a portfolio with an overall look regarding Benton County's valuations and population vs the maximum capacity per project they would be allowed for general obligation bonds. This would also help with spending down the mental health surplus while using the difference for an increase in debt service, yet keeping the overall levy the same.

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

**Bierschenk moved/Primmer seconded:**To approve Resolution #17-83, approving final plat of Harvey's First Addition to Benton County. Motion carried.

**RESOLUTION #17-83****RESOLUTION APPROVING THE "HARVEY'S FIRST ADDITION" FINAL PLAT,  
BY BENTON COUNTY, IOWA**

**WHEREAS,** A Final Plat of Harvey's First Addition to Benton County, Iowa, containing one (1) parcel, has been submitted for approval to the Benton County Board of Supervisors consisting of the following described real estate:

THIS PLAT REPRESENTS A SURVEY OF "HARVEY'S FIRST ADDITION" (PARCEL "B")

That part of Parcel "A" per Plat of Survey recorded in Book 7 Page 3783 dated 07/19/2007 in the Office of the Benton County Recorder lying in the Northeast Quarter (NE 1/4) of Section No. 16, Township No. 85 North, Range No. 12 West of the Fifth Principal Meridian, Benton County Iowa, described as follows:

Commencing at the Northwest corner of said Northeast Quarter, point being a found nail w/"IDOT Sec. Cor." washer in A.C.C. pavement;

thence along the North line of said Northeast Quarter North 88°50¼' East a distance of 1,397.25 feet;

thence South 01°49¼' West a distance of 86.6 feet to the Northeast corner of said Parcel A", point being a found ½" rebar with license #16264;

thence along the East line of said Parcel "A" South 01°49¼' West a distance of 189.9 feet;

thence South 88°34½' West a distance of 30.15 feet to a set ½" rebar with license #23212, also being the point of beginning;

thence South 01°25½' East a distance of 60.0 feet to a set ½" rebar with license #23212;

thence South 88°34½' West a distance of 60.0 feet to a set ½" rebar with license #23212;

thence North 01°25½' West a distance of 60.0 feet to a set ½" rebar with license #23212;

thence North 88°34½' East a distance of 60.0 feet to the point of beginning.

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

**WHEREAS,** the Benton County Board of Supervisors find that the Final Plat of Harvey's First Addition would be advantageous to Benton County, Iowa, and

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that said Final Plat of Harvey's First Addition to Benton County, Iowa, will be and the same hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981.
2. Any new private water supply system will be constructed with the approval of the Benton County Health Department.
3. Any new private on-site sewage treatment system will be constructed with the approval of the Benton County Health Department

**NOW, THEREFORE BE IT FURTHER RESOLVED,** by the Benton County Board of Supervisors that said board, on October 3, 2017, at the request of Mark N. Harvey, Developer, did grant a variance waiving the following items regarding the submission of the "Harvey's First Addition" Final Plat:

All of Article IV:

All of Article V:

All of Article VI: EXCEPT 6.04 Final Plat and 6.05 Attachments to the Final Plat

The Benton County Auditor is hereby authorized and directed to certify a copy of this Resolution to the County Recorder of Benton County, Iowa, and affix the same to said Final Plat as provided as law.

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

ADOPTED AND PASSED this 19th day of December, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Bierschenk moved/Primmer seconded:**To approve Resolution #17-84, approving final plat of Jones' Ranch Addition to Benton County. Motion carried.

### RESOLUTION #17-84

#### RESOLUTION APPROVING THE "JONES' RANCH ADDITION" FINAL PLAT, BY BENTON COUNTY, IOWA

**WHEREAS**, A Final Plat of Jones' Ranch Addition to Benton County, Iowa, containing two (2) parcels, has been submitted for approval to the Benton County Board of Supervisors consisting of the following described real estate:

A part of the East half of the Southwest Quarter and a part of the West 2 acres of part of the Southeast Quarter, all in Section 2, Township 85 North, Range 9 West of the 5<sup>th</sup> P.M., Benton County, Iowa, being more particular described as follows:

