

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

January 2, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer, Seeman 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 December 26, 2018. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint Rick Primmer as the chairman of the board of supervisors for 2019. Motion carried.

**Primmer moved/Seeman seconded:** To appoint Gary Bierschenk as the vice-chairman of the board of supervisors for 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-1, Construction Evaluation. Motion carried.

## RESOLUTION # 19-1 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, 2019 and January 31, 2020 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 2nd day of January 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

In selecting the commission and board members, the board discussed how to achieve gender balance when they can. Benton County David Thompson read the Iowa Code dealing with this. The board also discussed adding two more members to the zoning commission, but would discuss this expansion at a later time.

**Seeman moved/Bierschenk seconded:** To re-appoint Mark Kotouc, Elaine Harrington and Larry Beatty as members of the Zoning Commission. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint Pat Jorgensen, to the Health Board. Motion carried.

**Bierschenk moved/Seeman seconded:** To re-appoint Doug Stien to the Benton County Board of Adjustment. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint Luke Hennings and Ann Jorgensen and to re-appoint Becky VanWey, Randy Scheel and Mark Droessler to the Integrated Roadside Vegetation Management Committee. Motion carried.

**Bierschenk moved/Seeman seconded:** To re-appoint Ben Bonar as weed commissioner for 2019. Motion carried.

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**Seeman moved/Bierschenk seconded:** To re-appoint Denni Randall, and appoint Becky VanWey to the Benton County Conservation Board. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint Kirk Beason as a new member to the Benton County Veterans Affairs Commission and re-appoint Monica Becker. Motion carried.

Historic Preservation Commission member Jeff Young was present for the appointment to this commission. Phil Borleski up for re-appointment, Young felt this was a county wide position, and to spread members of the commission out over the county more instead of only Vinton people. There was also talk of expanding this commission, but the board felt at this time, it was best to keep it with the five to achieve gender balance.

**Seeman moved/Bierschenk seconded:** To re-appoint Phil Borleski and appoint Roy Schulz and Edwon Yedik to Benton County Historic Preservation to go from 5 members to 7. All members voting nay. Motion failed.

**Seeman moved/Bierschenk seconded:** To re-appoint Phil Borleski to the Benton County Historic Preservation Commission. Motion carried.

**Bierschenk moved/Seeman seconded:** That the general schedule for regular meetings of the board of supervisors will remain the same and 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.

**Bierschenk moved/Seeman seconded:** To designate the official newspapers for Benton County for 2019 as The Star Press Union, The Cedar Valley Times, and The Vinton Eagle. Motion carried.

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

**Seeman moved/Bierschenk seconded:** To appoint the following members to the respective boards for 2019. Motion carried.

North Benton Family Resource Center (HACAP) - Supervisor Primmer

Regional HACAP –Supervisor Primmer

Emergency Management Commission - Supervisor Seeman

Supervisor Primmer, Alternate

Resource Enhancement & Protection (REAP) - Supervisor Seeman

Solid Waste Disposal Commission Advisory Board - Supervisor Seeman

Supervisor Primmer, Alternate

County Conference Board - Supervisor Seeman

Supervisor Primmer

Supervisor Bierschenk

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

Workforce Development - Supervisor Bierschenk

Eastern Iowa Tourism – Supervisor Bierschenk

Supervisor Primmer, Alternate

Supervisor Seeman Alternate

North Central Iowa Juvenile Detention – Supervisor Primmer

Supervisor Seeman, Alternate

Area Substance Abuse Council (ASAC) – Supervisor Bierschenk

Benton County Conservation – Supervisor Seeman, Ex-Officio

East Central Iowa Housing Trust Fund-Supervisor Seeman

Public Health Board-Supervisor Bierschenk

**Bierschenk moved/Seeman seconded:** To appoint Rick Primmer as trustee and Hayley Rippel as alternate to the Heartland Insurance Risk Group. Motion carried.

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

**BOARD OF DIRECTORS:**

Kathleen Van Steenhuyse

Dave Fish

Tracy Seeman

Rick Primmer and Gary Bierschenk, Alternates

**REVOLVING LOAN FUND COMMITTEE**

Kate Robertson

**REGION 10 PASSENGER TRANSPORTATION ADVISORY COMMITTEE**

Dana Burmeister

**REGION 10 TRANSPORTATION TECHNICAL ADVISORY COMMITTEE**

Ben Vierling

**REGION 10 REGIONAL TRAILS ADVISORY COMMITTEE**

Randy Scheel

**REGION 10 TRANSPORTATION POLICY COMMITTEE**

Tracy Seeman

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-2, Authorize Auditor to Issue Checks and Sign ACH Agreements for 2019. Motion carried.

**RESOLUTION #19-2  
AUTHORIZING THE BENTON COUNTY AUDITOR TO ISSUE CHECKS AND SIGN ACH AGREEMENTS FOR 2019**

**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 2nd day of January, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:  
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Hayley Rippel, Benton County Auditor

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-3, Authorize Treasurer to sign ACH Agreements for 2019. Motion carried.

**RESOLUTION #19-3  
AUTHORIZING THE BENTON COUNTY TREASURER TO SIGN ACH AGREEMENTS FOR 2019**

**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 2nd day of January, 2019

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

Attest:

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Hayley Rippel, Benton County Auditor

**Seeman moved/Bierschenk seconded:** To appoint the following persons to the Benton County Eminent Domain for 2019. Motion carried.

**EMINENT DOMAIN**

Licensed Real Estate Sales Person or Real Estate Broker

- Denise Weeda
- Danny Kaestner
- Tami Timm
- Shannon Feuerbach
- Alan Michael
- Wayne Siela
- Scott Schlarbaum

Persons Having Knowledge of Property Values by Reason of Occupation

- Brian Bierschenk
- Carol Goodchild
- Jeff Geiger
- Dave Coulter
- Harold Knaack Jr.
- Melissa McBride
- Kristina Kremer

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### Owner-Operator Agricultural Property

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

### Owners of City or Town Property

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

**Seeman moved/Bierschenk seconded:** To appoint Brian Robinson to the Pioneer Cemetery Commission. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To appoint Denni Randall to the Benton County Conservation Board. Motion carried.

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

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

Van Horne Benefited #1 – Ronald Bossler  
 Keystone Benefited #2 –Tom Harty  
 Newhall Benefited #4 – Timothy Rathje  
 Ben-Linn Benefited #3-#5 – James Keiper

**Seeman moved/Bierschenk seconded:** To re-appoint Ben Vierling as the Heartland Safety Coordinator and Myron Parizek as alternate. Motion carried.

**Bierschenk moved/Seeman moved:** To appoint Myron Parizek to be the 2019 County Engineer. Motion Carried.

**Seeman moved/Bierschenk seconded:** To appoint Myron Parizek and Gary Marlow to the Airport Zoning Commission. Motion carried.

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

**Seeman moved/Bierschenk seconded:** To authorize the chair to sign statement of non-issuance of certificate of occupancy for 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Appoint Marlyn Jorgensen, Greg Walston, Jay Herman, Pat Stepanek and Dave Fish as Benton County Development Group Board. Motion carried.

**Bierschenk moved/Seeman seconded:** Re-appoint Myron Parizek and Gary Marlow to the Airport Zoning Commission. Motion carried.

**Bierschenk moved/Seeman seconded:** Re-appoint Deb Christianson for the Airport board of Adjustment. Motion carried.

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

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Rick Primmer, Chairman

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

January 8, 2019

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

**Bierschenk moved/Seeman seconded:** To approve farm exemption application for Austin and Courtni Siela in part of the NE1/4 NE1/4 12-85-11. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve farm exemption application for Scott and Jennifer Birker in part of the SE ¼ SE ¼ f 3-84-11. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Eric and Amanda Kakac in part of the NW1/4 NW1/4 SW1/4 of 2-84-11. No media or members of the public were present. Kakac's were present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use

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Preservation Ordinance. Kakac's would like to propose a change of 2 acres into a residential non-ag use. CSR is 87, land is not in production. The existing driveway does not meet requirements, but may be able to continue for farm use only and install a new for the residence. This location will need a new well and septic. Surrounding land use is tillable, with nearby livestock. The required notification was sent to the adjacent landowner's and published in the official newspapers. Hearing no other further comments, the public hearing was closed.

**Seeman moved/Bierschenk seconded:** To approve land use change for Eric and Amanda Kakac in part of the NW1/4 NW1/4 SW1/4 of 2-84-11 with agreement to put in a new residential driveway. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Brett and Jena Heishman in part of Parcel A NE SW and SE NW of 36-82-10. No media and no other members of the public present. Brett Heishman was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Heishman's would like to propose a change of 2 acres to build a new home. There is an existing driveway that meets all criteria. CSR is 95, but not in production. This site was an old farmstead, will need a new conventional septic system. This has access to rural water. The required notification was given and hearing no comments for or against, the public hearing was closed.

**Bierschenk moved/Seeman seconded:** To approve the land use change for Brett and Jena Heishman in part of Parcel A NE SW and SE NW of 36-82-10. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the minutes of January 2, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140475 through 140486, ACH deposits numbered 36775 through 36912, claims numbered 229867-229995, vendor checks numbered 229996-230001. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the drug and alcohol policy for the Transportation department. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the appointments of the following deputies and assistants in their respective offices:

Recorder: Marla Sutton

Treasurer: Michele Sauer, Melinda Schoettmer and Rose Sackett

Attorney: Brett Schilling, 1<sup>st</sup> Assistant and Kelly J. Smith, 2<sup>nd</sup> Assistant

Tim Johnson and Katie Schmitt with Kingston Life and Health Insurance presented the board its array of services along with the insurance renewal rates. The ISAC Group Health Program is in a group partnership with Kingston Life and Health Consulting. Johnson provided a folder with history statistics along with varied additional insurance options available for add-ons for Benton County's employees. They will get a detailed packet sent to us of the additional add-ons the county was interested in and decide on those at a later date.

**Bierschenk moved/Seeman seconded:** To approve the FY 20 Wellmark Renewal Plan 11E, same as last year at last year's rates. Motion carried.

**Seeman moved/Bierschenk seconded:** To authorize the Auditor to make the necessary line item changes as discussed regarding insurance premiums.

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-4, Wage and classification change. Motion carried.

**RESOLUTION # 19-4  
Wage and Classification Change**

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

WHEREAS: Upon the completion of the year period the base wage will be increased from the intermediate wage (per bargaining unit agreement)

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that the hourly wage for Wayne Frickson be set at \$21.77 per hour effective January 3, 2019. This position (mechanic) carries a Labor Grade classification VD.

Signed this 8<sup>th</sup> day of January, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

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

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**Seeman moved/Bierschenk moved:** To approve 72 hours of vacation carry-over for Myron Parizek to be used by April 5, 2019. Motion Carried.

**Primmer moved/Bierschenk seconded:** To approve and sign wellness program agreement between Iowa State Association of Counties (ISAC) and Benton County and appoint Tracy Seeman as the Supervisor representative on the County wellness committee. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Treasurer’s Semi-Annual Report. Motion carried. Kelly Rae Geater, presented the FY20 Treasurer Budget.

**Seeman moved/Bierschenk seconded:** To approve Recorder’s Quarterly Report. Motion carried. Lexa Speidel presented the FY20 Recorder Budget.

**Seeman moved/Bierschenk seconded:** To approve Auditor’s Quarterly Report. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Sheriff’s Quarterly Report. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint the following persons to the respective listed township positions for four-year terms. Motion carried.

Cedar- Larry Moody, Clerk , John Lee, trustee

Fremont-Andrew Jones, Clerk, Daniel Massman, trustee

Homer-Randy Schirm, Clerk, Don Callahan, trustee

Kane-Michael Silhanek, Clerk, William Selken, trustee

Union-Dean Werner, Clerk, Paula Denison, trustee

Monroe-Leland R. Schrader, Jr., Clerk, Gary Reed, trustee

**Seeman moved/Bierschenk seconded:** To appoint Terry Hertle and Amy Boddicker to the Solid Waste Commission. Motion carried.

Discussion about some recycling issues with how things get dumped improperly into the city’s recycling bins, the loads get rejected and then have to be taken to the county landfill. Supervisor Seeman will discuss this at the next solid waste meeting. Other committee reports were had along with discussing the thermostats at the Benton County Service Center.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

January 15, 2019

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

Scott Hansen came to ask the Supervisors to be thinking about budgeting for a new Hazard Mitigation Plan. Our current mitigation plan will expire February 16, 2021. Hansen asked that they put in \$10,000 in FY20. He felt it could be done for less money without having to follow the grant rules like we did last time. Hansen also wanted to invite the board members to the Emergency Management Commission’s budget hearing on Monday, January 28, 2019 at 7:00 p.m.

**Seeman moved/Bierschenk seconded:** To set land use hearing date for Bruce and Shawn Grimm in part of Parcel A in SE ¼ SW ¼ of 7-86-12 for Tuesday February 12, 2019 at 9:15 a.m. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the minutes of January 8, 2019 with one typo fixed. Motion carried.

Irene Holzwarth, Business Manager for Department of Human Services presented the FY 20 DHS Budget. Supervisor Primmer also inquired about DHS contributing to some improvements to the Benton County Service Center where Benton County DHS is housed. Holzwarth thinks it could be billed through the LAE reimbursements. The Board would need to provide a letter referring to the projects and costs.

**Seeman moved/Bierschenk seconded:** To increase the zoning commission members from 7 to 9 and appoint Ann Jorgensen and Deb Christianson to the commission. Motion carried.

**Bierschenk moved/ Seeman seconded:** To amend County Handbook Section 7 regarding the newly adopted Transportation drug and alcohol policy and have those employees affected by it sign off on it. Motion carried.

Various department budgets were discussed throughout the meeting including: Land Use/Health Department, WMA, Transportation, Engineer, Maintenance, MH/DD and Sheriff.

**Bierschenk moved/Seeman seconded:** To authorize and sign the National Disaster Recover Project Intent to Obligate Construction funds and the Affirmation of Duplication of Benefits and Subrogation and Assignment for the National Disaster Resiliency Infrastructure/Watershed CDBG Grant Project. Motion carried.

A salary increase was discussed for Ben Vierling, assistant Engineer. Vierling recently passed his Principles and Practices of Engineering exam and the Engineer asked that he be compensated an additional \$10,000 per year. No action was taken, but the board agreed that this should be a budgeted item for action on July 1. The supervisors agreed based on precedence, no middle of the year raises should be allowed, trying to treat everyone equal but understand there are different rules regarding deputies appointed under elected officials can occur in the middle of a budget year.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-5, Temporary Road Closure. Motion carried.

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

**RESOLUTION # 19-5**

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from January 14, 2019, through the completion of the project.

From 30<sup>th</sup> Avenue Drive thence easterly approximately 1.0 mile to 31<sup>st</sup> Avenue along 62<sup>nd</sup> Street in Benton and Canton Township.

Signed this 15<sup>th</sup> day of January, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

**Bierschenk moved/Seeman seconded:** To approve and sign contract with Taylor Construction, Inc. in the amount of \$470,974.45 for bridge replacement [BROS-SWAP-CO06(112)—SE-06] on 51<sup>st</sup> St Drive. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-6, Creating and Appointing Sergeant’s position. Motion carried.

**RESOLUTION # 19-6**

**Creating and Appointing Sergeant’s position in the Sheriff’s office**

WHEREAS, the Benton County Sheriff has requested to eliminate his 2<sup>nd</sup> deputy position with the creation of two new Sergeant position(s) within his department; and

WHEREAS, applications have been accepted and the interviews and testing has been completed by the civil service commission for said positions; and

WHEREAS, the Sheriff recommends that Officer Josh Karsten, who has been employed with Benton County since October of 2011, and Officer Chris Rider employed since December of 2001 are the most qualified for these positions;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Josh Karsten and Chris Rider be approved for this promotion effective January 19, 2019 at the new hourly wage set at \$29.42/ hour for Karsten and \$30.20 /hour for Rider.

Signed this 15<sup>th</sup> day of January, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

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

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Rick Primmer, Chairman

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



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

January 22, 2019

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-7, Compromise of Taxes. Motion carried.

### RESOLUTION #19-7

WHEREAS, the Benton County Treasurer has recommended that taxes owed to Benton County on parcel #4685 should be compromised, \$1746.00 taxes owed and \$98.00 in penalty/interest;

WHEREAS, there are currently tax liens filed against the properties and has determined that it is impractical to pursue collection of the total amount of tax due through the tax sale and the personal judgment remedies and has recommended that the board of supervisors abate the tax on this parcel;

IT IS THEREFORE RESOLVED that the delinquent tax, penalty, interest and costs assessed on parcel # 4685 for the amount of \$1,559.00 is hereby abated pursuant to Iowa Code 445.16. The treasurer is directed to strike the amount due from the county system.

Dated this 22<sup>nd</sup> day of January 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

**Seeman moved/Bierschenk seconded:** To approve the minutes of January 15, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140487 through 140505, and 140506 through 140517, ACH deposits numbered 36913 through 37045, claims numbered 23002-230154, vendor checks numbered 230155-230162 and handwrite number 230163. Motion carried.

Riverview Center was unable to make the meeting due to the weather. It has been re-scheduled for next week.

Kate Robertson, Benton Development Group requested an increase of \$ 7,500 for FY20. They are working on increasing marketing and would like the cities and county to get together to work on the same goals. They are having success with the community videos and Kate will get those to share with the board for future use as well. Robertson is also working to become a certified economic developer and has been and will continue to take courses for this.

County Auditor Hayley Rippel along with Deputy Auditor, Gina Edler, asked the board for clarification on handbook sections 2.7 (Mileage and Expense Reimbursement) and 6.9 (Credit Card Use). The County Attorney David Thompson was also present. Edler handed out a packet with concerns regarding this issue, how can she do her job if the rules and guidelines are different for different departments. Board Chairman Primmer read the policy on this. Reimbursement is based on a round trip to meetings when housed inside of Linn, Johnson, Iowa, Poweshiek, Tama, Black Hawk and Buchanan Counties. Reimbursement for all lodging expenses requires corresponding receipts. Continued talk regarding where the starting point was to calculate mileage etc. Thompson felt the county's policy is not an appropriate policy for what his employees were doing. He was surprised the animosity over this and didn't see the need for it. Auditor Rippel stressed her office was only wanting the invoice from the hotel stay, bills cannot be paid without the invoices, which then further leads to finance charges. Thompson felt a courtesy call to the bank would waive the finance charges. Rippel added that it was her job to question the credit card bills. When asked if it was taxpayers' responsibility to pay the finance charges, Primmer said a lot of taxpayer's dollars get wasted, "you're stepping over a dollar to pick up a dime. So swallow it and move on." The employees shall make up the difference in the reimbursement, in the past the elected official would pay for the interest charge. Primmer felt it should come out of the budget, therefore the board would have to rescind action from discussion and guidance given at a previous meeting in December regarding this.

Melissa Smith, Virginia Gay Hospital provided a review of the services provided throughout the county for public health services. The county gives a yearly allocation with the original contract stating that a cost of living increase be added to that each year. Smith also brought a revised and updated contract, but the county attorney would like time to review before it is signed and approved.

Peggy Schott and Phil Borleski, Benton County Historical Preservation were present to request their FY20 budget and go over their upcoming projects and plans for the committee. They were appreciative of the new office space at the Benton County Service Center.

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

The following departments presented their FY20 budgets throughout the morning meeting: Veterans Affairs, Conservation, IT/GIS, Auditor/Elections and the County Attorney.

Myron Parizek, Engineer and the board discussed if he could assist with services for the Benton County Service Center paving project. He would assess the area and get back to them.

**Bierschenk moved/Seeman seconded:** To approve the 2018 Weed Commissioner's Report. Motion carried.

The board discussed the FY 20 Compensation's Boards recommendations along with some non-elected wage discussions. The Compensation Board recommended a 3% for the Auditor, Recorder, Treasurer and Supervisors and 4% for the County Attorney and Sheriff. There was no action taken, the board would like to review these and act on them next week.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

January 29, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes of January 22, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint Allison Hicks to the Benton County Historical Preservation Commission. Motion carried.

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

**Seeman moved/Bierschenk seconded:** To approve and sign the Cyber and Technology Liability Insurance Renewal. Motion carried.

Continued discussion regarding the clarification to the previous matter on the credit card policy (6.9) in the county handbook was had. Per conversation with the bank the county will need to specify what departments will be issued cards and what the credit limit will be. There still needs to be rules and regulations in place with allowed use of said cards. Who would be responsible for interest charges and late fees in the future? Primmer felt that department heads should be responsible and make sure everything gets turned in on a timely matter. Regarding last week's discussion about the finance charges and late fees that occurred, the bank waived them as a one-time courtesy. Sheriff Tippett does not want to seek reimbursement for his portions of previous finance charges paid. He personally agreed that the department heads were responsible since they code the bills in their offices. Deputy Auditor Gina Edler, asked for an amendment to the current policy or better clarification so she can treat everyone the same regarding the future incoming bills pertaining to credit card usage. The board asked her to get other county's examples of credit card policies and they can re-visit this next week.

**Seeman moved/Bierschenk seconded:** To set the public hearing date of Tuesday March 6, 2018 at 9:30 a.m. for FY20 Budget and FY19 Budget Amendment. Motion carried.

Abby Michael, Amanda Threadgold and Danielle Clark with the Riverview Center were present this morning for their budget request of \$5,000. This is to ensure survivors of sexual assault in Benton County are aware of the free and confidential advocacy and therapy services available to them. Others present advocating on their behalf were: Eric Dickerson and Josh West, Vinton Police Department and Benton County Sheriff Ron Tippett. Riverview Center provides a lot of the sexual abuse training for our local law enforcement and schools. Although it is still in the infant stage, Officer Dickerson stated that the Riverview Center in regards to the "SAR" Team is a true multi-agency effort. Sheriff Tippett agreed, they are a growing asset to Benton County. Most funding for the center comes from state grants, donations and a little federal funding.

Supervisor Chairman asked for comments from his fellow supervisors to further their discussion regarding the FY 20 Compensation's Boards recommendations. The Compensation Board recommended a 3% for the Auditor, Recorder, Treasurer and Supervisors and 4% for the County Attorney and Sheriff. If the board reduces, they have to do it equally across all elected officials, but can single out the supervisors. Compensation Board Chairman, John Yundt, was also present for the discussion. Yundt explained how the compensation board agreed on the figures. The 4% was used to catch up the sheriff and attorney to equalize them with other department heads in other similar sized counties. This has been done in years past also. The 3% figure was based on the consumer price index increase of approximately 2.5, and to basically keep up with inflation. Seeman asked how the recommendations affects the salaries of others in the offices. It was explained that it affects the pay of some deputies whose salaries are based on a percentage of their respective elected official.

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-8, FY20 Elected Officials Salaries. Motion carried.

RESOLUTION #19-8  
ELECTED OFFICIALS' SALARIES

WHEREAS, the Benton County Compensation Board met on January 9, 2019, 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 2019 (current)</u>	<u>FY 2020 (recommendation)</u>	<u>Increase</u>
Auditor	\$74,310.93	\$76,540.26	3%
Treasurer	\$70,276.58	\$72,384.88	3%
Recorder	\$70,276.58	\$72,384.88	3%
Attorney	\$105,065.84	\$109,268.47	4%
Sheriff	\$87,223.42	\$90,712.36	4%
Supervisor	\$40,170.29	\$41,375.40	3%
(Chairman)	\$41,179.29	\$42,375.40	\$1,000 stipend

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, 2019, as recommended by the Benton County Compensation Board.

Dated this 29th day of January, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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

Moving on to a more lengthy discussion regarding the wages and salaries of county employees not covered by a bargaining unit or deputies of elected officials. Department heads who were present were given the opportunity to speak up on behalf of their employees or other department heads and justify why they are deserving of the average 3% increase that has been granted the past two years. All the individual departments has had their agenda time for discussion when they presented their budget to the board members.

**Seeman moved/Bierschenk seconded:** To grant a 3% across-the-board increase to all employees who are not covered by a bargaining agreement or who aren't deputies of elected officials and according to what the departments heads turned in and to make it work with the exception for the following employees who will receive the discussed additional amounts:

Secondary Roads-Ben Vierling -70% of Engineer's salary, Alisha Burmeister 3% plus additional \$1,500, Ben Bonar 3% plus an additional \$1,500.

IT/GIS-Ben Turnis- 6% with \$2,000 to come out of Elections

County Attorney's office all get 4% with \$27,000 to be paid out of the Collections fund

Recorder's office-Katelyn Welper-\$16.50/hour

Sheriff's office-Karen Uthoff -4%

Treasurer's Office- League Clerk -\$40,000, 2<sup>nd</sup> clerk-\$32,000 and permanent part-time-\$16.00/hour

Maintenance Department-4%

Land Use-4%

Motion carried.

Most of the Committee meetings were cancelled for the week due to the weather. The Board did not feel they would close the courthouse. But it was the employees choice to use vacation or comp time if they did not want to report to work.

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

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

February 5, 2019

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

Scott Hansen, Benton County EMA came to go over a quick review of his FY 20 budget since the original meeting was cancelled due to weather. This year they are combining the EMA Budget Hearing with the E-911 Budget Hearing, so the supervisors don't need to attend unless they want to. Hansen explained the amount he is asking for out of the General Supplemental fund of \$47,474. Palo Nuclear Plant estimates to be totally shut down by the year 2022.

**Seeman moved/Bierschenk seconded:** To acknowledge the resignation of Larry Yeager effective immediately, part-time employee in the Transportation Department effective immediately. Motion carried.

Dana Burmeister presented her recent estimate for a new transportation building to be located at the Benton County Service Center. Burmeister drafted a letter to express Benton County's intent to apply for the public transit infrastructure grant. It was agreed it would also be a good idea to get other letters of support from members of the public such as the Vinton Fire Chief, City police and possibly Scott Hansen to send in along with this letter. The current Transportation building is in a flood zone, so it would be beneficial to get that moved. Benton County understands that if the grant is awarded, the ownership of the new building and the land would transfer to East Central Iowa Council of Governments (ECICOG) for 30 years to satisfy the grant requirements. ECICOG in return would lease back the property to Benton County for small fee for public transit use only. Discussion then led to putting money into the budget in hopes this will be approved and they could possibly move forward with said construction as early as the Fall of 2019 or Spring of 2020 weather permitting.

**Bierschenk moved/Seeman seconded:** To sign the letter of intent for Benton County to apply for the Public Transit Infrastructure Grant to ECICOG Board of Directors. Motion carried.

Bids were opened for a new vehicle for Social Services Director, Mona Krugger. Discussions pertaining to the specs that were sent out, more specifically if the wheel based sized mattered? Krugger apologized, she didn't realize that when she mailed the specs out, they were geared more toward the police package. With the wheel base not pertaining to her but she did follow -up with everyone regarding this. Bids that were received and listed in no particular order were as follows:

Thys Automotive Group, Belle Plaine –2019 Dodge Journey AWD 3.6L V6-\$25,120  
Ervin Motor Company-Bid #1-2019 GMC Acadia SL AWD 3.6 L V6-\$28,965  
-Bid #2-2019 GMC Terrain SLE AWD 1.5L -\$25,205  
Van Horn Motors of Newhall-2019 Chevrolet Traverse LS AWD -\$29,005  
Thys Automotive Family, Blainstown-2019 Chevrolet Traverse AWD 3.6L V6-\$29,945  
John Grieder Motors, Belle Plaine-Bid #1-2019 Chevrolet Traverse AWD 3.6L V6-\$28,926  
-Bid #2-2019 Chevrolet Equinox AWD 1.5L 4-cylinder-\$24,365.30

After more discussion regarding the wheel base, the Equinox and the Terrain were taken off as choices.

**Bierschenk moved/Seeman seconded:** To award the bid to Thys Automotive Group, Belle Plaine for the 2019 Dodge Journey AWD for \$25,120. Motion carried.

Jane Drapeaux, Chief Executive Officer for Hawkeye Area Community Action Program (HACAP), came to justify the FY 20 Budget request increase of \$10,000. The increase is to help cover the cost of the Belle Plaine senior meal program. HACAP took over operating the meals from Horizons in September of 2016. They currently fund \$126,000 a year for this program. The Board thanked Drapeaux for taking the time for the update on where the funding goes and felt it was a good program to continue.

After reviewing the minutes and arising questions following last week's meeting. Clarification was needed regarding the motion made on January 29, 2019 pertaining to the non-elected wages. It has been brought to the Supervisor's attention there were a few department heads who weren't present for that meeting to justify why they put in the increases they did. It was clarified, that Supervisor Seeman intended for those departments who submitted for said wage increases, to accept them as they were originally presented. (Transportation, WMA and Mental Health) were the departments not discussed in last week's meeting. The Board will have another special budget session on Friday, February 8 and may further pinpoint problem areas that may need reduced before for final approval.

**Bierschenk moved/Seeman seconded:** To approve the minutes of January 29, 2019. Motion carried.

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

**Seeman moved/Bierschenk seconded:** To approve and sign the adoption agreement for Benton County's Health Reimbursement Account with Secure Benefits. Motion carried.

The Engineer recommended that the board move forward with the funding request from the City of Van Horne for the STBG Regional project with East Central Iowa Council of Government (ECICOG).

**Seeman moved/Bierschenk seconded:** To approve the \$153,600 for the federal limit funding as requested by the City of Van Horne to re-surface along the 1<sup>st</sup> Street overlay in Van Horne. Motion carried.

The Board also thanked Myron Parizek, Engineer and his secondary road department for all the effort put in last week for the snow removal. January was a challenge.

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

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Ongoing discussion on amending the current credit card policy (6.9). Gina Edler, Deputy Auditor presented (8) examples from other counties to review in comparison to Benton County's current policy per the Board's request. It was agreed, we shouldn't have finance or late fees, and maybe tweak some wording and get this policy changed. Per another county's policy, their department heads were responsible for their finance charges. After all in attendance agreed to what areas needed clarification, it was advised to have Edler move forward with these changes and to get Eide Bailly's opinion as well. It will be brought in front of the board again for approval along with possibly amending the travel reimbursement in the handbook section (2.7) and possibly adding restrictions that coincide with some of the credit card policy changes to come. The County Attorney will also look over these changes before taking formal action.

Auditor Rippel went over some FY 20 budget reports, and to make sure the upcoming Friday's budget session would cover all the final items she needs to get the publication to the newspaper on time. We can publish high and lower it at the budget hearing.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

February 12, 2019

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

**Bierschenk moved/Seeman seconded:** To approve the minutes of February 8, 2019. Motion carried.

Discussion regarding the 28E Agreement with the City of Norway for shared maintenance on a road. The Board would like to ask the Engineer a few questions, so no action was taken.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Bruce and Shawn Grimm in part of the SE1/4 SW1/4 of 7-86-12. No media or members of the public were present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Grimm's would like to propose a change of 1 acres into a residential non-ag use. They would like to create living quarters in an existing building on their property for an aging parent. The existing driveway meets all requirements. This location will need a new well water waste treatment system. The required notification was sent to the adjacent landowner's and published in the official newspapers. One neighbor to the east called in regards, but had no complaints. Hearing no other further comments, the public hearing was closed.

**Bierschenk moved/Seeman seconded:** To approve land use change for Bruce and Shawn Grimm in part of the SE1/4 SW1/4 of 7-86-12. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and sign the lease agreement between Benton County, Iowa and the Benton County Agricultural Extension District d/b/a Old School Produce Partners for the time period of February 15, 2019 through December 31, 2019. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-9, Changing Employment Status of Jailers. Motion carried.

RESOLUTION #19-9  
EMPLOYMENT STATUS CHANGE FOR JAILERS

WHEREAS, the Benton County Sheriff has a need for full-time help in the jail; and

WHEREAS, Darien Smothers has been employed by Benton County as part-time since August 17, 2018 and Devontez Roberts employed as part-time since November 27, 2018;

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

WHEREAS, the Sheriff recommended that Smothers and Roberts have their employment status be changed from part-time to full-time,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Darien Smothers and Devontez Roberts be changed to a full-time communications specialist in the Sheriff's office, effective February 16, 2019 at the hourly rate of \$16.47 an hour.

Dated 12th day of February 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

The Board continued their work on fine tuning the FY 20 Budget. A few departments were asked to attend today's meeting for questions regarding some areas in their budgets. A few areas regarding the FY 19 amendment were addressed as well. The Auditor was advised to publish everything as is, and they can reduce later.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140518 through 140534, ACH deposits numbered 37046 through 37182, handwrite 230164, vendor checks numbered 230165-230171 and claims numbered 230172-230355. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

February 19, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes of February 12, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve advertising and the hiring of 2 part-time seasonal roadside spray drivers at \$16.00 an hour and \$13.39 for intern under the Weed Department. Motion carried.

Adam Rodenberg, WMA Project Coordinator, reported on the bids that were received for a construction contract for construction of Middle Cedar Watershed Flood mitigation, Bids were opened on February 13, 2019 at 11:00 a.m. at Rodenberg's Cedar Rapids office. Rodenberg suggested moving forward with the lowest bid from Schrader Tiling and Terrain, LLC.

**Bierschenk moved/Seeman seconded:** To award the construction contract for the Middle Cedar WMA Flood Mitigation Structures to Schrader Tiling and Terrain, LLC for amount of \$468,602.75, contingent on that they are eligible at the state level. Motion carried.

**Seeman moved/ Bierschenk seconded:** To approve tax suspension on parcel #030-44025 pursuant to Iowa Code section 427.9. Motion carried.

**Seeman moved/Bierschenk Seconded:** To change the public hearing dates set for FY20 Budget to March 12, 2019 at 9:30 a.m. and FY19 Amendment at 9:45 a.m. Motion carried.

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-10, Creation of two (2) capital project funds. Motion carried.

**RESOLUTION #19-10  
CREATION OF (2)  
CAPITAL PROJECT FUNDS**

WHEREAS, Benton County has some current and ongoing planned capital projects;

NOW THEREFORE BE IT RESOLVED BY the Benton County Board of Supervisors that two (2) Capital Project funds be created for the purposes of receipting and expending the funds necessary for the projects;

IT IS FURTHER RESOLVED that the funds are titled as SERVICE CENTER CAPITAL PROJECT FUND (1551) and TRANSPORTATION BUILDING GRANT FUND (1513) are established as capital project funds as set forth in the Uniform Chart of Accounts for Iowa County Governments.

IT IS FURTHER RESOLVED that the revenue and expenses budgeted in the general fund for said project fund activities be transferred to said capital project funds.

PASSED and APPROVED this 19<sup>h</sup> day of February, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

The board took an hour recess and then went back in session with the Engineer to go over some budget concerns and the Iowa DOT Traffic map and areas of concern.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

Hayley Rippel, Benton County Auditor

February 19, 2019

The Benton County Board of Supervisors met in special session at 6:00 p.m. at the Farm Bureau Office Building in Vinton. Supervisor Primmer called the meeting to order with Supervisor's Bierschenk and Seeman also present.

Discussion was held on the FY20 county budget along with other topics such as the newly purchased county building known as the Benton County Service Center. Mental Health continues to be a big concern. Explained some of the upcoming projects such as possibly moving the transportation building to the land near the Benton County Service Center.

The Board took the Farm Bureau members on a tour at the newly purchased county building. Department of Human Services (DHS) has been there as a tenant under the previous owner. The county recently sold the building that used to house DHS along with the Governor Sherman Building. With these changes they have since moved the Veterans Affairs Director, Social Services, Volunteer Office and Benton Development Group into the new building. Along with creating a very nice conference room, three of the rooms have been split to be able to accommodate others needing office space such as the WMA project coordinator and the Historic Preservation Commission. The food pantry is also housed in the facility. The future plans include updating the duct work to better controlling the heat and air, along with creating a handicap parking area and a new parking lot.

**Bierschenk moved/Seeman seconded:** To adjourn at 8:00 p.m. Motion carried.

\_\_\_\_\_  
Rick Primmer, Chairman

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

Hayley Rippel, Benton County Auditor

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

February 26, 2019

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

**Seeman moved/Bierschenk seconded:** To approve both sets of the minutes from February 19, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140535 through 140565, ACH deposits numbered 37183 through 37315, vendor checks numbered 230356-230363 and claims numbered 230364-230485. Motion carried.

**Seeman Moved/Bierschenk seconded:** To approve Veteran's Affairs Quarterly Report. Motion carried.

Board discussed FY20 Conservation Budget with Conservation Director Karen Phelps. Board questioned several line items with Phelps. Phelps discussed projects for FY20.

Board briefly discussed handbook policies 2.7 Mileage and Expense Reimbursement and 6.9 Credit Card. County Attorney David Thompson and Assistant County Attorney Brett Schilling were present. Thompson made a suggestion of setting a 3 person committee, members would consist of Supervisor Rick Primmer, Deputy Auditor, Gina Edler and County Attorney David Thompson. Board agreed to let the committee hash through the policies line by line then present it to the board. The committee is to meet on March 5<sup>th</sup> in the afternoon. Vacation carry over policy was to be added to be reviewed by the committee.

The 28E agreement between City of Norway and Benton County, was not discussed since the road in question was pointed out that it is all within the city limits.

**Seeman moved/Bierschenk seconded:** To approve final IDOT Payment of \$13,039.14 for contract construction voucher with Taylor Construction Inc. for project STP-S-CO06(103)—5E-06. Motion carried.

Board discussed holiday closings of the courthouse and how it matches up to the Clerk of Court's schedule which is dictated from the State's holiday schedule. The Clerk's office is closed for Martin Luther King Jr. Day and the County is open. The County closes for President's Day and the Clerk's office is open. Board questioned about the Union contracts. The Union contracts specifically list the holidays. If they would want that changed, a memorandum of understanding would have to be drafted by the Union lawyer and it would have to be voted on by the Unions. Board asked the Auditor's office to reach out to the Union lawyer to check on it.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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



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

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March 5, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes from February 26, 2019. Motion carried.

**Seeman mved/Bierschenk seconded:** Accept resignation of Tom Harty, trustee of the Keystone Benefitted Fire District and appoint Dale Seeck to replace him effective immediately. Motion carried.

**Bierschenk moved/Seeman seconded:** To amend FY 20 Budget Hearing date to March 19, 2019 at 9:30 a.m. due to meet the publication deadlines in all three of the official newspapers. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve/deny the family farm applications as presented. Motion carried.

Katie Schmitt, Account Manager for Kingston Life and Health Insurance presented some updated quotes that was asked of her. She went over the different plans for dental and vision along with some life insurance and long term disability plans. She spoke about the different offered plans and answered questions. It was agreed that the board would like to send out an employee interest survey before making any final decisions.

**Seeman moved/Bierschenk seconded:** To approve and sign the County's Wellmark Renewal for FY20. Motion carried.

The Engineer came to discuss the impact that the proposed Senate File 184 could have on Benton County's bridges. It is a bill to issue an overweight annual permit for the transportation of raw forest products on a vehicle exceeding the legal weight. The permit could be issued by the department and then direct the permittee to travel on non-primary highways. The department only has the ability to analyze bridges on the primary system in their permitting computer system and none of the county's bridges are listed on that system. If this is passed, it could allow a heavy load to cross over a bridge that isn't capable of handling the overweight load. Parizek asked that the board be in touch with local legislature with their opposition in this matter.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

March 12, 2019

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

**Seeman moved/Bierschenk seconded:** To set land use hearing date of Tuesday April 9, 2019 at 9:15 a.m. for Joshua and Katherine McDaniel in part of the NE ¼ SE ¼ (Lot 2) of 2-84-9. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the minutes from March 5, 2019. Motion carried.

Nate Edwards, Edwards Plumbing and Heating discussed the quote he prepared for HVAC at the Benton County Service Center. There was a few different options listed out with mini splits, floor vents vs wall mounts or running duct work from a main furnace into hallway and bathrooms. Edwards said he can provide another quote without doing the mini splits and get back to them.

**Bierschenk moved/Seeman seconded:** To approve farm exemption application from Joel an Erika Olson for Parcel A in NW NE of 33-83-9. Motion carried.

Dana Burmeister, Transportation Director asked about a plan to be pro-active if she would need to relocate her office due to flood. Thinking ahead, the board agreed the Benton County Service Center would be able to accommodate her temporarily if it would come to that. Scott Hansen, EMA Director was also present and at this time he was not nervous. With the current predictions right now, we should be fine.