Commencing as a point of reference at the Northeast corner of the Northwest Quarter of said Section 2; thence South 0°00'00" East 3,164.56 feet along the East line of the Northwest Quarter and the East line of the Southwest Quarter of said Section 2, (assumed bearing for this description only) to a point of intersection with the centerline of a public road, said point being the point of beginning; thence continuing South 0°00'00" East 169.54 feet along the east line of said Southwest Quarter to a point on the North line of the South 25 acres of the Northwest Quarter of the Southeast Quarter; thence North 90°00'00" East 40.62 feet to the point of intersection with the East line of the West 2 acres of the South 25 acres of the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter; thence South 0°00'00" East 665.32 feet along the East line of the West 2 acres; thence South 89°44'02" West 281.26 feet; thence North 2°02'23" East 997.44 feet to a point of intersection with the centerline of said public road; thence South 55°39'29" East 249.31 feet along the centerline of the said public road to the point of beginning. And all that part of the West 2 acres of the Northwest Quarter of the Southeast Quarter lying Southerly of the centerline of said public road and Northerly of the parcel described previously. Subject to restrictions, easements, covenants, ordinances and limited access provisions of record and not of record.

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

**WHEREAS**, the Benton County Board of Supervisors find that the Final Plat of Jones' Ranch Addition would be advantageous to Benton County, Iowa, and

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that said Final Plat of Jones' Ranch Addition to Benton County, Iowa, will be and the same hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981.
2. Any new private water supply system will be constructed with the approval of the Benton County Health Department.
3. Any new private on-site sewage treatment system will be constructed with the approval of the Benton County Health Department

**NOW, THEREFORE BE IT FURTHER RESOLVED**, by the Benton County Board of Supervisors that said board, on November 28, 2017, at the request of Victor & Andria Jones, Developers, did grant a variance waiving the following items regarding the submission of the "Jones' Ranch Addition" Final Plat:

**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

All of Article IV:

All of Article V:

All of Article VI: EXCEPT 6.04 Final Plat and 6.05 Attachments to the Final Plat

The Benton County Auditor is hereby authorized and directed to certify a copy of this Resolution to the County Recorder of Benton County, Iowa, and affix the same to said Final Plat as provided as law.

ADOPTED AND PASSED this 19th day of December, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:**To approve Resolution #17-85, approving final plat of Wilkinson’s First Addition to Benton County. Motion carried.

**RESOLUTION #17-85  
APPROVING THE “WILKERSON FIRST ADDITION” FINAL PLAT,  
BY BENTON COUNTY, IOWA**

**WHEREAS,** A Final Plat of Wilkerson First Addition to Benton County, Iowa, containing two (2) parcels, has been submitted for approval to the Benton County Board of Supervisors consisting of the following described real estate:

A part of the East half of the Southwest Quarter, Southwest Quarter, all in Section 36, Township 86 North, Range 9 West of the 5<sup>th</sup> P.M., Benton County, Iowa, being more particular described as follows:

The East half of the Southwest Quarter, Southwest Quarter, all in Section 36, Township 86 North, Range 9 West of the 5<sup>th</sup> P.M., Benton County, Iowa, lying North of the centerline of 55<sup>th</sup> Street Trail, Except Parcels “F”, “G”, & “H”, Subject to restrictions, easements, covenants, ordinances and limited access provisions of record and not of record.

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

**WHEREAS,** the Benton County Board of Supervisors find that the Final Plat of Wilkerson First Addition would be advantageous to Benton County, Iowa, and

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that said Final Plat of Wilkerson First Addition to Benton County, Iowa, will be and the same hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveway will be built to comply with Benton County’s driveway resolution dated October 17, 1975, and amended September 4, 1981.
2. Any new private water supply system will be constructed with the approval of the Benton County Health Department.
3. Any new private on–site sewage treatment system will be constructed with the approval of the Benton County Health Department

**NOW, THEREFORE BE IT FURTHER RESOLVED,** by the Benton County Board of Supervisors that said board, on October 31, 2017, at the request of Doug Wilkerson, Developer, on behalf of Nicholas Reiter & Brooke Strang, Owners, did grant a variance waiving the following items regarding the submission of the “Wilkerson First Addition” Final Plat:

All of Article IV:

All of Article V:

All of Article VI: EXCEPT 6.04 Final Plat and 6.05 Attachments to the Final Plat

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

The Benton County Auditor is hereby authorized and directed to certify a copy of this Resolution to the County Recorder of Benton County, Iowa, and affix the same to said Final Plat as provided as law.

ADOPTED AND PASSED this 19th day of December, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

Tracey Achenbach presented the FY19 Budget funding request for East Central Iowa Housing Trust Fund of \$2,464.00 a year, up from \$1,972.00 FY18. She gave an overview of what this non-profit organization does for Benton County residents. They helped 66 households within the county.