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

**Seeman moved/Bierschenk seconded:** To Approve Resolution #19-11, Amending FY 19 Budget. Motion carried.

### RESOLUTION #19-11

**BE IT REMEMBERED** on this, the 12<sup>th</sup> day of March 2019, the Board of Supervisors of Benton County, Iowa, met in session for the purpose of hearing on an amendment to the current operating budget adopted on March 6, 2018. There was a quorum present as required by law. Thereupon, the Board found that the notice of time and place of the hearing had been published. Thereafter, and on said date the amendment was taken up and considered. Thereafter, the Board took up the amendment to the budget for final consideration and determined that said budget be amended as follows:

<u>Expenditures</u>	<u>Amendment</u>
Public Safety	\$ 0
Physical Health & Social Services	+\$100,600
Mental Health	\$ 0
County Environment & Education	\$ 0
Roads & Transportation	\$ 0
Government Services to Residents	\$ 0
Administration	\$ 0
Non-Program	\$ 0
Debt Service	\$ -122,808
Capital Projects	+\$672,808
Operating Transfers Out	+\$122,808

<u>REVENUES</u>	<u>Amount</u>
Intergovernmental	+\$138,427
Licenses & Permits	\$ 0
Charges for Services	\$ +400
Use of Money & Property	\$ 0
Miscellaneous	-\$327,500
General Long Term Debt Proceeds	\$ +550,000
Operating Transfers – In	+\$122,808
Proceeds of Fixed Assets	\$ 0

Dated this 12th of March 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

**Bierschenk moved/Seeman seconded:** To approve the WMA early notice and public review for the 100-year floodplain and wetland Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the Benton County Historical Preservation annual report. Motion carried.

**Seeman moved/Bierschenk seconded:** To sign letter of concern for the legislative update regarding the Senate File 184. Motion carried.

**Moved/seconded:** Approve payroll checks numbered 140566 through 140588, ACH deposits numbered 37316 through 37449, vendor checks numbered 230486-230492 and claims numbered 230493-230640. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

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

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March 19, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes from March 12, 2019. Motion carried.

The Auditor brought up Senate File 2227 that was approved on May 4, 2018. This is an act relating to the publication of county resolutions. It allows the Auditor to summarize resolutions for publication cost savings, but would still be available on the county website or in the printed minute records maintained in the Auditor's office. Rippel just wanted to know what their thoughts were in regards to this. They agreed certain times this can definitely be utilized.

**Bierschenk moved/Seeman seconded:** To approve fireworks permits for Chuck Yedlik for the dates of 4/6/2019, 5/25/2019-5/26/2019, 10/26/2019. Motion carried.

Discussion has been ongoing regarding the county handbook for certain areas: mileage and expense reimbursement 2.7, credit card policy 6.9 & claim processes and procedures 2.13 and 2.14. The sub-committee came up with broad coverage and logic in making these changes. The County Attorney said he is comfortable with the changes that have been made.

**Seeman moved/Bierschenk seconded:** To approve amendments to the Mileage and Expense reimbursement 2.7, Credit Card Policy 6.9 and adopt the new Claim Processes and Procedures 2.13 and 2.14. Motion carried.

FY20 Budget Hearing was opened to the public. Al Schafbuch was a member of the public present. He was concerned with the big increase in Service Area 6 but otherwise felt like things seemed appropriate. Auditor Rippel explained that Benton County is the Middle Cedar WMA fiscal agent, therefore Benton County has to show the ins and outs of the grant funding within their budget. They are starting to get into projects and this reflects that. The Conservation land acquisition was also a big topic. Karen Phelps, Conservation Director and Adam Rodenberg, WMA Coordinator explained their plan of a possible purchase of land that could help improve the watershed. Some of this would be reimbursable, and Phelps plans to apply for grants, but would need some county funding to make this all possible. The Board was concerned about the \$100,000 in the current FY 19 Budget if that wasn't spent in this fiscal year, if moving forward, the committing of that into the FY20 Budget for a total of \$200,000 spending authority out of Land Acquisition. Other topics discussed was the county's land use policy, and if there was a policy for wind towers. Primmer explained there was some money put in the FY 20 budget to possibly amend the current county comprehensive plan for the land use ordinance to move forward in the future. The Board can further discuss the appropriations for spending authority as the new fiscal year gets closer. Hearing no more comments, the public hearing was closed.

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

**Seeman moved/Bierschenk seconded:** To Approve Resolution #19-12, Adopting FY 20 Budget. Motion carried.

RESOLUTION #19-12  
ADOPTION OF THE FY20 COUNTY BUDGET

**BE IT REMEMBERED** that on this, the 19th day of March 2019, 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 2019-20 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 FY20 salaries for elected officials and as set forth and adopted in Resolution #19-8 is included in the FY20 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 Fund**-\$548,500 equipment/vehicle replacement, Emergency response, infrastructure
- 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;  
\$170,000 GIS aerial flight;

**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 2019-20 (without gas and electric):

General Basic	\$5,165,208
General Supplemental	\$2,171,468
Mental Health Services	\$ 0
Rural Services Basic	\$2,806,796
Debt Service	\$ 0

**IT IS THEREFORE RESOLVED**, by the Benton County Board of Supervisors that the FY20 budget is hereby adopted.

Dated this 19<sup>th</sup> day of March 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Auditor

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

The Engineer updated the board on his claims for approval while he is gone on vacation and wanted them to be aware that his office staff will be handling them getting turned into the Auditor's office on time.

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-13, Opposing Senate Study Bill 1045 And Senate File 184 Passed by the Senate Committee on Transportation. Motion carried.

Resolution #19-13

A RESOLUTION OPPOSING SENATE STUDY BILL 1045 AND SENATE FILE 184 PASSED BY THE SENATE COMMITTEE ON TRANSPORTATION

WHEREAS, the Transportation Committee in the Iowa Senate has passed Senate Study Bill 1045 (SF 184) which would amend and make changes to Iowa Code Chapter 321 related to transportation of indivisible loads and raw forestry products on primary and non-primary highways, and;

WHEREAS, Benton County owns and maintains non-primary highways, and is fiscally and legally responsible for the non-primary highways within the County, and;

WHEREAS, Benton County owns and maintains 328 structures as defined by the National Bridge Inspection Standards, and;

WHEREAS, some of the bridges owned by Benton County are aging and structurally deficient or functionally obsolete, and;

WHEREAS, current funding is not adequate to replace or rehabilitate these bridges at the rate their conditions are deteriorating, and;

WHEREAS, the non-primary highways and bridges owned by Benton County serve a critical need for residents, agricultural users, businesses, schools, post offices, and emergency responders, and;

WHEREAS, the proposed bill would allow the Iowa Department of Transportation to issue annual permits to forestry industry haulers for loads up to 130,000 pounds on non-primary highways throughout Iowa, without knowledge of or notice given to the agencies which own these highways and the structures thereon, and;

WHEREAS, bridges within Benton County have been designed for loads that were legal on Iowa roads at the time of their construction, and bridges have only been rated or posted with weight restrictions for loads that are currently legal on roads, and;

WHEREAS, each bridge within Benton County is unique based on its age, design, and current condition, and;

WHEREAS, load rating to ensure safe passage of loads greater than 80,000 pounds would be unique for each load on each individual bridge, and;

WHEREAS, the traversing of Benton County bridges by loads up to 130,000 pounds without the County being afforded the knowledge of or the ability to restrict each occurrence, would result in gradual and possibly sudden failure of bridges within the County, and;

WHEREAS, Benton County would likely bear legal and financial liability for subsequent failure of its bridges, even if such failures are caused by loads they did not permit, and;

WHEREAS, Benton County is not financially able to repair or replace bridges which would be subject to accelerated deterioration by increased loads, and;

WHEREAS, Benton County and its residents, farmers, businesses, schools, post offices, and emergency responders, would be subjected to undue operational and economic hardships by further degradation of its road system and the structures thereon;

THEREFORE BE IT RESOLVED, that the Benton County Board of Supervisors strongly urges all Iowa lawmakers to vote in opposition to this legislation.

Dated this 19<sup>th</sup> day of March 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

\_\_\_\_\_  
Tracy Seeman

ATTEST:

\_\_\_\_\_  
Hayley Rippel, Auditor

Judy Breja, Community Treatment Coordinator for the Sixth Judicial District Department of Correctional Services provided some handouts regarding Crisis Intervention Training (CIT). Breja along with representation from Foundation 2 provided the idea of a co-responder unit to be housed inside the Benton County Service Center. Foundation 2 will be provide the staffing for this along with working with local law enforcement. The goal is to be able to provide the help needed when someone is in a mental health crisis. This will be a project for bridging committals into the mental health system. The group was also previously approved for CIT Training but are now asking for approval to travel out of state for it. The funding for both will come from the County's Mental Health Fund Balance.

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

**Bierschenk moved/Seeman seconded:** To approve the use of Benton County's Mental Health Fund Balance to start work with the co-responder unit to be housed inside the Benton County Service Center and to allow for local law enforcement agencies to travel out of state to attend the (CIT) Training. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve using mental health's fund balance for out of state (Crisis Intervention Training (CIT) for Benton County and also costs with moving forward with the law enforcement co-responder unit to be housed in the Benton County Service Center.

**Bierschenk moved/Seeman seconded:** To approve the Iowa Department of Transportation FY 20 Secondary road Budget. Motion carried.

**Bierschenk moved/ Seeman seconded:** To approve the Iowa Department of Transportation FY20-24 Secondary Road Construction Program. Motion carried. The program reflects secondary road bridges and road upgrades over the next five years.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

March 26, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes from March 19, 2019. Motion carried.

Brice Vaughn came before the Board to discuss Ordinance #24 and the impact that it has on his property. He had concerns about what he could do as he wants to build a new home on the existing acreage. He also wants to expand the acreage and buy additional land from his grandparents. He had conversation with the Land Use Administration Office and was informed of the requirements and that he would be subject to the Land Use Ordinance, and the Subdivision Ordinance. He did not understand what he needed to do to comply. Vaughn told the Board that he is a part of the family farm operation. Greenlee reported that this is new information was not considered during the initial visit with Mr. Vaughn. This matter can be resolved by Mr. Vaughn submitting an application to the Board for a farm exemption to the Land Use Ordinance. In respect to the parcel split, a statement is needed from the Vaughn's that the land will be used solely for agricultural non-residential purposes. The statement will allow for the Vaughn's to receive an agricultural exception to the Subdivision Ordinance, and to be able to parcel the land with a simple plat of survey.

**Bierschenk moved/Seeman seconded:** To approve the use of the courthouse on Saturday August 17, 2019 for the Historical Preservation Commission to host an event during the Vinton's Sesquicentennial celebration. Motion carried.

Members of the 2019 Grand Jury met with the Supervisors. The Board briefly explained the various local and regional boards they serve on pertaining to county business. It is outside of the one day a week they meet in the courthouse. The Watershed and the new Benton County Service Center was discussed along with Regional Mental Health. The Grand Jury was making a tour of all the county offices within the courthouse and other facilities. They will provide a report of their findings to the Board at a later date.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140589 through 140639, ACH deposits numbered 37450 through 37583, vendor checks numbered 230641-230648 and claims numbered 230649-230784. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the Auditing services for the years ending June 30, 2019 through June 30, 2021. Motion carried.

The Service Center was of concern with a water main break over the weekend. Without much choice, the Board agreed to the work necessary to fix it. Along with the water main break, pot holes in the parking lot need some attention. With all the snow settling, it was agreed to address those holes while they had Pickering Backhoe services already in place doing the water repairs.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

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

April 2, 2019

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

**Bierschenk moved/Seeman seconded:** To approve farm exemption application for Bryce and Karissa Vaughn for part of the NE NE and SE NE of 4-86-12. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the minutes from March 26, 2019. Motion carried.

Jackie Seitz and Darran Stein residents along 22<sup>nd</sup> Ave. Road came to discuss ongoing flooding along their road. This was previously discussed earlier this fall and with the recent flooding and ice jam issues. Ben Vierling, assistant Engineer and Randy Sherwood, Roads Supervisor were both present. The current road conditions are very soft and unstable so nothing can be done until the conditions are right. Iowa One Call has been informed of the phone lines hanging. Next step would be to get a survey and figure out the elevation it will need to be and also consider the funding for such a project. The current intention is to repair the damage to get it opened back up without the risk of it failing soon. Discussion let to possible Hazard Mitigation projects, and the Board advised the residents to talk with Scott Hansen, EMA Coordinator and see if there is any programs they could qualify for.

Quotes were obtained for a TV projector to be mounted in the Service Center's conference room. Kelly Geater, Treasurer is hoping to use this location to house her tax sale in June and was wondering what the future intent of the room is. If this can be utilized by other entities as well. Ben Turnis was willing to save money and install the necessary equipment himself with some help.

**Seeman moved/Bierschenk seconded:** To approve the quote for \$2,554.00 for the projection equipment Ben Turnis sees fit for the Benton County Service Center conference room. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a public hearing for the 100 year floodplain and wetland review of the proposed area to construct a storm water wetland at the intersection of US HWY 218 and C Ave. The Board read aloud two positive comments that were submitted in favor of the project. One was from Ann Jorgensen and the other was Erika Hodgson. Hearing no other further comments the public hearing was closed.

**Seeman moved/Bierschenk seconded:** To approve final notice for publication of the 100 year floodplain and wetland review. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and authorize Chair to sign the Native American consultation letters regarding WMA....Motion carried.

Adam Rodenberg provided information regarding an EPA grant from the University of Iowa for monitoring water levels. They would be able to put a few monitors within the Mud Creek watershed and a few bridges. He just wanted to give them a heads up in case easements are needed in the future.

**Bierschenk moved/Seeman seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)j. Motion carried at 10:03 a.m.

**Seeman moved/Bierschenk seconded:** To enter back into open session at 11:00 a.m. Motion carried.

**Seeman moved/Primmer seconded:** To move forward with what was discussed in closed session and authorize the chairman to sign the URA notice of owner rights letter. Voting aye were Seeman and Primmer. Bierschenk nay. Motion carried.

Results from a recent employee survey regarding their ranked interest in additional benefits such as: dental, vision, long-term disability, group term life and voluntary life. 44% were interested in the orthodontics, 40 % would participate in the voluntary dental/vision. 95% would participate if employer contributes to dental/vision. Auditor Rippel brought up how being partially self-funded works. So just because the insurance premiums are less than what we have budgeted for and there is still a risk of paying out from the reserve s for those who meet their deductibles, so they need to keep that in mind while making their decision. Currently there are 33 on the single plans and 80 on the family plans. This would not take place until July 1<sup>st</sup>, so questions can get addressed and action can be made in the near future.

**Seeman moved/Bierschenk seconded:** To Approve Resolution #19-14, gifting LOSST funding for Urbana Fire Department. Motion carried.

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

RESOLUTION #19-14

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 Urbana Fire Department has requested a gift of funds; and

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

WHEREAS, the Urbana Fire Department has provided invoices totaling \$44,829.74 for the purchase of an emergency response truck/ambulance and equipment; and

WHEREAS, the Urbana 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 Urbana Fire Department in the amount of \$4,482.97 which represents ten percent of the total purchase price for equipment.

Adopted this 2<sup>nd</sup> day of April, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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

**Bierschenk moved/Seeman seconded:** To approve hiring of Luke Hennings and Mark Volesky for seasonal truck drivers at \$16.00 an hour and Gerald Rivers for an internship position for 413.39 in the Weed Department, effective April 2, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the 2019 noxious weed and roadside spraying notices. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-15, Destruction of Noxious Weeds. Motion carried.



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

### Resolution #19-15 DESTRUCTION OF NOXIOUS WEEDS

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

1. That each owner and each person in the possession or control of any lands in Benton County shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in this chapter, at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed on or before **April 15th, 2019** and as often thereafter as is necessary to prevent seed production:

<b>Primary Noxious Weeds:</b> Destroy by: April 15, 2019	<b>Secondary Noxious Weeds:</b> Destroy By: April 15th, 2019
Quackgrass ( <i>Agropyron repens</i> )	Butterprint, Velvetleaf ( <i>Abutilon theophrasti</i> )
Perennial Sowthistle ( <i>Sonchus arvensis</i> )	Cocklebur ( <i>Xanthium commune</i> )
Canada Thistle ( <i>Cirsium arvense</i> )	Wild Mustard ( <i>Brassica arvensis</i> )
Bull Thistle ( <i>Cirsium lanceolatum</i> )	Wild Carrot ( <i>Daucus carota</i> )
Field Bindweed ( <i>Convolvulus arvensis</i> )	Sheep Sorrel ( <i>Rumex acetosella</i> )
Horsenettle ( <i>Solanum carolinense</i> )	Sour Dock ( <i>Rumex crispus</i> )
Leafy Spurge ( <i>Euphorbia esula</i> )	Smooth Dock ( <i>Rumex altissimus</i> )
Perennial Peppergrass ( <i>Lepidium draba</i> )	Poison Hemlock ( <i>Conium maculatum</i> )
Russian Knapweed ( <i>Centaurea repens</i> )	Multiflora Rose ( <i>Rosa multiflora</i> )
Buckthorn (Not to include <i>Rhamnus frangula</i> )	Wild Sunflower ( <i>Helianthus annus L.</i> )
Musk Thistle ( <i>Carduus nutans</i> )	Puncturevine ( <i>Tribulus terrestris</i> )
Tall Thistle ( <i>Cirsium altissimum</i> )	Teasel ( <i>Dipsacus spp.</i> )
Palmer Amaranth ( <i>Amaranthus palmeri</i> )	Shattercane ( <i>Sorghum bicolor</i> )
	Buckhorn Plantain ( <i>Plantago lanceolata</i> )

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 and all other species of thistles belonging in general of *Cirsium* and *Carduus*, Palmer Amaranth.
- (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.

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 April 2019.

\_\_\_\_\_  
Tracy Seeman

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Rick Primmer, Chairman

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Gary Bierschenk

ATTEST:

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Hayley Rippel, Benton County Auditor

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-16, Credit Card Authorization to Departments. Motion carried.

**Resolution #19-16**  
Credit Cards Authorization

BE IT RESOLVED by the Benton County Board of Supervisors that we do hereby designate the following departments to have their own credit cards issued by Farmers Savings Bank and Trust, Vinton;

WHEREAS, listed Departments provided with the approved credit limits not to exceed the amount listed;

WHEREAS, said Department Heads and designated users will be required to sign the Benton County Credit Card Policy located within the Benton County handbook section 6.9 and abide by said policy;

Benton County Auditor	\$2,500.00
Benton County Attorney	\$5,000.00
Benton County Information Technology/GIS	\$5,000.00
Benton County Transportation	\$1,200.00
Benton County Veterans Affairs	\$1,200.00

Signed this 2nd day of April, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

**Bierschenk moved/Seeman seconded:** To authorize signature on the receipt from FEMA for flood insurance for properties the county own at 111 E 3<sup>rd</sup> Street, 111 E 4<sup>th</sup> Street and 205 2<sup>nd</sup> Ave. Vinton. Motion carried.

**Seeman moved/Bierschenk seconded:** To Approve Auditor's Quarterly Report ending March 31, 2019. Motion carried.

New business was discussed regarding the topic of wind generated towers in Benton County. The Board asked Marc Greenlee to reach out to the State level with some questions and how the Board can regulate within the unincorporated areas of Benton County and they will discuss it in more detail next week. The Assessor also informed the Board that his 2019 assessment notices have been mailed.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

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

April 9, 2019

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

**Seeman Moved/Bierschenk seconded:** To approve the minutes from April 2, 2019. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a public hearing for a change in land use for Joshua and Katherine McDaniel, located in a part of the NE ¼ SE ¼ of 2-84-9. Joshua McDaniel, Jon and Patricia Sheldon, and Jill Ferguson were present. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Preservation and Use Ordinance. The McDaniels would like to change the use of 2 acres to construct a new home and pole building for their own personal use. The site will need a new well and septic system, and there is an existing driveway that meets all requirements of the county Driveway Resolution, with a lane that partly traverses across land owned by the Sheldon's. Greenlee reported that an easement exists for this established access and that the easement is recorded. Jon Sheldon had concerns about the use of the access by McDaniel and stated that he uses the access for his functioning farm, and that farm equipment will be on it, and that they have free range chickens and ride horses in that area. He would like to see that the traffic created by this new use is not fast traffic and asked whether McDaniel was going to participate in the maintenance. McDaniel stated that he will take care of maintenance of the lane. Supervisor Primmer questioned McDaniel if he was going to run his personal business out of his home. McDaniel stated that his bait and tackle shop will continue to be run in Cedar Rapids, and that the bait and tackle business is not his full time job. He said that he also has an electrical business located in Cedar Rapids, and that his wife sells a lotion and that the UPS man may drive to his house for that once per week. McDaniel stated that the new pole building is to be for his own personal use. Hearing no further comments the public hearing was closed.

**Bierschenk moved/Seeman seconded:** To approve the request for a change in land use on 2 acres from agricultural to a non-agricultural, specifically to construct a new residence and a pole building for the McDaniels' own personal use, located within a part of the NE ¼ SE ¼ of 2-84-9. Motion carried

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

### RESOLUTION #19-17

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 James and Sheila Tumilty to vary the required provisions in Article IV, Sections 4.01 through 4.05; Article V, Sections 5.01 through 5.07; Article VI, 6.2 through 6.03 and 6.05 (f); and Article VII, Section 7.01 of the ordinance to allow for one new parcel located in the NW ¼ NW ¼ of 4-84-9.

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 NW ¼ NW ¼ in section 4-84-9.

Adopted this 9th day of April, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Gina Edler, Deputy Benton County Auditor

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140640 through 140659, ACH deposits numbered 37584 through 37717, vendor checks numbered 230785-230791 and claims numbered 230792-230936. Motion carried.

Andrew Elwick requested LOSST funds for Historic Society for Depot Roof. Elwick explained the Historic Society is a non-profit organization under Chapter 405 and can present documentation if needed. They are looking to

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

replace the depot roof which has been leaking for several years now. They currently have estimates for the roof at \$90,000 and they have grants close to \$50,000. They are hoping to be done with the project by next year. Elwick is doing research to see if LOSST funds would be available to be used with this project and what the board would need from him to get the funds. Board had questions on what was available for LOSST funds and how they were allocate them or if the Historic Society could also get funds from the City of Vinton.

**Seeman moved/Bierschenk seconded:** To approve and sign memorandum of understanding with East Central Iowa Council of Government (ECICOG) regarding application for the Public Transit Infrastructure Grant Program (PTIG). Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-18, Proclamation of Sexual Assault Awareness Month. Motion carried.

**RESOLUTION # 19-18  
PROCLAMATION OF SEXUAL ASSAULT AWARENESS MONTH**

WHEREAS, sexual assault affects women, children and men of all racial, cultural and economic backgrounds; and

WHEREAS, in addition to the immediate physical and emotional costs, sexual assault may also have associated consequences of post-traumatic stress disorder, substance abuse, depression, homelessness, eating disorders and suicide; and

WHEREAS, sexual assault can be devastating not only to the survivor, but also for the family and friends of the survivor; and

WHEREAS, since no one person, organization, agency or community can eliminate sexual assault on their own, we must work together to educate our entire population about what can be done to prevent sexual assault, support victims/survivors and their significant others and support those agencies providing services to victims/survivors.

NOW THEREFORE BE IT RESOLVED we the Benton County Board of Supervisors in and for Benton County, on behalf of all staff and citizens of Benton County, that the Month of April 2019 is hereby proclaimed as: “SEXUAL ASSAULT AWARENESS MONTH”

Signed this 9<sup>th</sup> day of April, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Gina Edler, Deputy Benton County Auditor

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

**Bierschenk moved/Seeman seconded:** to Approve Resolution # 19-19, Approve Hire of Sheriff Deputy. Motion carried.

**RESOLUTION #19-19**  
APPROVE HIRE IN SHERIFF'S DEPARTMENT

WHEREAS: Benton County Sheriff's Office currently has a Deputy Sheriff Position to fill;

WHEREAS the Benton County Civil Service Commission was convened and conducted required testing on October 27, 2018; and

WHEREAS, Matthew Van Brogan has completed all required testing, meets and exceeds all required qualifications for this position,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Matthew Van Brogan be hired as a full-time Deputy in the Sheriff's Department, effective April 15, 2019 with a starting wage at \$22.85 an hour, per union contract.

Dated this 9th day of April 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Gina Edler, Deputy Benton County Auditor

Ronald Tippet, Sheriff, updated the board on the Rural Access Case Manager position, stating it has changed since they first advertised and are wanting to advertise the position again with the updated changes. Item is to be placed on next week's agenda for action item.

Tippet also informed the board of the upcoming out of state training required for some of his office staff.

**Seeman moved/Bierschenk seconded:** To approve hire of Jamie Richman to fill position of part-time Food Service/Custodian in Sheriff's office, with a starting, training wage of \$12.67 per hour. After completion of training and 120-day probation period, the rate increasing to \$14.67 per hour. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve Class B Liquor License for Watkins Community Athletic Association. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Treasurer's Quarterly Investment Report. Motion carried.

Primmer discussed mowing/lawn care at the Service Center with the Board. Price Lawn Care did the mowing last fall and presented an estimate of \$75.00/time. The Board thought that was a good estimate and told Primmer to go ahead with the bid for mowing/lawn care with Price Lawn Care.

**Seeman moved/Bierschenk seconded:** To approve WMA notice that Benton County has conducted an evaluation required by HUD, Subpart C—Procedures for Making Determinations on Floodplain Management, to determine the potential effect that its proposed activity in the floodplain and/or designated wetland will have on the environment for an Iowa Watershed Approach project funded through a CDBG-NDR grant. The proposed activity is to install eight types of watershed improvements—e.g. pond, wetland, grade stabilization, etc.—on 30 sites. Motion carried.

The board discussed wind generation towers in Benton County. Marc Greenlee, Larry Andreesen, Kate Robertson, Marlyn Jorgensen, Dave Thompson, Justin Foss with Alliant Energy, Jordan Oster with Iowa Environmental Council, and Ben Vierling were present along with media. Supervisor Seeman stated that he has had many Benton County residents notify him that they are against wind generation towers in Benton County. This is what prompted him to get a resolution written up with Greenlee's assistance to prohibit the construction of wind generation towers. Primmer said he contacted Foss and Oster to gather information regarding wind generation towers. His personal feeling is that the land use ordinance needs to be updated. He is not for or against wind generator towers. There are benefits in tax revenue and we need to do our homework on the affect it will have with land/crops/roads. Oster has reviewed over 25 difference zoning ordinances and road use is a big concern. In Union County their ordinance has 10 pages with a road use agreement. Zoning ordinances can address, setbacks: with property lines, structures, natural areas, city limits, and schools. They can also address decommissioning of towers. Tama County received around \$330,000 in revenue last year from wind generation towers which grew 33% from 2016 on assessments. Protections can be put in place for the citizens and the County. Foss wanted to first start out by stating that Alliant Energy does not have a project going on in Benton County nor are they pursuing a development at the present time. A good thought out ordinance balances the ability for the land owner to make money off the land and protects those residents who don't want to participate in the wind generation tower

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

project. Seeman questioned how they address crop dusters. Foss stated FAA does have guidelines around airports they have to follow. It's a hand and hand relationship with the crop dusters, and they will shut the turbines down if they are notified ahead of time. They look for 3 things with wind generation towers and they need all 3 in order for it to work; 1. Wind resource 2. Room in transmission grid and 3. Land owners to participate. There is no eminent domain. Lease agreements usually run from 30-40 years depending on the situation. They pay money per turbine or collector lines that go back to the substation. They treat every land owner the same. Land owners are able to use the access road. After the lease agreement is done, they come and tear the turbines down and bring top soil over the footing so the farmer/land owner can farm over where the turbine used to be. When they are constructing a turbine the road to the turbine is maintained by Alliant or contractor. The road is put back to the same condition they received it in or in better shape. There were questions about whether the Land Use Ordinance needs to be changed if/when wind generator towers would come to Benton County. Greenlee stated that the ordinance regulates wind generation as a non-agricultural use and standards that apply for approval of a new non-ag use apply to this use as well. Primmer reiterated that he feels that the Land Use Ordinance needs to be changed but wasn't sure of how that would start. Greenlee stated that if there is the desire to change the Ordinance it starts with the Board first. The Board needs to make a decision as to whether the Ordinance should be changed, and have a vote on the matter. Yes or no. If you vote to change it, then you convene the Zoning Commission, get a consultant, and prepare to develop a new comprehensive plan. The Board put this topic back on the agenda in 2 weeks.

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

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Rick Primmer, Chairman

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

April 16, 2019

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

**Bierschenk moved/Seeman seconded:** To set land use hearing date for Cara Eberle in part of Parcel A in SE ¼ SW ¼ and E 8 acres of SW ¼ SW ¼ of 11-86-10 for Tuesday May 14, 2019 at 9:15 a.m. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the minutes from April 9, 2019. Motion carried.

Kelly Geater, Benton County Treasurer, discussed with the Board changing vendors for tax statement processing and mailing. Geater stated she currently uses Mail Services and the Treasurer's Association is switching to Master's Touch. Master's Touch will be able to e-mail tax statements out to residents which would save the County money on postage.

**Seeman moved/Bierschenk seconded:** To approve and sign Master's Touch LLC agreement for tax statement processing and mailing. Motion carried.

Larry Andreesen, Benton County Assessor, discussed needing office space for Vanguard Appraisal for reappraisals for the next year and half. He questioned if there was office space at the Service Center or if the GIS Room in the courthouse basement was available. Vanguard would need to have an office space that has internet access, that they can lock up and access on the weekends. Several locations were questioned, Act 1 office space to lease, the old Animal Shelter, Transportation and Sheriff's office. Vanguard is starting on May 6, the Board placed the item back on next week's agenda.

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

Board discussed possibly embargoing county roads due to frost boils and Mother Nature. Supervisor Primmer stated that on 54<sup>th</sup> Street past Perry Zoo, there is boil after boil. There is a company that is hauling fill around there and didn't know if we could or should stop commercial or non-agricultural hauling. Myron Parizek, Benton County Engineer, stated that they probed a road bed and about 32-36 inches down there is 8-10 inches of frost still. Nicer temps and the rain coming this week will help with the road conditions. If you haul rock on the roads with these conditions it won't help the roads look any better. There was 150 ton of rock hauled over by Blairstown recently and you can't tell anything was done now. Parizek explained that the Code allows the board to embargo county roads up to 90 days due to weather. The frost may come out of the roads within the next week to 10 days.

The Engineer discussed the 2019 dust control program provided by secondary roads. The engineer advised that the cost of oil and fuel went up some and that the board should increase the costs by \$145.20 to cover the expenses.

**Bierschenk moved/Seeman seconded:** To approve the cost of MC-70 dust control applied by Benton County Secondary Roads for the summer of 2019 at \$1,185.20 for two applications of 400 feet each. The cost per additional foot is set at \$2.00 per foot for two applications. Dust control permits are to be submitted no later than May 13, 2019. Motion carried

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

**Seeman moved/Bierschenk seconded:** to Approve Resolution # 19-20, Wage and classification change.  
Motion carried.

RESOLUTION 19-20

WHEREAS: Benton County Secondary Road Department has a position to fill of an Equipment Operator I (signman) at the Vinton Shop, and

WHEREAS: Applications have been accepted for this position, and

WHEREAS: The applications have been narrowed to one.

THEREFORE BE IT RESOLVED By The Benton County Board of Supervisors that Jeff Winsor be transferred to the position of Equipment Operator I (signman) with a Labor Grade Classification of IIID. The base wage will be \$21.54. The effective date will be April 15, 2019.

Signed this 16<sup>th</sup> day of April 2019.

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Chairman, Board of Supervisors

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

**Seeman moved/Bierschenk seconded:** to Approve Resolution # 19-21, Wage and classification change.  
Motion carried.

RESOLUTION 19-21

WHEREAS: Benton County Secondary Road Department has a position to fill of an Equipment Operator I (signman-truck driver) at the Vinton Shop, and

WHEREAS: Applications have been accepted for this position, and

WHEREAS: The applications have been narrowed to one.

THEREFORE BE IT RESOLVED By The Benton County Board of Supervisors that Donald Erger be transferred to the position of Equipment Operator I (signman-truck driver) with a Labor Grade Classification of IIID. The base wage will be \$21.54. The effective date will be April 15, 2019.

Signed this 16<sup>th</sup> day of April 2019.

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Chairman, Board of Supervisors

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

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

**Seeman moved/Bierschenk seconded:** to Approve Resolution # 19-22, Wage and classification change.  
Motion carried.

RESOLUTION 19-22

WHEREAS: Benton County Secondary Road Department has a position to fill of an Equipment Operator I (signman-truck driver) at the Vinton Shop, and

WHEREAS: Applications have been accepted for this position, and

WHEREAS: The applications have been narrowed to one.

THEREFORE BE IT RESOLVED By The Benton County Board of Supervisors that Gabe McGowan be transferred to the position of Equipment Operator I (signman-truck driver) with a Labor Grade Classification of IIID. The base wage will be \$21.54. The effective date will be April 15, 2019.

Signed this 16<sup>th</sup> day of April 2019.

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Chairman, Board of Supervisors

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

**Bierschenk moved/Seeman seconded:** to Approve Resolution # 19-23, Wage and classification change.  
Motion carried.

RESOLUTION 19-23

WHEREAS: Benton County Secondary Road Department has a position to fill of an Equipment Operator II (maintainer operator) at the Urbana shed, and

WHEREAS: Applications have been accepted for this position, and

WHEREAS: The applications have been narrowed to one.

THEREFORE BE IT RESOLVED By The Benton County Board of Supervisors that Joshua Burkhart be transferred to the position of Equipment Operator II (maintainer operator) with a Labor Grade Classification of IVD. The base wage will be \$21.61. The effective date will be April 15, 2019.

Signed this 16<sup>th</sup> day of April 2019.

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Chairman, Board of Supervisors

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



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

The time of 10:30 a.m. having arrived and this being the time and date for a public hearing to review comments for Final Notice for City of Vinton Project. No comments were submitted. Public hearing was closed.

**Bierschenk moved/Seeman seconded:** To approve and sign real estate purchase agreement for constructive wetland managed by Benton County Conservation with Craig and Judy Albert for 21 Acres for \$153,000.00. Motion carried.

**Bierschenk moved/Seeman seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)i. Motion carried at 10:49 a.m.

**Seeman moved/Bierschenk seconded:** To exit closed session and enter into open session. Motion carried at 11:05 a.m.

**Seeman moved/Primmer seconded:** To proceed with what was discussed in closed session. Ayes-Seeman, Primmer. Nay-Bierschenk. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve to advertise to hire Rural Access Center Manager. Motion carried.

Ronald Tippett, Benton County Sheriff, Mike Day, A True North Consulting Firm, and Dan Rammelsberg, Radio systems project manager with the E911 Board, met with the board to update them on the E911 Radio and paging system. Elert & Associates (A True North Company) performed a complete Benton County radio system review and identified varying operational and coverage issues confronting the public safety users. The county is currently on a VHF band radio system which is being phased out. Our neighboring counties are all on the Shared Area Radio Agreement (SARA), the state is on Iowa Statewide Interoperable Communications System (ISICS). Day presented 3 options to upgrade the current system, ranging from 4.7 to 9.7 million dollars. Board questioned on where the funding comes from for projects like this, if there grants available. There is currently no grants available. Most counties go out to Bond for funding. The estimates the board received were only budgetary estimates. The system may be able to use the current towers but will have to upgrade the towers. Rammelsberg explained how the current system works and how difficult it is for Fire/Ambulance to respond to calls, they have to remember what area they are in for different frequencies. It would be more efficient if we were on the same system with our neighboring counties to avoid confusion and downtime for emergency calls. The first thing the E911 would have to upgrade is the paging system. They wanted to inform the board on what was going on with E911 behind the scenes so they would not be so surprised when it came to a potential big project coming up.

**Bierschenk moved/Seeman seconded:** to Approve Resolution # 19-24, Approve LOSST gift to Blairstown Emergency Services. Motion carried.

### RESOLUTION #19-24

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 Blairstown Emergency Services has requested a gift of funds; and

WHEREAS, the Blairstown Emergency Services provides emergency services to areas in Eldorado Township, Leroy Township, St. Clair Township, Union Township, City of Blairstown and mutual aid to other surrounding townships;

WHEREAS, the Blairstown Emergency Services has provided an invoice totaling \$179,997.70 for the purchase of an emergency response vehicle; and

WHEREAS, the Blairstown Emergency Services 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 Blairstown Emergency Services in the amount of \$17,999.70 which represents ten percent of the total purchase price for equipment.

Adopted this 16<sup>th</sup> day of April, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Gina Edler, Deputy Benton County Auditor

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

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Board briefly discussed quotes for Benton County Service Center duct work/splits for heat and air. There was 4 different companies that had bids. One of the companies was unaware to make a bid for spiral ductwork. The board is going to reach out to that company to see if they want to bid it for spiral ductwork so it would be comparable to the other bids.

Supervisor Seeman reported he attended an Iowa County Board of Supervisor meeting regarding wind generation towers. Seeman stated the meeting was very confrontational. There were approximately 100 farmers in attendance who were against the wind generation tower project, another 7-9 people who signed contracts and now wanted out of them. Farm ground property value within 2 miles of a wind generation tower has gone down 20-50%. Wind generation towers are not taxed more than 30% of value, after 15 years it goes down.

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

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Rick Primmer, Chairman

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

April 23, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes from April 16, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Class B Liquor license for Bloomsbury Farms. Motion carried.

**Bierschenk moved/Seeman seconded:** To set land use hearing date of Tuesday May 21, at 9:15 a.m. for Nicholas and Jessica Tumilty in part of NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of 4-84-9. Motion carried.

**Bierschenk moved/Seeman seconded:** To set land use hearing date of Tuesday May 21, at 9:45 a.m. for Eric and Rachel Dickinson in part of NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of 10-84-11. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve office space for Vanguard Appraisal per Larry Andreesen's request, to utilize the conference rooms located within the Benton County Service Center as needed. Motion carried.

The Recycling Ordinance #44 was discussed. Supervisor Seeman researched what the cost is to Benton County for rural citizens recycling fees, but not including the cities. February 2019 recycling cost was \$432.42/ton, that includes processing and trucking fees.

**Bierschenk moved/Seeman seconded:** To approve office furnishings and flooring purchases up to but not to exceed \$10,000 for the Rural Access Center located within the Benton County Service Center. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Utility Permit for Century Link (MP Nex Level LLC) in Benton Township. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Utility Permit for Keystone Communications in Jackson Township. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Utility Permits for East Central Iowa REC located in Cedar, Polk, Benton, Kane and Leroy Townships. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve and sign purchase agreements with Jerry Wauters in the amount of \$3,785.00 for permanent and temporary easements for bridge project on 11<sup>th</sup> Ave in Homer Township. Motion carried.

The meeting moved to the 3<sup>rd</sup> floor courtroom to accommodate the amount of people in attendance for the discussion regarding making changes to the county land use ordinance and if there was interest in a review or changing said ordinance. Approximately 25 members of the public were present and involved in the two hour discussion regarding the County's Land Use Ordinance #24, adopted on May 6, 1986. Marlyn Jorgensen and Kate Robertson, representing Benton Development Group spoke in favor of reviewing the current plan and ordinance. Jorgensen stated that the ordinance provided that there be a periodic review and that it had not happened and the ordinance has been in existence for 33 years. Marc Greenlee, Land Use Administrator gave a brief summary on how historically the plan and ordinance have been reviewed, not necessarily on a specific timetable, but that there has been review. Back when this ordinance was adopted, the intent was to preserve agricultural land under Iowa Code Chapter 352. In 1994, the zoning commission did meet and recommended to leave the ordinance as is. In 2000 and 2001 the zoning commission worked on making changes to the subdivision ordinance in an effort to slow the amount of lots being platted for housing growth. A new subdivision ordinance was created and repealed the original ordinance that was adopted in 1996. The new ordinance was more restrictive and included requirements for developments to be on hard surface roads, and to have central water and sewer systems. The land use ordinance was again left as it is. In 2007 the zoning commission again was convened and looked at making changes to the Land Use Ordinance. The commission retained the services of ECICOG to assist with that effort. When asked by Seeman what that cost Benton County Greenlee said that it was approximately \$14,000.

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

Greenlee reported that Chad Sands with ECICOG worked with the commission to come up with a LESA plan (points) as the commission was not interested in implementing a zoning ordinance. Nothing was adopted at that time. In 2011 two amendments were made to the land use ordinance, and amendments were made to the subdivision ordinance the same year. Now there is interest in doing something different again. Greenlee reiterated that if the Board votes to make changes to the land use ordinance it will be necessary to convene the zoning commission and likely start over with a new comprehensive plan and maps, hold public meetings and hearings, look at the entire situation.

Various individuals spoke for or against re-vamping said ordinance. Kate Robertson and Marlyn Jorgensen, representing Benton Development Group would like a review of this plan. There are opportunities coming and we need to know the consensus to move forward or not. Things change and one of those changes is the 4 lanes of HWY 30 going through Benton County. Al Schafbuch, representing Farm Bureau, likes the current plan and felt it was well written. He felt growth in Benton County should happen around the towns. Board Chairman Primmer said he is not looking to eliminate farm ground, but to develop in Benton County and with HWY 30 expanding it brings opportunities for development. With development comes jobs and tax dollars to help the county budget. Larry Andreesen, Assessor, wanted to clarify that the assessment notices that go out do not have anything to do with the county's budgetary needs. Jon Kramer commented opportunities are developing, and doing nothing makes the tax base stay the same.