**Primmer moved/Bierschenk seconded:** To approve Resolution #17-86, hiring of mechanic for secondary roads. Motion carried.

### RESOLUTION #17-86

WHEREAS: Benton County Secondary Road Department has a position to fill for a Mechanic in Shop and

WHEREAS: Applications were accepted for the position and

WHEREAS: These applications have been narrowed to one.

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Wayne Frickson be hired to fill the position of Mechanic at a starting wage of \$19.50 per hour starting January 3, 2018. This is an Equipment Operator III classification with a Labor Grade VA.

Signed this 19<sup>th</sup> day of December, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor

December 26, 2017

The Benton County Board of Supervisors met in regular session with Supervisors Wiley, Primmer and Bierschenk present. The meeting was called to order at 8:45 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Primmer moved/Bierschenk seconded:** To approve minutes of December 19, 2017. Motion carried.

## BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”

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**Primmer moved/Bierschenk seconded:** Approve payment of checks numbered 225718 through 225858, payroll checks numbered 139858 through 139872, and ACH deposits numbered 33028 through 33157 vendor checks numbered 225859 through 225865. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve class B Liquor License for Kimm’s Sinclair, Blairstown. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve and sign agreement with ISAC Wellness program for FY 19. Motion carried.

Discussed the Iowa Good Roads Association membership bill of \$90 annually, it was addressed to the Supervisors but will wait and talk with the Engineer before approving.

**Primmer moved/Bierschenk seconded:** To acknowledge resignation of Melissa Boisen in the Recorder’s office effective December 19, 2017. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve hiring of Laura Priest and Hannah Hoffa as a part-time dispatchers in the Sheriff’s office effective December 26, 2017 at 13.99 an hour and after probation period is completed it will be 14.99 an hour. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve hiring of Benjamin Weekly and Ben Eden as a part-time correction officers in the Sheriff’s office effective December 26, 2017 at 13.99 an hour and after probation period is completed it will be 14.99 an hour. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve and sign law enforcement contract with City of Luzerne for a yearly sum of \$611.00 to be paid quarterly. Motion carried.

10:00 a.m. Conference call with Bob Josten, Bond Attorney with Dorsey and Whitney was had to ask him legal questions regarding GO Bonds. The board can increase the debt service levy with qualified projects not to exceed \$750,000 per project while reducing the mental health levy and spending down its fund balance.

Toni Parizek, Director of Veterans Affairs presented her FY 19 budget. Parizek may possibly need a FY 18 amendment to cover the salary of the part-timer covering her while she is on maternity leave.

**Bierschenk moved/Primmer seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)c. Motion carried at 10:45 a.m.

**Primmer moved/Bierschenk seconded:** To enter back into open session at 11:23 a.m. Motion carried.

**Primmer moved/Bierschenk seconded:** To adopt Resolution # 17- 87 and sign an engagement letter with Simmons Hanly Conroy LLC, Crueger Dickinson LLC, and von Briesen & Roper, s.c. Motion carried.

### RESOLUTION #17-87

**WHEREAS**, Benton County (“County”) is concerned with the recent rapid rise in troubles among County citizens, residents, and visitors in relation to problems arising out of the use, abuse and overuse of opioid medications, which according to certain studies, impacts millions of people across the country; and

**WHEREAS**, issues and concerns surrounding opioid use, abuse and overuse by citizens, residents and visitors are not unique to County and are, in fact, issues and concerns shared by all other counties in Iowa and, for that matter, states and counties across the country, as has been well documented through various reports and publications, and is commonly referred to as the Opioid Epidemic (“Opioid Epidemic”); and

**WHEREAS**, the societal costs associated with the Opioid Epidemic are staggering and, according to the Centers for Disease Control and Prevention, amount to over \$75 billion annually; and

**WHEREAS**, the National Institute for Health has identified the manufacturers of certain of the opioid medications as being directly responsible for the rapid rise of the Opioid Epidemic by virtue of their aggressive and, according to some, unlawful and unethical marketing practices; and

**WHEREAS**, certain of the opioid manufacturers have faced civil and criminal liability for their actions that relate directly to the rise of the Opioid Epidemic; and

**WHEREAS**, County has spent money in unexpected and unbudgeted time and resources in its programs and services related to the Opioid Epidemic; and

**WHEREAS**, County is responsible for a multitude of programs and services, all of which require County to expend resources generated through state and federal aid, property tax levy, fees and other permissible revenue sources; and