Supervisor Seeman brought up safety concerns and crossings on Hwy 30. Robertson pointed out that the county could work in conjunction with the IDOT to plan for roads according with development. Brian Crowe, represents 7 counties working with economic development. He understands the traffic safety concerns, but with future tax revenue builds, there are incentives to offer to bring in growth. HWY 30 is a state road, but the access to and from that HWY is the county's concern. Dave Wessling, local Realtor who was also present commented that commercial development could help lower tax base and he felt the majority of the people would vote for it. Some of the other public present felt they wanted more options of what they could do with their privately owned land, not be given more restrictions, including the future generation landowners. Pat Stepanek added that in the Benton Community School District, the enrollment is going down not up, and the 4 lanes is not going to be the golden goose.

After a lengthy two hour discussion, Kate Robertson asked if we are going to look at making changes or not. Time is of the essence here to make some decisions. Supervisor Primmer said this is not an easy task, but he is throwing it out there for review, but as Chairman of the Board, he could not make motions. But he felt that doing nothing puts a halt in allowing for growth in Benton County. Supervisor Bierschenk and Supervisor Seeman both stated that they are not in favor of making any changes, but Supervisor Bierschenk said he did not want to make a decision at this time. He wanted to do more thinking. Supervisor Seeman didn't like the idea of spending the money and then nothing possibly changes. No action was taken and the meeting was moved back to the office on the 2<sup>nd</sup> floor.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140660 through 140673, ACH deposits numbered 37718 through 37851, vendor checks numbered 230937-230944 and claims numbered 230945-231069. Motion carried.

Clarification was needed on a few Quotes received from the Benton County Service Center duct work/splits for heat and air. They asked Maintenance Director Rick Bramow to contact the vendor and ask them to meet him over there to go over questions.

**Seeman moved/Bierschenk seconded:** To review and certify Cost Allocation plan for FY18. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve lease agreement with Cedar Valley Ranch effective 07-01-2019 through 06-30-2020. Motion carried.

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

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Rick Primmer, Chairman

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

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

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April 30, 2019

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

**Bierschenk moved/Seeman seconded:** To approve the minutes from April 23, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To accept Melissa Macku's retirement on the Benton County Board of Health and appoint Mindy Fisher to replace her term. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the Fourth Amendment to the Community Partnership for Protecting Children Coordination of Services Contract (CPPC) between Iowa Department of Human Services and Benton County, effective May 6, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve use of the courthouse lawn for the Vinton Cruise Committee for July 20, 2019 from 8:00 a.m. and 10:00 p.m. Motion carried.

Ongoing Discussion regarding the various topics at the Benton County Service Center. Supervisor Primmer updated the board after discussing with Assistant Engineer, the current accommodations are adequate within the current parking lot for 2 handicapped parking spots. So there will not need to be any spots added along D Ave. Recently repaired a water main break earlier this spring and it was noted that the water shut-off valve coming into the meter works, but the one after the meter leaks into the pit. One quote for \$685 from Edwards Plumbing and Heating was obtained to fix that. Quotes were also reviewed after clarification of the duct work for heating and air took place. Quotes were received as follows for the duct work:

Colony Heating and Air-\$21,900

Ilten's-\$20,918

Rabe Hardware-\$32,732

Edwards Plumbing and Heating-\$20,615

**Seeman moved/Bierschenk seconded:** To hire Edwards Plumbing and Heating to install a main shut off valve replacement in the Benton County Service Center. Motion carried.

**Bierschenk moved/Seeman seconded:** To accept quote of \$20,615 and hire Edwards Plumbing and Heating to do the necessary duct work and splits at the Benton County Service Center. Motion carried.

9:30 being the time and date set for a public hearing on the Bid 2 early notice regarding Benton County conducting an evaluation required to determine the potential effect that its proposed activity in the floodplain and/or designated wetland will have on the environment for an Iowa Watershed Approach project, 13-NDRI-002, funded through a CDBG-NDR grant. No comments were received. No members of the public were present, so public hearing was closed.

**Bierschenk moved/ Seeman seconded:** To approve Bid 2 Final Notice for the WMA regarding the Iowa Watershed Approach project and get scheduled for publication on May 3, 2019. Motion carried.

Auditor Rippel handed out a spreadsheet with the 2019/2020 ISAC Health Insurance Premium amounts for single and family plans and reviewed how the partial-self funding works. The different options for the previously presented additional dental and eye plans offered were also looked at. The Board felt they were in favor of the group life insurance at no expense to the employee, and leaning towards going 50/50 on the dental with orthodontics and also the vision contributory plan. The Board asked the Auditor's office to send out one more employee survey with defining what costs/plans would be offered to the employee to see who was seriously interested. No action was taken.

Supervisor Primmer asked the County Attorney if there was any formal rules about the Chairman making motions during a board meeting. Attorney David Thompson didn't think so.

**Bierschenk moved/Seeman seconded:** To approve Chairman Primmer to draft a letter in response to the dust control concern along 32<sup>nd</sup> Ave and bring back for signatures and approval next week. Motion carried.

**Seeman moved/Bierschenk seconded:** To enter into closed session pursuant to Iowa Code Section 22.7 (50). Motion carried at 11:12 a.m.

**Bierschenk moved/Seeman seconded:** Exit closed session at 11:30 a.m. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve what was discussed in closed session. Motion carried.

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

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Rick Primmer, Chairman

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

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

May 7, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes from April 30, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140674 through 140691, ACH deposits numbered 37852 through 37990, vendor checks numbered 231070-231076 and claims numbered 231077-231219. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve Veterans Quarterly Report. Motion carried.

**Seeman moved/Bierschenk seconded:** To deny waiving the penalty and interest on parcel # 200-03680, per Iowa Code 445.5 (5) states: Failure to receive a tax statement is not a defense to the payment of the total amount due. So \$58.00 interest and \$4.0 penalty is still due. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and sign letter in response to dust control issues along 32<sup>nd</sup> Ave. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Utility Permit(s) for East Central Iowa REC in Big Grove, Jackson, Iowa, Kane, Union, and Homer Townships. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Utility Permit for a new telephone line for South Slope Communications in Eden and Canton Townships. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-20, Hiring Mechanic in Secondary Roads. Motion carried.

### R E S O L U T I O N #19-20A

WHEREAS: Benton County Secondary Road Department has two positions to fill for Mechanic in Shop and

WHEREAS: Applications have been received for the position and

WHEREAS: This applicant is recommended for one of these positions.

BE IT THEREFORE RESOLVED BY The Benton County Board of Supervisors that Joshua Kelley be hired to fill a position of Mechanic at a starting wage of \$20.30 per hour starting May 13, 2019. This is an Equipment Operator III classification with a Labor Grade VA.

Signed this 7<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

Road Conditions were discussed with the Engineer present. Residents have been very vocal on opinions this spring. Chairman Primmer asked that when residents do call in, to not be nasty. Employees do not need to take the verbal abuse over the phone. The current road conditions is a statewide problem, not isolated to Benton County. The County has spent over \$105,000 in the last two weeks for rock to spread and will continue to incur more costs for spreading over the next few week. Time will heal some of the issues, this past winter was extremely harsh so please be patient and they will get addressed.

**Seeman moved/Bierschenk seconded:** To approve the County Facility usage application and hold harmless agreement. Motion carried.

**Bierschenk moved/Seeman seconded:** To accept resignation of Angie McClain in the County Attorney's Office effective May 24, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the Environmental Assessment for the WMA Tier II Assessment for the watershed improvements. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

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

May 10, 2019

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

**Primmer moved/Seeman seconded:** To approve the Delta Dental plan 3 and Delta Vision voluntary plan and splitting the premium cost with employees 50/50. They also agreed to provide group life insurance at no cost to the employee. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the County Facility usage application and hold harmless agreement for Benton County ISU Extension d/b/a Old School Produce Partners. Motion carried.

Committee reports included a Landfill meeting attended by Supervisor Seeman and Heartland Insurance meeting for Supervisor Primmer.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

May 14, 2019

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

**Bierschenk moved/Seeman seconded:** To approve the minutes from May 7, 2019 and May 10, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the Class B Liquor license for Blairstown Sauerkraut Days for May 25, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the use of courthouse grounds for Vinton Park and Rec Department for Thursday, June 20, 2019 and Saturday October 26, 2019. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a public hearing for a change in land use for Cara Eberle, located in Parcel A in SE ¼ SW ¼ and E 8 acres in SW ¼ SW ¼ of 11-86-10. Cara Eberle was present along with her husband and son. Dave Wessling and Charles Patten also in attendance. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Preservation and Use Ordinance. The Eberle's would like to change the use of 1 acre to construct a new home. The site will need a new well and septic system, and there is an existing driveway that meets all requirements of the county. CSR is a 35 and ground mainly used for pasture and is an old building site. Notices to adjacent land owners were sent out, Greenlee didn't hear any comments. Primmer had a couple calls of concern. One was if there would be livestock on the ground again and the other concern was the amount of junk that was there in the past. Greenlee reported that the junk has been removed as of Monday May 13, 2019 and he felt everything met criteria. Hearing no further comments the public hearing was closed.

**Seeman moved/Bierschenk seconded:** To approve the land use change for Cara Eberle in Parcel A in SE ¼ SW ¼ and E 8 acres in SW ¼ SW ¼ of 11-86-10. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve farm exemption application from Curtis Sloan in part of the NW ¼ of NW ¼ of 2-85-9. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Utility Permit(s) for East Central Iowa REC in Jackson and Canton Townships. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve and sign purchase agreement of .12 acres for \$72.00 temporary easement from Jeffrey and Lindy Brown for a bridge project in Polk Township. Motion carried.

**Bierschenk moved/Seeman seconded:** To give the Engineer approval to move forward and approve advertising for a part-time maintenance worker for Secondary Roads. Motion carried.

The Board relocated the meeting over to the Benton County Service Center to discuss quotes on some electrical and drywall work.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

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

May 21, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes from May 14, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To appoint Mona Krugger as Benton County's Privacy Officer, effective immediately. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the cigarette permit for Kimm's Mini Mart. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a public hearing for a change in land use for Nicolas and Jessica Tumilty, located in part of NW ¼ NW ¼ of 4-84-9. Nicolas Tumilty was present along with his father James who currently owns the ground. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Preservation and Use Ordinance, and reminded the Board that this area was already granted a variance to the sub-division ordinance. The Tumilty's would like to change the use of 1 acre of the 5 acres to construct a new home. The site will need a new well and septic system along with a new driveway that its location will meet all requirements of the county. CSR is a 63 and ground adjacent mainly used for crops and rural residences. Notices to adjacent land owners were sent out, Greenlee didn't hear any comments. Hearing no further comments the public hearing was closed.

**Seeman moved/Bierschenk seconded:** To approve the land use change for Nicolas and Jessica Tumilty in part of NW ¼ NW ¼ of 4-84-9. Motion carried.

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 of \$34,425 that will be applied to the premium due for the FY 20 renewal. The mod factor increased from 1.03 to 1.06. Benton County is in a pool along with 10 other counties and is self-funded.

**Bierschenk moved/Seeman 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, 2019 through June 30, 2020. Motion carried.

The time of 9: 45 a.m. having arrived, and this being the time and date for a public hearing for a change in land use for Eric and Rachel Dickinson, located in part of the NE ¼ NE ¼ of 10-84-11. Eric Dickinson was present along with Marlyn and Ann Jorgensen, current land owners. Marc Greenlee presented the technical information in accordance with the Benton County Agricultural Land Preservation and Use Ordinance. The Dickinson's would like to change the use of 1 to 2 acres to construct a new home and shed. The site will need a new well and septic system and is located on a level area. There is not an existing driveway but the proposed driveway area does meet the requirements of the county, although there was mentioning of the 48 hour snow removal policy in regards to this rural area. The average CSR is a 59 and ground is currently in production. Notices to adjacent land owners were sent out. Greenlee didn't hear any comments in regards, so having no further comments from those present, the public hearing was closed.

**Seeman moved/Bierschenk seconded:** To approve the land use change for Eric and Rachel Dickinson in part of NE ¼ NE ¼ of 10-84-11. Motion carried.

**Seeman moved /Bierschenk seconded:** To acknowledge resignation of Steve Helms in Secondary Roads department effective June 28, 2019, Motion carried.

**Bierschenk moved/Seeman seconded:** To approve utility permit for USA Communications in Union, Eldorado, St. Clair, Leroy and Iowa Townships. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140692 through 140710, ACH deposits numbered 37991 through 38129, vendor checks numbered 231220-231227 and handwritten claims for WMA 231228-231230 and claims numbered 231231 through 231392. Motion carried.

The meeting moved over to the Benton County Service Center and met with the department heads in the conference room along with some DHS employees. Various concerns were addressed regarding conference room reservations and the progress updates of the new lights in the hallway, key card access of the doors and other security and Hipa issues.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

May 28, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes from May 21, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To set Tuesday, June 11, 2019 at 9:30 a.m. for a public hearing for amending FY 19 Budget. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve a handwritten claim to be processed by May 31, 2019 in the amount of \$1,340.95 for Social Services to use the Emergency Food Shelter Program (EFSP) money to pay the Food Pantry. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Class B Liquor License for Blairstown Sauerkraut Days for June 19, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint Bob Zeien for Bruce Township Trustee. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the County Facility Application for Department of Human Services. Motion carried.

Discussion was had about the County's current Recycling Ordinance #44 that was adopted in 2004. The growing cost of recycling was the main reason this was brought forward to the Board by John Watson, Chairman of the Landfill Commission. Other commission members in favor or repealing the ordinance who were also present: Bruce Cross, Newhall; Dave Fish, Belle Plaine; Loras Schulte, Vice Chair of the Landfill Commission; Eric Werner, Landfill Manager; Mike Seeck, Keystone; Jared Vogeler, Van Horne; Bruce Viser, Atkins and Jennifer Zahradnik, member-at-large.

Supervisor Seeman brought up the recycling costs for rural residents that has been as high as \$432 /ton in February and more recently in April approximately \$378/ton. Some of that is trucking fees also. But the cost to keep it at the Blairstown Landfill is \$50/ton. Watson talked about the progress at the landfill, and a goal for each month is to make recycling cheaper for the county's citizens. Schulte said the Commission needs flexibility and to have the county repeal Ordinance #44 would help allow that. Commission member Zahradnik explained the ordinance was established when the Supervisors were in charge of the landfill and the Engineer overseen it. Now the commission takes care of the landfill and would like to have the ability to set policies and procedures based upon current market and trends.

With the representation that was present, it is obvious that the Landfill Commission is well represented and the Board agreed with those attending that this ordinance needs repealed and the commission would be able to explore other options. Proper procedure will have to take place in order to do so and give notice that the county is considering this. No action was taken.

Jackie and Loren Seitz, Darren and Crystal Stein, Ken Struve, Tammy Wagner, Kyle and Lori Wilton were all present to discuss the current status of 22<sup>nd</sup> Avenue Road. Seitz has been to numerous Board meetings requesting action to be taken. The Board previously agreed that they wanted to do a permanent repair not a temporary fix for this road which has a history of flooding problems for decades. Seitz reminded the board that after a meeting last fall, a previous supervisor said that after a current asphalt project was complete, they would get to it, obviously that didn't happen. Well now currently the weather has obviously not been cooperative this spring and the water is now going over the North end where the residents could normally get out when the level is high, so currently they have no way of getting in and out. Mail can't be delivered, no phone service and it has become a big safety concern for everyone. Stein's have livestock that they are traveling 6 miles out of their way to tend to. In years past this portion of the road has never been affected, so the recent ice jam that passed thru could be the reason. The questions being asked were: can we come back on the county if someone gets hurt driving over these areas and if the farmers are able to get back in the fields, why can't any work be done on this road? Conservation has already fixed the roadside park area.

County Engineer Myron Parizek also present for the discussion, he spoke up on the matter. The question at hand is if 22<sup>nd</sup> Ave. Road is a higher priority right now than 90% of the other roads in the rest of the county? Our first step is to protect the phone cable. The intent was to put a 1 foot buffer around it, bring in clay to fill in the voids and then load rock on top to build up the blacktop. Obviously this has far been a typical spring and we can't predict the weather pattern. Currently we have 6-8 trucks out addressing frost boils and other things, but if the Board of Supervisors wants to take them off the spend 4-5 days addressing one area we will. In order to fix this area, the Board is in agreement they want it fixed properly, and not a quick fix and weather permitting. Seitz asked about liability being on the county since nothing has been done or attempted, she understands flood is an act of nature, but concerned that nothing other than setting signs has been done since her last visit in February. Chairman Primmer told the crowd we keep hammering the same thing over and over that the conditions need to be right and the consensus is that this will get taken care of when weather dries up and equipment can be safely brought in!



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

**Seeman moved/Bierschenk seconded:** To approve Utility Permit for Linn County REC for Fremont and Florence Townships. Motion carried.

**Bierschenk moved/Seeman seconded:** To hire Brian Reeves part-time effective immediately at \$19/hour during probationary period, after that will go to \$20/hour. One of two rural access managers. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve to pay Brian Reeves 40 hours for attending Critical Incident Training (CIT) in Iowa City. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

June 4, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer and Seeman present. Primmer called the meeting to order at 8:30 a.m. Bierschenk arrived after meeting started at 8:55 a.m. *Unless otherwise noted, all actions were approved unanimously.*

Marc Greenlee, Sanitarian/land use administrator requested that the board go into closed session to perform his evaluation.

**Seeman moved/Primmer seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)i. Motion carried at 8:30 a.m.

**Seeman moved/Bierschenk seconded:** To exit closed session and enter into open session. Motion carried at 9:15 a.m.

**Bierschenk moved/Seeman seconded:** To approve farm exemption application for Matt and Tricia Miller in W1/2 SE ¼ 25-82-12. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and sign ECICOG contract with Benton County. Motion carried.

Doug DeMeulenaere, Owner of Garling Construction along with Kate Robertson of Benton Development Group wanted to discuss some business expansion options with the Board. Currently Garling Construction is out of space and they are looking at opportunities to expand the business and is very interested in doing so along the HWY 30 corridor. DeMeulenaere wants accessibility to suppliers with a better location that can attract more exposure and be able to hire more employees. Understanding that protecting good farm ground, he explained that if Benton County doesn't take advantage of this opportunity and adjust, Tama County will benefit. His business pays a lot of taxes and he would like to keep paying Benton County taxes. DeMeulenaere wants to know what his options are for purchasing 5 to 10 acres. Chairman Primmer said there would be no contention from him, he said taxes are what runs Benton County and he appreciated Garling Construction wanting to stay and keep revenue in Benton County. Supervisor Seeman said he'd have a problem starting the business from scratch on farm ground and that he'd prefer to see something done on an existing acreage. When Supervisor Bierschenk was asked his opinion, he felt it would be a lot of work for the land use office and didn't want to give the business "carte blanche" to find a spot.

DeMeulenaere thanked the board for listening, said he understands that changing the current zoning is a long process. He plans to look into more detail at a few potential areas of interest and possibly be back in the near future with a land use hearing.

Adam Rodenberg, WMA Project Coordinator discussed a potential partnership with the Iowa Department of Ag and Land Stewardship for wetland projects. This is a HUD grant that would help with the 90% partner share and help owners cover their 10% match. The Board was in agreement this would be beneficial to pursue.

Rodenberg requested that the board go into closed session to perform his evaluation.

**Primmer moved/Seeman seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)i. Motion carried at 10:24 a.m.

**Seeman moved/Bierschenk seconded:** To exit closed session and enter into open session. Motion carried at 10:51 a.m.

**Seeman moved/Bierschenk seconded:** To approve the minutes from May 28, 2019 with adding a name that was left off. Motion carried.

**Seeman moved/ Bierschenk seconded:** Approve and sign agreement to participate in the ISAC HIPPA Program for FY20. Motion carried.

Update on the flag pole dedication ceremony that might be August 17, to coincide with the sesquicentennial celebration, will make it official later when know more.

**Bierschenk moved/Seeman seconded:** To approve hiring of Thomas Lynn and Leslie Wood, as part-time Reserve Deputy's in the Sheriff's office with both appointments fall under Resolution #18-14. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve the suggested fees set forth by The Sheriff's office for records requests to be as follows: Dvd's \$25, USB/Flash Drives-\$30, Research time -\$25/hour and postage/copy fees vary along with other civil fees that are set by the court. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve and sign IDOT Agreement for County Bridge Federal-Aid Funding Swap for Bridge over Wolf Creek, North of D65 on V37. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

June 11, 2019

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

Mindy Druschel and Irene Holzwarth, Department of Human Services, came to discuss the possibility for the State amortization of the purchase cost that The Benton County Service Center was. Holzwarth explained that this wouldn't take place until FY 21 at the earliest if approved, and that 30% of the cost could be divided out over 30 years.

**Seeman moved/Bierschenk seconded:** To authorize chairman to write a letter in favor of amortization of the Benton County Service Center through Department of Human Services. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve use of County facility application for the Benton County Amvet Post 218. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the minutes from June 4, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To set the wage of \$25/hour for part-time employee Joanne Morenz who is filling in for the Benton County Attorney's office retroactive to June 3, 2019. Motion carried.

**Seeman moved /Bierschenk seconded:** To direct the chair to sign the Letter of Understanding for FY19 audit services with Eide Bailly. All members voting aye thereon. Motion carried.

**Bierschenk moved/seeman seconded:** To approve and sign service agreement with Nyhart, to provide the interim service for the GASB 75 actuarial update. Motion carried.

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-25, Amending FY 19 Budget. Motion carried.

### RESOLUTION #19-25

**BE IT REMEMBERED** on this, the 11<sup>th</sup> day of June 2019, the Board of Supervisors of Benton County, Iowa, met in session for the purpose of hearing on an amendment to the current operating budget adopted on March 6, 2018, and previously amended March 12, 2019. There was a quorum present as required by law. Thereupon, the Board found that the notice of time and place of the hearing had been published. Thereafter, and on said date the amendment was taken up and considered. Thereafter, the Board took up the amendment to the budget for final consideration and determined that said budget be amended as follows:

<u>Expenditures</u>	<u>Amendment</u>
Public Safety	\$ 0
Physical Health & Social Services	\$0
Mental Health	\$ 0
County Environment & Education	\$ +500,000
Roads & Transportation	\$ 0
Government Services to Residents	\$ 0
Administration	\$ 0
Non-Program	\$ 0
Debt Service	\$ 0
Capital Projects	\$0
Operating Transfers Out	\$0
<u>REVENUES</u>	<u>Amount</u>
Intergovernmental	\$0
Licenses & Permits	\$ 0
Charges for Services	\$ 0
Use of Money & Property	\$ 0
Miscellaneous	\$0
General Long Term Debt Proceeds	\$ 0
Operating Transfers – In	\$0
Proceeds of Fixed Assets	\$ 0

Dated this 11th of June 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140711 through 140728, 140729-140732, 140733 through 140753, ACH deposits numbered 38130 through 38268, 38269 through 38409, vendor checks numbered 231393-231399 and handwritten claim number 231400 for EFSP claims numbered 231401 through 231603, vendor checks numbered 231604 through 231610. Motion carried.

Toni Parizek requested the Board go into closed session to do her annual employee evaluation.

**Primmer moved/Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)j. Motion carried at 10:00 a.m.

**Seeman moved/Bierschenk seconded:** To exit closed session and enter into open session. Motion carried at 10:35 a.m.

Mona Krugger requested closed session for her employee evaluation.

**Bierschenk moved/Seeman seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)j. Motion carried at 10:30 a.m.

**Seeman moved/Bierschenk seconded:** To exit closed session and enter into open session. Motion carried at 11:02 a.m.

Ben Turnis requested for a closed session for his employee evaluation.

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

**Primmer moved/Seeman seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)i. Motion carried at 11:06 a.m.

**Seeman moved/Bierschenk seconded:** To exit closed session and enter into open session. Motion carried at 11:48 a.m.

**Bierschenk moved/ seconded:** To approve and sign the following:  
 FY 20 Contract for-Decategorization Program Administration between the Benton County Board of Supervisors and Benton/Iowa County Decat and Erin Monaghan for decategorization services.  
 -Third Amendment to the Decat Coordination of Services Contract and Fifth Amendment to the Community Partnership for Protecting Children Coordination of Services between the Iowa Department of Human Services and Benton County.  
 Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for TIP REC in Iowa Township. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve utility permit for Windstream Iowa Communications in Polk Township along the Benton-Buchanan line. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit(s) for East Central Iowa REC in Bruce and Cedar Townships. Motion carried.

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

\_\_\_\_\_  
 Rick Primmer, Chairman

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

June 18, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer, Bierschenk and Seeman present. Primmer called the meeting to order at 8:30 a.m. *Unless otherwise noted, all actions were approved unanimously.*

Rick Bramow requested to go into closed session for his employee evaluation.

**Seeman moved/Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)i. Motion carried at 8:30 a.m.

**Seeman moved/Bierschenk seconded:** To exit closed session and enter into open session. Motion carried at 9:15 a.m.

The time of 9:15 a.m. having arrived, and this being the time and date for the first consideration of Ordinance #44, establishing a program for the separation or recycling materials in order to facilitate collection and encourage recycling. The chair declared the first consideration open for public comment. The intent behind repealing the recycling ban in place at the Benton County Landfill is to allow The Benton County Solid Waste Management Commission to be responsible for policy at the landfill.

**Seeman moved/Bierschenk seconded:** To approve the first consideration to repeal Ordinance #44. All members voting aye thereon. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve minutes of June 11, 2019. Motion carried.

**Bierschenk moved/Primmer seconded:** To acknowledge the resignation of Danelle Fowler in the Auditor's office effective June 28, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve and sign the cost share grant contract agreement between Benton County and the Iowa Department of Agriculture and Land Stewardship. Motion carried.

**Bierschenk moved/ Seeman seconded:** To Approve and authorize chairman to sign the Native American consultation letters regarding the archeological findings

**Seeman moved/Bierschenk seconded:** To approve and sign the National Disaster Recovery project intent to obligate construction funds for the City of Vinton's storm water wetland project. Motion carried.

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-26, Certification of Deputy Salaries for FY 20. Motion carried.

RESOLUTION #19-26  
CERTIFICATION OF DEPUTY SALARIES FOR FY20

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 –67% of the principal officer

Recorder’s Office:

- Marla Sutton-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

Sheriff’s Department:

- Chief Deputy–85 % of the principal officer
- Sargent Chris Rider-\$59,800
- Sargent Josh Karsten-\$58,302

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-80% of the principal officer

Dated this 18th day of June 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-27, FY 20 Appropriations. Motion carried.

### RESOLUTION # 19-27 APPROPRIATIONS

**WHEREAS**, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2019, 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 2019/2020 on March 19, 2019, be and are itemized by service area to each department on the budgets filed in the office of the county auditor on July 1, 2019 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, 2019.

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 2019-2020 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 2019-2020 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 23, 2020, 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, 2019, for payroll expenses occurring after the date stated in Section 7, for the final processing of expenses submitted on or before June 23, 2020, and for any expenses approved by the Board of Supervisors subsequent to June 23, 2020. All appropriations will lapse at the close of business June 30, 2019.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 18, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-28, Bank Depositories. Motion carried.

Resolution #19-28  
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 2020.

US Bank	
Vinton	\$ 500,000
Farmers Savings Bank & Trust	
Vinton/Traer	\$ 20,000,000
Midwest One Bank & Trust	
Belle Plaine	\$ 1,000,000
Wells Fargo Bank Iowa, N.A.	
Des Moines/Newhall	\$ 2,000,000
Regions Bank	
Waterloo/Vinton	\$ 1,000,000
Chelsea Savings Bank	
Belle Plaine	\$ 5,000,000
Chelsea Savings Bank	
Van Home	\$ 5,000,000
Benton County State Bank	
Blairstown	\$ 4,000,000
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	\$ 1,000,000
Keystone Savings Bank	
Keystone	\$ 3,000,000
Dysart State Bank	
Dysart	\$ 500,000
Northeast Security Bank	
Urbana/Independence	\$ 3,000,000

Signed this 18<sup>th</sup> day of June, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-29, Official Bank Depository Limits. Motion carried.

RESOLUTION #19-29  
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 2020:

Lexa Speidel, Recorder Cedar Valley Bank and Trust	\$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 18<sup>th</sup> day of June, 2019

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

Toni Parizek, Veterans Affairs Director provided some quotes for a 20' flag pole at the Benton County Service Center. Parizek felt a good spot for the location would be on the south side in the grass by east entrance.

**Primmer moved/Bierschenk seconded:** To approve purchase of used Caterpillar 140M2 motor grader in the amount of \$197,500 from Altorfer. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and sign purchase agreement for temporary and permanent easement totaling \$2,975.00 for a bridge project in Polk Township. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the purchase of a 2019 ½ ton Dodge Ram truck for \$23,928.00 from Thys in Belle Plaine for secondary roads. Motion carried.



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

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**Bierschenk moved/Seeman seconded:** To approve Resolution #19-30, Approve hiring Grant Wittmer as mechanic for secondary roads. Motion carried.

### RESOLUTION #19-30

WHEREAS: Benton County Secondary Road Department has an another position to fill for Mechanic in Shop and

WHEREAS: Applications have been received for the position and

WHEREAS: This applicant is recommended for this position.

BE IT THEREFORE RESOLVED BY The Benton County Board of Supervisors that Grant Wittmer be hired to fill a position of Mechanic at a starting wage of \$18.26 per hour starting June 24, 2019. This is an Equipment Operator III classification with a Labor Grade VA.

Signed this 18<sup>th</sup> day of June, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

\_\_\_\_\_  
Rick Primmer, Chairman

ATTEST:

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

June 25, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer, Bierschenk and Seeman present. Primmer called the meeting to order at 8:30 a.m. *Unless otherwise noted, all actions were approved unanimously.*

Dana Burmeister requested to go into closed session for her employee evaluation.

**Seeman moved/Bierschenk seconded:** To enter into closed session pursuant to Iowa Code 21.5(1)i. Motion carried at 9:01 a.m.

**Seeman moved/Bierschenk seconded:** To exit closed session and enter into open session. Motion carried at 9:31a.m.

The time of 9:30 a.m. having arrived, and this being the time and date for the second consideration of Ordinance #44, establishing a program for the separation or recycling materials in order to facilitate collection and encourage recycling. The chair declared the second consideration open for public comment. Primmer brought up some concerns he has been hearing about. The local businesses fill our bins placed in town and then they don't allow room for the rural residents to add their recycling.

**Bierschenk moved/Seeman seconded:** To approve the second consideration to repeal Ordinance #44. All members voting aye thereon. Motion carried.

**Seeman moved/Bierschenk seconded:** To hire Lindsay Upah at \$20.34 an hour for a part-time manager for the Rural Access Center that is located at the Benton County Service Center. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve minutes of June 18, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve application for use of conference room at the Benton County Service Center for July 7, 2019 for Historical Preservation Commission to host an event at 4:30 p.m. Motion carried.

The Board spent additional time looking over all the end of the year claims. It was noted that one department appeared to have spent their budget in its entirety. It will be addressed in the near future.

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

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140754 through 140771, ACH deposits numbered 38410 through 38554, claims numbered 231611 through 231818, vendor checks numbered 231819 through 231826. Motion carried.

**Primmer moved/Bierschenk seconded:** To authorize chairman to sign the jail excess flood insurance with Gallagher. Motion carried.

**Bierschenk moved/ Seeman seconded:** To Approve fireworks permit for Chris Herr for July 6 and July 7, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-31, Transfer of Funds for FY 20. Motion carried.

Insert Resolution

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-32, Interfund Transfers for FY 20. Motion carried.

RESOLUTION #19-32  
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 - \$82,603.00

The auditor is authorized to make the necessary adjustments to the FY19 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 25th, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve Resolution #19-33, Amending Service Areas. Motion carried.

RESOLUTION #19-33
SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2019 budget on March 6, 2018; and amended on March 12, 2019 and June 11, 2019;

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 FY2019 county budget is hereby amended within the following service areas:

Service Area 0-\$3,620 from Function 0030 (Fund 0001 Department 23) to Function 0030 (Fund 0001 Department 99)

Service Area 1 - \$3830 from Function 1110 (Fund 0001 Department 28) to
Function 1620 (Fund 0002 Department 61) \$2744.00
Function 1400 (Fund 0002 Department 31) \$1086.00

Service Area 6-\$3,805 from Function 6020 (Fund 0011 Department 54) to
Function 6200 (Fund 0011 Department 99) \$1905.00
Function 6400 (Fund 0011 Department 33) \$1900.00
-\$207 from Function 6410 (Fund 0001 Department 15) to Function 6300 (Fund 0001 Department 99)

Service Area 8-\$130 from Function 8000 (Fund 0002 Department 49) to Function 8000 (Fund 0002 Department 73)

IT IS FURTHER RESOLVED that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 25th day of June 2019.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To adjourn. Motion carried.

Rick Primmer, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

July 2, 2019

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

Bierschenk moved/Seeman seconded: To approve minutes of June 25, 2019. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for the third consideration of Ordinance #44, establishing a program for the separation or recycling materials in order to facilitate collection and encourage recycling. The chair declared the third consideration open for public comment. Chairman Primmer heard from the County Attorney, he suggested possibly suspending the ordinance until it is more economically feasible. The Board felt that turning control over to the Solid Waste Commission would allow them to suspend or re-enact policy they felt proper since they had control of everything else at the landfill. Hearing no additional comments, the chair declared the public hearing closed.

Seeman moved/Bierschenk seconded: To approve third consideration to Repeal Ordinance #44. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-34, Adopting Ordinance #74, Repealing Benton County Ordinance #44 in its entirety. Motion carried.

### RESOLUTION #19-34

ADOPTING Ordinance #74, REPEALING Ordinance #44

WHEREAS: On November 7, 2003, the Benton County Board of Supervisors adopted Ordinance #44, establishing a program for the separation of recyclable materials in order to facilitate collection and encourage recycling; and

WHEREAS: The Board of Supervisors considered repealing Ordinance #44 in its entirety on this date; and

WHEREAS: publication of the hearings were made in accordance with Iowa code; and

WHEREAS: No persons appeared or filed comment either for or against repealing Ordinance #44; and

WHEREAS: The Benton County Supervisors would like to allow the Benton County Solid Waste Management Commission to be responsible for policy at the landfill.

BE IT THEREFORE RESOLVED BY The Benton County Board of Supervisors hereby repeal in its entirety Ordinance #44, of the Benton County Code of Ordinances Chapter 3.

Signed this 2nd day of July, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

Dave Gleason and Brian McClain with United Business Products presented a handout in regards to getting an upgraded phone system all integrated into one and hosted at a single data center. Scott Hansen, EMA Director has to replace his regardless of what the county does. Hansen thought it could be cost savings to the county if we all upgraded together and with all the changes in technology and licensing, we need to adapt to the changes. This would make relocation much easier for a disaster relocation situation. Gleason wanted to make sure the Supervisors had interest before they dug into this further and come back with quotes more accordingly to our needs.

**Bierschenk moved/Seeman seconded:** To approve utility permit(s) for East Central Iowa REC in Eden, Bruce and Taylor townships to bore underground utility poles in the county's right of way. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for Windstream in Iowa township. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve fiber link to be placed within Benton County for MidAmerican Energy. Motion carried.

**Seeman moved/Bierschenk seconded:** To set bid letting date for a bridge replacement project on 11<sup>th</sup> Ave in Homer Township for Tuesday, July 30, 2019 at 10:00 a.m. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

ATTEST:

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

July 9, 2019

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

**Bierschenk moved/Seeman seconded:** To approve and sign C.D. B. G. single federal audit form. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve hiring of Adrieonna Hennings and Brandon Hudson as part-time correctional officers at \$14.92 an hour effective July 9, 2019. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve Sheriff's Quarterly Report ending June 30, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve fireworks permit for Tim Swestka for July 13<sup>th</sup> at 9:45-10:15 p.m. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Treasurer's Semi Annual Report for January 1, 2019 through June 30, 2019. Motion carried.

Discussion was had regarding what is expected from the employees in the Benton County General Assistance and Mental Health/Developmental Disabilities Department. Michelle Dhondt, with the East Central Region was also present for the conversation. There has been some changes made over the past year with job duties and clarification was needed. The County Attorney was going to host a meeting with those individuals involved and report back to the Board along with the Auditor's office when things are all resolved.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140772 through 140788, ACH deposits numbered 38555 through 38699, claims numbered 231827 through 231993, vendor checks numbered 231994 through 232001. Motion carried.

Janice Gammon, Lincoln Heritage Byway Coordinator presented a slideshow and provided travel guides to Iowa's byways. Benton County has a few listed areas of interest. The Youngville Café and Preston's station are a few of the favorites mentioned. The Board thanked Gammon for the interesting presentation and offered words of support if needed in the future.

**Seeman moved/Bierschenk seconded:** To approve the minutes of July 2, 2019 with some added wording to Resolution #19-34, regarding adopting Ordinance #74 per County Attorney's advice. Motion carried.

The Engineer received bids as follows for a new ½ ton pickup for secondary roads weed department:

Thys Automotive, Belle Plaine 2019 Ram 1500 classic-\$21,185

Junge, Center Point 2019 Ram 1500 Classic-\$21,562

Ervin Motors, Vinton 2019 GMC Sierra-\$24,075

Thys Automotive, Blairstown-2019 Chevy Silverado-\$24,543

Van Horn Motors, Newhall 2020 Chevy Silverado -\$24,807

Van Horn Motors, Newhall 2019 GMC Sierra-\$24,850

**Bierschenk moved/Seeman seconded:** To accept bid for \$21,185.00 from Thys Automotive, Belle Plaine for a 2019 Ram 1500 Classic pickup Motion carried.

**Bierschenk moved/Seeman seconded:** To approve and sign title sheet for the bridge replacement project on 11<sup>th</sup> Ave. in Homer township. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

July 16, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer, Bierschenk and Seeman present. Primmer called the meeting to order at 8:15 a.m. *Unless otherwise noted, all actions were approved unanimously.*

Mike Rudin, Director of Architectural Operations with IIW, came to discuss courthouse repair needs. Rudin was involved in the past with the Roofing project and is very familiar with the Benton County Courthouse. Rick Bramow, Benton County maintenance director reached out to Rudin for his professional opinion. The first step that needs taken is to test for Asbestos. The meeting was then taken outside to look at a few areas of concerns and pointing out the various colors from various caulking over the years of tuckpointing and waterproofing done on the exterior. The Board felt strongly that it needs some maintenance, but not a total overhaul. They preferred to budget one side per year if possible. Next step would be to see what would apply under Chapter 26 as far as obtaining competitive bids for repair if the cost was under the \$100,000 threshold. The Board thanks Rudin for coming and would keep in touch but would like to see something get started on this repair project.

**Seeman moved/Bierschenk seconded:** To set land use hearing date of Tuesday August 13, 2019 at 9:15 a.m., for Robert Moore in part of the N1/2 of the NE1/4 2-85-9. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve farm exemption application for Brenda Lane in part of Parcel A in E1/2 NW ¼ of 13-84-9. Motion carried.

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

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**Bierschenk moved/Seeman seconded:** To approve Resolution #19-35, Adopting memorandum of agreement (MOA) with the Iowa Statewide Interoperable Communications Systems Board (ISICSB), to join the Iowa Interoperable Communications System (ISICSB). Motion carried.

### RESOLUTION #19-35

A RESOLUTION ADOPTING THE MEMORADUM OF AGREEMENT (MOA) WITH THE IOWA STATEWIDE INTEROPERABLE COMMUNICATIONS SYSTEM BOARD (ISICSB), TO JOIN THE IOWA STATEWIDE INTEROPERABLE COMMUNICATIONS SYSTEM (ISICS).

Benton County desires to provide interagency communications capability between Benton County, Iowa and including it's sub groups, with other public safety and public service agencies throughout Iowa. The interagency communications are a component of the National Incident Management System (NIMS). The communications between cooperating agencies are critical in times of emergency and supports the public welfare of the citizens of the County.

BE IT RESOLVED by the Benton County Supervisors, Iowa:

WHEREAS, The State of Iowa operates and maintains the Iowa Statewide Interoperable Communications System (ISICS) as Iowa's statewide standard digital communications network. The network is a statewide radio platform that provides radio communications to public agencies and others, border to border in the State of Iowa to improve public safety across the state, and

WHEREAS; The purpose of the ISICS is enhance the ability of public safety and public services personnel to communicate and share voice/data communications across disciplines and geographical boundaries on an immediate basis, on demand, when needed, and

WHEREAS, The State of Iowa has established the Iowa Statewide Interoperable Communications System Board (ISICSB) to oversee the network, and

WHEREAS, The ISICSB has provided a Memorandum of Agreement (MOA), attached hereto. The purpose of the MOA is to allow the County to connect with and access the ISICS platform for operability and/or interoperability, and to share any and all enhancements made by the County without additional cost with any other user authorized to use ISICS, and

WHEREAS, There is no user fee to connect approved radio equipment with ISICS and use ISICS for voice radio communication purposes, and

WHEREAS, The Officials of Benton County has reviewed and supports the MOA.