**WHEREAS**, County’s provision of programs and services becomes more and more difficult every year because the costs associated with providing the Opioid Epidemic programs and services continue to rise, yet County’s ability to generate revenue is limited by strict levy limit caps and stagnant or declining state and federal aid to County; and

**WHEREAS**, all sums that County expends in addressing, combatting and otherwise dealing with the Opioid Epidemic are sums that cannot be used for other critical programs and services that County provides to County citizens, residents and visitors; and

**BENTON COUNTY BOARD OF SUPERVISORS RECORD “P-P”**

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**WHEREAS**, County has been informed that numerous counties and states across the country have filed or intend to file lawsuits against certain of the opioid manufacturers in an effort to force the persons and entities responsible for the Opioid Epidemic to assume financial responsibility for the costs associated with addressing, combatting and otherwise dealing with the Opioid Epidemic; and

**WHEREAS**, County has engaged in discussions with representatives of the law firms of Crueger Dickinson LLC, Simmons Hanly Conroy LLC, and von Briesen & Roper, s.c., (the “Law Firms”) related to the potential for County to pursue certain legal claims against certain opioid manufacturers; and

**WHEREAS**, County has been informed that the Law Firms have the requisite skill, experience and wherewithal to prosecute legal claims against certain of the opioid manufacturers on behalf of public entities seeking to hold them responsible for the Opioid Epidemic; and

**WHEREAS**, the Law Firms have proposed that County engage the Law Firms to prosecute the aforementioned claims on a contingent fee basis whereby the Law Firms would not be compensated unless County receives a financial benefit as a result of the proposed claims and the Law Firms would advance all claim-related costs and expenses associated with the claims; and

**WHEREAS**, all of the costs and expenses associated with the claims against certain of the opioid manufacturers would be borne by the Law Firms; and

**WHEREAS**, the Law Firms have prepared an engagement letter, which is submitted as part of this Resolution (“Engagement Letter”) specifying the terms and conditions under which the Law Firms would provide legal services to County and otherwise consistent with the terms of this Resolution; and

**WHEREAS**, County is informed that the Iowa Counties Association has engaged in extensive discussions with the Law Firms and has expressed a desire to assist the Law Firms, County and other counties in the prosecution of claims against certain of the opioid manufacturers; and

**WHEREAS**, County would participate in the prosecution of the claim(s) contemplated in this Resolution and the Engagement Letter by providing information and materials to the Law Firms and, as appropriate, the Wisconsin Counties Association as needed; and

**WHEREAS**, County believes it to be in the best interest of County, its citizens, residents, visitors and taxpayers to join with other counties in and outside Wisconsin in pursuit of claims against certain of the opioid manufacturers, all upon the terms and conditions set forth in the Engagement Letter; and

**WHEREAS**, by pursuing the claims against certain of the opioid manufacturers, County is attempting to hold those persons and entities that had a significant role in the creation of the Opioid Epidemic responsible for the financial costs assumed by County and other public agencies across the country in dealing with the Opioid Epidemic.

**NOW, THEREFORE, BE IT RESOLVED:**

County authorizes, and agrees to be bound by, the Engagement Letter and hereby directs the appropriate officer of the County to execute the Engagement Letter on behalf of the County; and

**BE IT FURTHER RESOLVED:**

County shall endeavor to faithfully perform all actions required of County in relation to the claims contemplated herein and in the Engagement Letter and hereby directs all County personnel to cooperate with and assist the Law Firms in relation thereto.

The County Clerk shall forward a copy of this Resolution, together with the signed Engagement Letter, to the Law Firms at Erin Dickinson, Crueger Dickinson LLC, 4532 N. Oakland Ave., Whitefish Bay, WI 53211.

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

Signed this 26<sup>th</sup> day of December, 2017.

\_\_\_\_\_  
Todd A. Wiley, Chairman

\_\_\_\_\_  
Rick Primmer

\_\_\_\_\_  
Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

**Primmer moved/ Bierschenk seconded:** To establish the rates for the non-union county employees' share of the health insurance premium for FY19 as follows:

Single Plan: \$72.50 per month                      Family Plan: \$322.50 per month

Retiree:

Single Plan: \$866.47                                      Family Plan: \$1,938.25

The county's monthly premium for a single plan is \$866.47 less the respective amounts above and \$1,938.25 for a family plan less the respective amounts above. Motion carried.

**Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
Todd A. Wiley, Chairman

ATTEST: \_\_\_\_\_  
Hayley Rippel, Benton County Auditor