NOW THEREFORE be it resolved, the Benton County Supervisors of Benton County, Iowa, adopts the Memorandum of Agreement (MOA), by and between the Iowa Statewide Interoperable Communications System Board (ISICSB) and the County, and directs the Benton County Sheriff, to execute the agreement including application to join the Iowa Statewide Interoperable Communications System (ISICS).

BE IT FURTHER RESOLVED, By the Benton County Supervisors that the Benton County Sheriff is appointed as the representative and non-voting member of the ISICSB User Group Committee (UGC), as required by the Memorandum of Agreement (MOA).

Adopted and approved this 16th day of July, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

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**Seeman moved/Bierschenk seconded:** To approve minutes of July 9, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve county facility application for Iowa Valley R C & D for use of the county conference room on Thursday July 18, Thursday July 25, and Wednesday July 24, 2019 from 6-8 p.m. Motion carried.

**Seeman moved/ Bierschenk seconded:** To approve Recorder’s Quarterly Report. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Auditor’s Quarterly Report. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve General Assistance Quarterly Report(s) for FY 18/19. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve and sign the amended contract with Emmons & Olivier, Inc. and Benton County for resiliency grant planning services for the Middle Cedar WMA. Motion carried.

Adam Rodenberg presented the bids received for the Middle Cedar WMA flood mitigation structures for the Vinton Wetland project. Bids were received as followed:

Pirc Tobin Construction, Inc. –Alburnett, IA \$335,262.75

Hatch Grading & Contracting-Dysart, IA \$380,301.75

Stegar Construction, Inc.-Dyserville, IA \$411,589.25

Peterson Contractors, Inc. –Reinbeck, IA \$436,113.75

Boomerang Corp-Anamosa, IA \$467,830.00

No action was taken.

**Seeman moved/Bierschenk seconded:** To approve application for use of courthouse grounds for Vinton Kiwanis for the Boomtown 5K to be held at 9:00 a.m. on Saturday August 24, 2019. Motion carried.

John Ketchen, representing the developers of Anderson Creek Estates First Addition northwest of Vinton brought a proposed urban renewal plan to extend the TIF (Tax Increment Finance) area from 10 years to 15 years.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-36, Approving the use by the City of Vinton of future incremental property tax revenues produced within the urban renewal area known as Anderson Creek Estates First Addition per Iowa Code Section 403.22. Motion carried.  
Resolution #19-36

WHEREAS, the City of Vinton, Iowa (the “City”) has established the Vinton Consolidated Urban Renewal Area (the “Urban Renewal Area”), pursuant to Chapter 403 of the Code of Iowa; and

WHEREAS, the City is considering entering into a development agreement with respect to the use of future incremental property tax revenues produced within the Urban Renewal Area to pay the cost of certain public improvements related to a development known as Anderson Creek Estates First Addition Project (the “Project”); and

WHEREAS, the developer of the Project has requested that the City approve the use of incremental property tax revenues for a period of fifteen fiscal years; and

WHEREAS, Section 403.22 of the Code of Iowa authorizes cities to commit future incremental property taxes for this type of project for up to fifteen fiscal years only if such use is approved by the governing bodies of the affected county and school district; and

WHEREAS, the developer of the Project has requested that the Board of Supervisors of Benton County approve this resolution in order to allow the City to use incremental property tax revenues for the Anderson Creek Estates First Addition Project for up to fifteen fiscal years;

NOW, THEREFORE, it is resolved by the Board of Supervisors of Benton County, as follows:

Section 1. Pursuant to Section 403.22 of the Code of Iowa, this Board hereby approves the use by the City of Vinton of future incremental property tax revenues produced within the Urban Renewal Area for a period of up to fifteen fiscal years in connection with the Anderson Creek Estates First Addition Project.

Section 2. The County Auditor is hereby directed to forward an executed copy of this Resolution to the City Clerk of the City of Vinton.

Passed and signed this 16th day of July, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

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



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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-37, New weight restrictions imposed on 5 listed bridges due to load rating computations, age and design. Motion carried.

**RESOLUTION #19-37**

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:

- PO-0520            **12 ton**  
0.5 mile east of the NW corner of section 18-86-9 (Polk Township) on 52<sup>nd</sup> Street.
- CE-0940            **6 ton**  
0.1 mile west of the NE corner of section 30-86-11 (Cedar Township) on 54<sup>th</sup> Street.
- HA-2535 **5 ton**  
0.5 mile south and 0.5 mile east of the NW corner of section 21-86-10 (Harrison Township) on 24<sup>th</sup> Avenue Drive.
- BE-5737 **10 ton**  
0.3 mile north and 0.7 mile east of the SW corner of section 25-83-09 (Benton Township) on 59<sup>th</sup> Street Trail.
- FL-4515 **15 ton / 25 ton / 25 ton**  
0.5 mile east and 0.5 mile south of the NW corner of section 11-82-09 (Florence Township) on 32<sup>nd</sup> Avenue Drive.

Signed this 16<sup>th</sup> day of July 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

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

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-38, Post embargo restrictions on 7 listed bridges. Motion carried.

**RESOLUTION #19-38**

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-1046            **22/37/40** ton  
0.6 mile south of the NW corner of section 29-84-11 (Big Grove Township) on 17<sup>th</sup> Avenue.
- CA-1905 **20/27/27** ton  
0.1 mile west and 0.5 mile south of the NE corner of section 05-84-09 (Canton Township) on 62<sup>nd</sup> Street Trail.
- FL-3910            **17/27/27** ton  
0.1 mile west of the NE corner of section 10-82-09 (Florence Township) on 75<sup>th</sup> Street.
- CE-0028            **18/31/31** ton  
0.2 mile north of the SW corner of section 18-86-11 (Cedar Township) on 16<sup>th</sup> Avenue.
- LE-1025            **25/40/40** ton  
0.5 mile south of the NW corner of section 17-82-11 (Leroy Township) on 17<sup>th</sup> Avenue.
- LE-5900 **24/38/38** ton  
0.1 mile west of the NE corner of section 01-82-11 (Leroy Township) on 74<sup>th</sup> Street.
- TA-4509            **25/38/38** ton  
0.5 mile east and 0.1 mile north of the SW corner of section 02-85-10 (Taylor Township) on 26<sup>th</sup> Avenue Drive.

Signed this 16<sup>th</sup> day of July 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

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

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-39, Bridge restrictions on 10 bridges using the non-interstate highways chart from Iowa Code Chapter 321.463. Motion carried.

### RESOLUTION #19-39

WHEREAS, the structures at these locations have been evaluated for the maximum gross weight allowed using the non-interstate highways chart from Iowa Code Chapter 321.463, and  
 WHEREAS, these structures rate sublegal from these charts and 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:

<u>BG-5225</u>	<b>28/40/40</b> ton In section 13-84-11 (Big Grove Township) on 21 <sup>st</sup> Street Drive.
<u>CA-0500</u>	<b>26/40/40</b> ton Near N ¼ corner of section 06-84-09 (Canton Township) on 62 <sup>nd</sup> Street.
<u>CA-2011</u>	<b>28/40/40</b> ton Near NW corner of section 09-84-09 (Canton Township) on 30 <sup>th</sup> Avenue Drive.
<u>BR-4046</u>	<b>28/40/40</b> ton Near SW corner of section 26-86-12 (Bruce Township) on 14 <sup>th</sup> Avenue.
<u>ED-3650</u>	<b>28/40/40</b> ton Near NE corner of section 34-84-10 (Eden Township) on 67 <sup>th</sup> Street.
<u>HA-4115</u>	<b>28/40/40</b> ton Near W ¼ corner of section 11-86-10 (Harrison Township) on 51 <sup>st</sup> Street Drive.
<u>IA-3838</u>	<b>28/40/40</b> ton In section 22-82-12 (Iowa Township) on 77 <sup>th</sup> Street Trail.
<u>IA-3839</u>	<b>28/40/40</b> ton In section 22-82-12 (Iowa Township) on 13 <sup>th</sup> Avenue Drive.
<u>IA-5158</u>	<b>28/40/40</b> ton In section 36-82-12 (Iowa Township) on 79 <sup>th</sup> Street Trail.
<u>ST CL-4900</u>	<b>26/40/40</b> ton Near NE corner of section 02-82-10 (St Clair Township) on 74 <sup>th</sup> Street.

Signed this 16<sup>th</sup> day of July 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

July 23, 2019

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

**Seeman moved/Bierschenk seconded:** To approve minutes of July 16, 2019. Motion carried.

Phil Borleske and Alison Hicks, Historical Preservation Commission asked the board to give authority to them to apply for grants and list Benton County as the certified local government (CLG) to be the fiscal agent for a project related to the Herring Hotel in Belle Plaine, IA. Kristine Pope and Kim Purk were also present representing the Herring Hotel and spoke on its behalf. The Herring group would like a bed and breakfast style of facility with themed suites based on Belle

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

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Plaine's history. Another possibility would be a health and wellness center and plans for handicapped accessible apartments. Pope added that they are currently in litigation with the City of Belle Plaine. Primmer applauded the group bringing forth the project but was not comfortable getting in the middle, and would like to wait and see what happens with the litigation before the county gets involved. County Attorney Thompson didn't see a problem getting involved, the group isn't asking for county funds, but the county is the only CLG in Benton County who is qualified to help the group get the grant. Supervisor Bierschenk would like to see the project move forward, but is currently an eyesore and felt it could be an asset to the city. Primmer stressed he is pro development but after a phone conversation and being that close to a court date, he didn't want to get in the middle. The County attorney asked Primmer who he talked to and when Primmer didn't give out the name he stated he had a problem with fairness of someone calling to give opposition to a project if they didn't attend the open meeting to be heard. After more words were exchanged, Primmer stated that the board had someone in favor of it, all they need to do is make that motion and get a second.

**Bierschenk moved/Seeman seconded:** To allow Benton County as the Certified Local Government (CLG) for Benton County Historical Preservation to apply for grant with the Herring Hotel. Voting aye were Bierschenk and Seeman. Primmer voted No. Motion carried.

Jerry Petermeier wasn't able to attend the meeting but called to provide the update regarding the tree removal at the Cedar Valley Ranch.

**Seeman moved/Bierschenk seconded:** To award bid to Pirc Tobin Construction, Inc. –Alburnett, IA \$335,262.75

for the Middle Cedar WMA flood mitigation pertaining to the Vinton Wetland Project. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve and authorize chair to sign the Tier II Environmental Review from the Tier 1 Assessment regarding contract #13-NDRI-002 for the HUD Grant related to the WMA. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the new contract and authorize chair to sign with Pitney Bowes for a new postage machine in the Treasurer's Office. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140789 through 140806, ACH deposits numbered 38700 through 38844, claims numbered 232002 through 232116 vendor checks numbered 232117 through 232125. Motion carried.

The Board wanted to publicly thank the public's patience regarding the road conditions. From March to present, the county has spent approximately \$1.8 million in rock and hauling costs alone.

**Bierschenk moved/Seeman seconded:** To approve utility permit for USA Communications in Iowa Township to place fiber along 78<sup>th</sup> Street. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit(s) for East Central Iowa REC to replace over ground utility lines with underground in Bruce, St. Clair and Taylor Townships. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-40, Amending the Benton County 2020 Five Year Road Plan to include a bridge replacement project on 11<sup>th</sup> Ave., Motion carried.

**Resolution No.**

**19-40**

**Revise Benton  
County 2020  
Five Year Road  
Program**

Unexpected and unforeseen circumstances have arisen since adoption of the original approved Secondary Road Construction Program (Program), and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan,

The Board of Supervisors of Benton County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year (FY)2020), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code section 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following (FY19) OLD project shall be ADDED into the Program's Accomplishment year:

Project Number Local ID TPMS #	Project Location Description of work Section-Township- Range	AADT Length FHWA #	Type Work Fund basis	Accomplishment year (\$1000's of dollars)	
					New amount
L-HO-1041- -73-06 HO-1041 TPMS ID: 14713	11 <sup>th</sup> Ave: Over Branch Stein Creek 80 x 30.5 CCS Bridge S29:T84:R12	15  072340	320 - Bridges County: Area Service		\$425 \$0 FM \$425 LCL
<b>Totals</b>					<b>\$425</b>

Signed this 23rd day of July 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

July 25, 2019

The Benton County Board of Supervisors met in an emergency session with Supervisors Primmer, and Seeman present, Bierschenk was reached by phone. Primmer called the meeting to order at 12:00 p.m. *Unless otherwise noted, all actions were approved unanimously.*

**Seeman moved/Primmer seconded:** To enter into closed session per Iowa Code Section 21.5(g). Motion carried.

**Bierschenk moved/Seeman seconded:** To exit closed session at 12:20 p.m. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve what was discussed in closed session and enter into law contract with Mullen Coughlin, LLC. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

July 26, 2019

The Benton County Board of Supervisors met in an emergency session with Supervisor Seeman present, Primmer and Bierschenk were reached by phone. Primmer called the meeting to order at 3:30 p.m. *Unless otherwise noted, all actions were approved unanimously.*

**Seeman moved/Bierschenk seconded:** To enter into closed session per Iowa Code Section 21.5(g). Motion carried.

**Seeman moved/Bierschenk seconded:** To exit closed session at 3:36 p.m. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the proposed agreement(s) discussed in closed session. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

July 30, 2019

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

**Seeman moved/Bierschenk seconded:** To approve minutes of July 23, 2019, July 25, 2019 and July 26, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve liquor license for Blairstown Sauerkraut Days beer tent. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve 24 hours of vacation carry-over for Rick Bramow. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-41, Approving hiring of Courtney Long, full-time clerk in the Auditor’s office. Motion carried.

**RESOLUTION #19-41**  
**APPROVE HIRE OF AUDITOR CLERK**

WHEREAS, the Benton County Auditor requested and was granted approval to hire a clerk to replace the previous 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 Courtney Long be hired to fill the position;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hire of Courtney Long as clerk in the Auditor’s office, at an annual salary of \$36,500.00, effective August 5, 2019, is hereby approved.

Dated 30th day of July, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: Re-approve and sign supplemental Tier II assessment approval for the Vinton Wetland Project with the different area to relocate the dirt after removal. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize chairman to sign the Native American consultation letters with that change for supplemental Tier II assessment for the Vinton Wetland Project. Motion carried.

Bierschenk moved/Seeman seconded; Approve and sign the affirmation of duplication of benefits and subrogation and assignment for national disaster resiliency infrastructure/watershed CDBG Grant Project for bid 3. Motion carried.

The Engineer stated that there were three bids received for the bridge replacement project on 11th Ave. in Homer Township for project: L-HO-1041—73-06. He recommended that the board award the bid to the lowest bidder. L-HO-1041—73-06 bids were as follows:

Table with 2 columns: Contractor Name and Bid Amount. Rows include Taylor Construction, Inc. (\$374,629.50), Iowa Bridge and Culvert, L.C. (\$450,149.10), and Peterson Contractors, Inc. (\$507,190.50).

Seeman moved/Bierschenk seconded: To award the bid to Taylor Construction, Inc. for the amount of \$374,629.50 for bridge replacement project L-HO-1041—73-06 Motion carried.

The Engineer also presented a quote for a new tractor and mower from Mid Country Machinery, Inc. and is also obtaining two other quotes from others.

Seeman moved/Bierschenk seconded: To approve the purchase of a John Deer tractor with the tiger mower from Mid Country Machinery, Inc. for \$110,537.33. Motion carried.

Bierschenk moved/Seeman seconded: To adjourn. Motion carried.

Signature line for Rick Primmer, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

August 6, 2019

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

Seeman moved/Bierschenk seconded: To approve minutes of July 30, 2019 and amend July 26, 2019 to change the time of 3:26 to 3:36. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #19-42, Amend Resolution #11-31, Motion carried.

RESOLUTION #19-42 AMENDING RESOLUTION # 11-31

WHEREAS, The Benton County Supervisors adopted Resolution #11-31 on June 21, 2011, Granting a variance to Benton County Subdivision ordinance for Hidden Meadow First Addition to Benton County, and

WHEREAS, said Resolution waived the requirement for two acre lots on Lots 2, 3 and 4 and to allow for the placement of individual septic systems, wells, and geothermal loops on all or some of said lots;

NOW THEREFORE BE IT RESOLVED that Resolution #11-31, as amended by Resolution #19-42 is hereby amended as follows:

Lots 2, 3 & 4 -allow individual septic systems, wells and geothermal systems

The remaining resolution, as amended remains in full force and effect.

Signed this 6th day of August, 2019.

Signature line for Rick Primmer, Chairman

Signature line for Gary Bierschenk

Signature line for Tracy Seeman

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

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ATTEST:

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

Dana Burmeister, Transportation Director wanted to discuss more about the agreement between Benton County and ECICOG. The Board previously signed the memorandum of understanding regarding the Public Transit Infrastructure Grant Program and need to finalize details like where the building will be placed in regards to City of Vinton for setback requirements and getting a surveyor to parcel the land off from the rest of the parcel that now also houses the Benton County Service Center.

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-43, Hiring Assistant County Attorney and approving employment agreement. Motion carried.

**RESOLUTION #19-43  
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 Tim Dille be hired to fill the position as assistant attorney in the Attorney's office at a starting salary of \$92,878.34 effective September 9, 2019. He will be awarded 35 hours of sick leave and four weeks of vacation per year starting immediately. Dille's employment is governed by all other applicable parts of the Benton County Employee Handbook as well.

Dated the 6<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

\_\_\_\_\_  
Gary Primmer

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-44, Hiring Paralegal in Attorney's office and approving employment agreement. Motion carried.

**R E S O L U T I O N #19-44  
HIRING PARALELGAL IN ATTORNEY'S OFFICE**

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 Rosemary Schwartz be hired to fill the position as paralegal in the Attorney's office at a starting salary of \$40,000 effective August 6, 2019, She will be awarded 35 hours of sick leave and two weeks of vacation per year starting immediately. Schwartz's employment is governed by all other applicable parts of the Benton County Employee Handbook as well.

Signed this 6<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

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

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**Bierschenk moved/Seeman seconded;** To approve utility permit for East Central Iowa REC in Sections 16 and 17 of Kane Township. Motion carried.

The Engineer updated the board about the haul road for the DOT project along 74<sup>th</sup> Street. Parizek anticipates some reimbursement to Benton County for the rock work.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

August 13, 2019

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

**Seeman moved/Bierschenk seconded:** To approve minutes of August 6, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve farm exemption application for Ryan and Allison Rich in part of the SW ¼ NW ¼ of Section 26-85-11. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Robert Moore in part of the N1/2 NE1/4 of 2-85-9. 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 module home on the family owned land with the existing well that is code compliant will be shared. CSR is 40, and there is already an existing driveway that met requirements. Adjacent land owners were notified and no responses were heard. No other comments, the Chair declared the hearing closed.

**Seeman moved/ Bierschenk seconded:** To approve land use change of 1 acre for Robert Moore in part of the N1/2 NE1/4 of 2-85-9. Motion carried.

**Seeman moved/Bierschenk seconded:** To certify the suspended tax list to Department of Human Services (DHS). Motion carried.

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-45, Committed Funds. Motion carried.  
RESOLUTION #19-45

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, 2019:

COMMITTED FUND BALANCES:

**General Fund:**

- \$16,000 sanitarian vehicle replacement;
- \$75,000 election equipment replacement;
- \$50,000 emergency response;
- \$500,000 infrastructure upgrades;

**Rural Services Fund** - \$16,000 land use administrator vehicle replacement

**Conservation Land Acquisition Fund**-\$200,000 conservation building at Hannen and land purchase

**EMS Revolving Loan Fund** – \$121,033.60 for emergency services loans

**LOSST Fund** - \$50,000 for technology upgrades and infrastructure;  
\$105,000 GIS aerial flight;

BE IT RESOLVED that committed fund balances established prior to June 30, 2019, are hereby uncommitted as of June 30, 2019, 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 2nd of July, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

Toni Parizek, Veterans Affairs Director was asked to do some research and report back to the board. She needed guidance for the final decisions regarding the flag pole with placement and lighting to be put up at the Benton County Service Center. The Board agreed with the suggestions and advised Parizek to make it happen.

**Bierschenk moved/Seeman seconded;** To approve hiring of Ross Hanson and Sherry Sakshaug for part-time communications specialists in the Sheriff's office, at the starting rate of \$15.92 with an increase to \$16.92 after required training is complete. This will be effective August 13, 2019. Motion carried.

Sheriff also brought up concerns for spraying at the Benton County Service Center in the Rural Access Center. He presented quotes from Presto X. Auditor Rippel was going to check with current agreement and see if an addendum for that can be added.

Chris Ward and Tami Stark, representing the City of Vinton came to discuss the suspended tax situation on parcel 240-16300. The city will be adding some special assessments to this parcel and had questions on what qualifies it to be suspended or not and how often one can obtain the status. Treasurer Kelly Rae Geater was present to answer some questions and referred to Iowa Code 427.9.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-46, Remove Bridge Embargo. Motion carried.

### RESOLUTION #19-46

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:

BE-2159                    0.1 mile east of the SW corner of section 33-85N-9W (Benton Township) on 62<sup>nd</sup> Street

Signed this 13<sup>th</sup> day of August 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

**Bierschenk moved/Seeman seconded:** To set public hearing date of Tuesday September 10, 2019 at 10:00 a.m. for the sale of real property for HWY 30 Project: NHSN-30-6(101)—2R-06 in 34-83-12. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140807 through 140830, ACH deposits numbered 38845 through 38986, vendor checks numbered 232126 through 232133, claims numbered 232134 through 232344. Motion carried.

**Seeman moved/Primmer seconded:** To enter into closed session per Iowa Code Section 21.5(g). Motion carried at 11:15 a.m.

**Bierschenk moved/Seeman seconded:** To exit closed session at 11:42 a.m. Motion carried.

The Board, County Auditor, Conservation Director, Conservation employees along with members of the Conservation Board went on a tour of various county parks with the generosity of Benton County Transportation. Director Dana Burmeister drove them around in one of the county transit buses. The Board was able to see the improvements that have recently been made within the parks along with those currently in progress. This was also a time to discuss areas of concerns and hear of upcoming improvements that hope to be in the near future.

**Bierschenk moved/Seeman seconded:** To adjourn at 6:05 p.m. Motion carried.

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Rick Primmer, Chairman

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

August 20, 2019

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

**Seeman moved/Bierschenk seconded:** To approve minutes of August 13, 2019 with the correction of a name spelling. Motion carried.

Phil Borleski and Robert Spangler, Historic Preservation Commission came to discuss the paperwork for the Historical Preservation Grant. The due date is Friday September 7, 2019. Currently they are waiting on the Herring Hotel to do their part, but they have their part done as a commission. Allison Hicks will be bringing the letter for signature.

John Cook, Partnership Specialist with the United States Census 2020 presented a variety of information pertaining to the upcoming census. Cook encouraged the Board to establish a Complete Count Committee (CCC) and formalize that with a commitment letter on county letterhead. He also asked if we could post some information on our local county website also. Various questions and answers were discussed to encourage the most accurate count on April 1, 2020 and why it is so important and the affects to local governments and federal funding.

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

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**Bierschenk moved/Seeman seconded:** To approve utility permit to place underground utility lines along 64<sup>th</sup> Street for East Central Iowa REC. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve utility permit for Windstream Communications to bore fiber in the county right of way in Iowa Township. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve contract and authorize chairman's signature on the contractor's bond with Taylor Construction, Inc. for bridge replacement on 11<sup>th</sup> Ave in Homer Township in the amount of \$374,629.45. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve purchase of two (2) John Deere cab tractors from P & K Midwest, Inc. in the amount of \$55,519.96 each.

Allison Hicks, Historic Preservation Commission arrived late and had the letter to present for signature for applying for the Historic Preservation Grant and allowing her to act as the Local Project Manager.

**Seeman moved/Bierschenk seconded:** To authorize Chairman Primmer to sign letter of approval for applying for the 2020 Certified Local government Grant through the State Historic Preservation Office and the Iowa Department of Cultural Affairs. Motion carried.

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

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Rick Primmer, Chairman

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

August 27, 2019

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

**Bierschenk moved/Seeman seconded:** To approve minutes of August 20, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Veterans Affairs Quarterly Report ending June 30, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve use of courthouse lawn for the Benton County Extension to display scarecrows created by local 4-H groups between October 7, 2019 and November 1, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140831 through 140847, ACH deposits numbered 38987 through 39131, vendor checks numbered 232345 through 232353, claims numbered 232354 through 232476. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve hiring of Rodney Clark and Renee Petersen as part-time drivers for the Benton County Transportation Department. Starting wage at \$12.00 an hour with possible pay rate increase after obtaining their Class D qualification, effective September 11, 2019. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-47, Approving Oak Glen Acres Sub-Division to Benton County, Iowa. Motion carried.

RESOLUTION #19-47  
APPROVING PLAT FOR OAK GLEN ACRES ADDITION  
TO BENTON COUNTY, IOWA

WHEREAS, a Plat of Oak Glen Acres Addition to Benton County, Iowa, containing one (1) lot has been presented to the Benton County Board of Supervisors consisting of the following described real estate:

See Exhibit "A" attached hereto and made a part hereof

And

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

WHEREAS, the owners have executed and filed an Owner's Certificate containing 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 Glen Oak Acres Addition to Benton County, Iowa, will be and the same is hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveways will be built to comply with Benton County's driveway resolution dated October 17, 1975 and amended September 4, 1981, and April 17, 2008.
2. Any new water supply will be constructed with the approval of the Benton County Department of Health.
3. Any new sewage treatment system will be constructed with the approval of the Benton County Department of Health.

The Benton County Auditor is hereby directed to certify this Resolution Approving Plat and affix the same to said Plat as provided by law.

This resolution passed and approved on the 27<sup>th</sup> day of September, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

Conservation Director Karen Phelps provided an update on the progress of some projects going on in the parks. She also reported that a REAP grant application has been officially submitted.

The Board recessed and then reconvened at the Service Center location at 811 D Ave, Vinton. They conversed with Brock Grenis, Transit Administrator with ECICOG, Dana Burmeister, Benton County Transportation Director, County Engineer and the City Streets Superintendent to discuss the location of the new Transportation Building. Before we can sign the official agreement to move forward with the Grant process, there needs to be a separate legal description for the proposed area.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

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

September 3, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Bierschenk and Seeman present. Primmer was absent. Bierschenk called the meeting to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: [www.bentoncountyiowa.org](http://www.bentoncountyiowa.org)*

**Seeman moved/Bierschenk seconded:** To approve minutes of August 27, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve law enforcement contract with City of Norway for FY 2020 in the total amount of \$13,000 to be paid quarterly. Benton County Sheriff's Office providing police protection not to exceed 10 hours a week on the average or 520 hours within the contract period. Motion carried.

**Seeman moved/Bierschenk seconded:** To authorize co-chairman to certify the county urban renewal report to the state. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-48, Approval and Disapproval of Business Property Tax Credits (BPTC) for the 2018 Assessment year. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and sign agreement with East Central Iowa Council of Governments (ECICOG) and Benton County, Iowa for both parties to collaborate in the acquisition of land and construction of a building to be used by Benton County Transportation, that operates under contract with ECICOG. It is the mutual desire of both parties to enable ECICOG to obtain PTIG funds pursuant to the Transit Joint Participation Grant Agreement by and between ECICOG and IDOT. Motion carried.

**Seeman moved/Bierschenk seconded:** To table the discussion on tax abatement notices received from City of Belle Plaine on parcel #s 030-26225 and 660-32260. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and sign intent to obligate construction funds and send the bid packet 3 notice to the paper. Construction on this list of projects will start in fall of 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for Poweshiek Water Association in Bruce Township. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit(s) for Farmer's Mutual Telephone to bore in the county's right of way in Section 9 of Canton Township and also in sections 24 and 25. Motion carried.

**Seeman moved/Bierschenk seconded:** To accept resignation of Roger Sturtz in secondary roads department effective October 4, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve wage change for Garald Rivers, current intern in the weed department. Rivers has obtained his CDL, and now qualifies for \$16/an hour like other part-time drivers effective immediately. Motion carried.

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

\_\_\_\_\_  
Gary Bierschenk, Co-Chairman

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

September 10, 2019

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

**Bierschenk moved/Seeman seconded:** To set land use hearing date for Kenneth Nemecek in part of the SE ¼ SE ¼ 24-85-9 for Tuesday October 8, 2019 at 9:15 a.m. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve minutes of September 3, 2019. Motion carried.

Rebecca Clausen, Liberty National Insurance Company presented a handout to go over of voluntary employee policy's their company has to offer.

Chris Ward, City of Vinton and Larry Andreesen, County Assessor were both present as the discussion about abating taxes on various listed parcels. The parcels in Vinton were mostly purchased from the homeland security grants and demolished due to being in the flood plain. The others is the Corbett property that was purchased through the Middle Cedar Watershed.

**Seeman moved/Bierschenk seconded:** To abate all but 30% on parcel #240-88600 now owned by Benton County, known as the Service Center. The other 4 parcels owned by the City of Vinton that total an amount of \$441.36 in abatements on parcel #240-05800, 240-90175, 240-20100 and 250-20200. Motion carried.

No action taken on the complete count committee for 2020 Census.

Lexa Speidel brought up the holiday decorating in the courthouse. Speidel thought about reaching out to the local cities and other organizations and see if they would be willing to volunteer and take turns with decorating the Christmas tree. The board felt it was a good idea if she wanted to reach out to those entities and be sure they would do the decorating during open courthouse hours due to security present. This will also need to be ran by Heartland Risk Insurance for liability reasons per Auditor.

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

**Bierschenk moved/Seeman seconded:** To approve law enforcement contract with City of Urbana that Benton County will provide protection not to exceed 130 hours in twelve months and a total yearly sum of \$3,250.00 to be paid quarterly. Motion carried.

The time of 10:00 a.m. having arrived, and this being the time and date for a public hearing for the sale of real property for the HWY 30 expansion project: NHSN-306(101—2R-06 in section 34-82-12. No comments were heard regarding the public noticed placed in the official newspapers. The Engineer approved of the value of \$5,100.00 offered for just over a fraction over a half acre of ground. Hearing no other further comments the public hearing was closed.

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-49, Sale of Real Property and Delivery of Conveyance. Motion carried.

### RESOLUTION #19-49

#### SALE OF REAL PROPERTY AND DELIVERY OF CONVEYANCE

Project No. NHSN-030-6(101)-2r-06 Benton County Primary Road No. U.S. 30

WHEREAS Section 331.361, Iowa Code, allows the County to buy and exchange real estate for the benefit of the public good ; and

I, the undersigned, Hayley Rippel, County Auditor of Benton County, Iowa, a political subdivision duly organized and existing under the laws of the State of Iowa, DO HEREBY CERTIFY that notice of a pending sale of real estate has been published at least once, not less than four or more than twenty days before the date of the hearing in a newspaper published at least once weekly and having general circulation in Benton County, Iowa, in accordance with the Code of Iowa; that a public hearing has been held and the following is a true and exact transcript of certain resolutions duly adopted by the members of the Board of Supervisors on the 10<sup>th</sup> day of September, 2019, by the call of yeas and nays recorded below and these resolutions are now in full force and effect:

WHEREAS, that Benton County proposes to sell, grant and convey certain County property to the State of Iowa for the purchase price of \$5,100.00, and other certain benefits, terms and conditions as set forth in a Purchase Agreement to be signed by Rick Primmer, Chairman of the Board of Supervisors, and Hayley Rippel, County Auditor, relating to Benton County Project No. NHSN-030-6(101)-2R-06, Parcel No. 128, regarding certain real estate in the Northwest Quarter of the Northwest Quarter in Section 34, Township 83 North, Range 12 West of the 5th P.M., Benton County, Iowa, as shown on the Acquisition Plat attached to said Purchase Agreement.

NOW THEREFORE,, that the proposed Purchase Agreement and Quitclaim Deed are hereby approved; that Rick Primmer, Chairman, and Hayley Rippel, Auditor, are hereby empowered and directed to execute, acknowledge, and deliver in the name of this political subdivision, the Purchase Agreement, the Quitclaim Deed and any other instruments of title required by law or which may, in the judgment of such officer(s), be necessary or desirable to effectuate the sale, grant and conveyance of the property to the State of Iowa.

RESOLVED FURTHER, that the executed Purchase Agreement and conveyance document are hereby accepted and approved by Benton County Board of Supervisors, and Hayley Rippel, Auditor, is hereby directed to deliver the executed Purchase Agreement and Quitclaim Deed to the Iowa Department of Transportation Right of Way Agent, or their duly authorized representative, in exchange for the consideration of FIVE THOUSAND ONE HUNDRED and other valuable considerations, all as authorized in accordance with the Code of Iowa.

Signed this 10th day of September 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

**Bierschenk moved/Seeman seconded:** To approve utility permit for Van Horne Coop Telephone Company in Union township. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and sign temporary and permanent easement in the amount of \$4,074.00 for bridge project in Polk Township.



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

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140848 through 140868, ACH deposits numbered 39132 through 39277, vendor checks numbered 232477 through 232484, claims numbered 232485 through 232640. Motion carried.

Discussion regarding whether or not a sign should be placed in an apparent brush dump site in Watkins, unincorporated city in Benton County was discussed. Tracy Seeman was going to gather more information and further discussion and action if needed will be on next week's agenda.

Larry Andreesen, County Assessor brought back in the adjusted percentage amount of exemptions that the county owned building qualified for. Action was taken earlier in the meeting mentioning 30% but it was agreed that 92% should be the amount used.

**Seeman moved/Bierschenk seconded:** To amend amount stated on the earlier motion and to approve Resolution #19-60, Abate Taxes on listed parcels per Iowa Code 445.63. Motion carried.

**RESOLUTION #19-50**

WHEREAS, the City of Vinton and Benton County 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 2018 tax assessed against parcels listed as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63:

<u>Parcel Numbers:</u>	<u>Abatement Amounts:</u>
240-05800 (City of Vinton)	-\$138.45
240-90175	-\$140.12
240-20100 and 250-20200 combined amount of	-\$162.79
240-88600 (Benton County)	-\$4,919.60

The treasurer is directed to strike the amount listed due from the county system.

Dated this 10<sup>th</sup> day of September 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

\_\_\_\_\_  
Rick Primmer-Chairman

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

September 17, 2019

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

**Seeman moved/Bierschenk seconded:** To approve minutes of September 10, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To set land use hearing date for Mark and Crystal Manos in part of the N1/2 NE ¼ 20-86-9 for Tuesday October 15, 2019 at 9:15 a.m. Motion carried.

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

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**Seeman moved/Bierschenk seconded:** To set land use hearing date for Kurt and Elizabeth Blankenhorn in part of Parcel A in the SE ¼ of NE ¼ of 12-82-10 for Tuesday October 15, 2019 at 9:30 a.m. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint Jennifer Toenjes to the Veterans Affairs Commission. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-5, National Voter Registration Month/Day. Motion carried.

### Resolution #19-51 National Voter Registration Month/Day

WHEREAS, The National Association of Secretaries of State (NASS) established September as National Voter Registration Month in 2002; and

WHEREAS, registering to vote empowers eligible citizens to exercise their right to vote on Election Day; and

WHEREAS, while Iowa is one of the nation's leaders in voter registration and voter participation, with more than two-million residents currently registered to vote, some eligible citizens have not yet registered; and

WHEREAS, this month, the Iowa Secretary of State's Office is contacting hundreds of thousands of eligible Iowans, encouraging them to register to vote; and

WHEREAS, the voter registration process in Iowa is easier and more convenient than ever before, with online voter registration, Election Day registration, and applications available at various government agencies across the state including at military recruiting centers, and in-person at your polling place; and

WHEREAS, the State of Iowa has an online voter registration system enabling citizens to register to vote and update their registration status quickly and easily, any time of day; and

WHEREAS, more than 5,000 Iowans used the state's online voter registration system on the declared day last year; and

WHEREAS, we encourage all interested citizens and all appropriate media outlets and civic organizations to participate in this non-partisan voter registration awareness campaign to encourage the maximum participation of qualified voters in Iowa.

NOW, THEREFORE, Benton County Supervisors do hereby proclaim September 2019 as National Voter Registration Month; and Tuesday, September 24th, 2019 as National Voter Registration Day.

Signed this 17th day of September, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

ATTEST:

\_\_\_\_\_  
Tracy Seeman

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

**Seeman moved/Bierschenk seconded:** To set the public hearing for accepting bids for courthouse tuck pointing and waterproofing for Tuesday October 22, 2019 at 9:30 a.m. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the canvass of the September 10, 2019, Special School Election as read and declare the public measure as passed. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-52, Employment status change for Sydney Barton in the Sheriff's office. Motion carried.

RESOLUTION #19-52  
EMPLOYMENT STATUS CHANGE FOR SYDNEY BARTON

WHEREAS, the Benton County Sheriff has a need for full-time communications officer; and

WHEREAS, Sydney Barton has been employed by Benton County as part-time since August 7, 2018 a;

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

WHEREAS, the Sheriff recommended that Barton 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 Sydney Barton be changed to a full-time communications specialist in the Sheriff's office, effective September 17, 2019 at the hourly rate of \$16.92 an hour.

Dated 17th day of September 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-53, Appointing Timothy Dille as Assistant to the County Attorney. Motion carried.

RESOLUTION #19-53

WHEREAS, Iowa Code 331.904(1) and 331.904(3) sets forth that the board shall certify the base salaries of deputies in the offices of auditor, treasurer, and recorder and the assistants in the county attorney's office; and

WHEREAS, the Attorney has requested the approval of an assistant, and

WHEREAS, said appointment and certified salary are within the parameters of Iowa Code,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the appointment of Timothy Dille be approved as assistant attorney, at 85% of the Attorney's annual salary, effective this date.

Date this 17th day of September, 2019.

BENTON COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

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

**Bierschenk moved/Seeman seconded:** To approve law enforcement contracts with the following cities, that Benton County will provide the protection not to exceed listed hours and total yearly sum will be paid quarterly. Motion carried.

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

Newhall -15 hours in a week, yearly sum of \$19,500

Luzerne-1/2 hour a week, yearly sum of \$650

Shellsburg-20 hours a week, yearly sum of \$26,000

Van Horne-15 hours a week, yearly sum of \$19,500

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-54, tax abatement. Motion carried.

### RESOLUTION #19-54

WHEREAS, the City of Belle Plaine has acquired property and were given the appropriate notice of the taxes due; and

WHEREAS, said entity 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 2018 tax assessed against parcels listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63:

660-32260 abatement in the amount of \$792.00

030-26225 abatement amount of \$0

The treasurer is directed to strike the amount listed due from the county system.

Dated this 17<sup>th</sup> day of September 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

Discussion about who would want to serve as a member to the Heritage Area Agency on Aging Board of Directors. Supervisor Bierschenk would inquire more what it involved before he commits. Will report back next week.

The Engineer requested a dirt road upgrade for 11<sup>th</sup> Ave. North of HWY 30 near Hwy 21 interchange. Parizek questioned if the county could use the approach made with sealcoating, in which the landowners pay for half and county pays for half. Final interchange design plans are being put together now by the state and they might let the project next spring, but might take two construction seasons to complete. No action was taken, but Parizek was told to budget accordingly so that it could take place. Supervisor Seeman did some researching and presented a chart of the various towns in Benton County and what they do with their yard waste. After a lengthy discussion last week regarding the unincorporated town of Watkins and how they were handling their waste. Seeman explained that communities like Van Horne, Atkins, Keystone, Newhall and Walford all have town burn piles. Blairstown is closed, but goes to the landfill. Belle Plaine, Norway and Shellsburg have compost piles. Garrison takes big stuff to Vinton or home burn. Luzerne burns on their own properties. Urbana has everything go to the garbage. Vinton has a designated area. Ben Bonar, Benton County Weed Commissioner provided a handout on the Iowa Code as it pertains to the obstruction in the Highway Right of Way 318.3(6) and public nuisance 318.6. In the past, Watkins used to have a burn pile, it was so big it had caught surrounding trees on fire. That is when a "no" dumping sign was placed. That sign was spray painted and soon stolen. Bonar wanted to find a site that does not amount to a heaping pile of garbage in a ditch. If it is allowed to be burned, Bonar was concerned about the precedent it sets. Supervisor Primmer has concerns that if something is burned on county property, the county could get sued. He felt they needed to do their home burning and/or find an alternative spot.

Carol Becker was inquiring about what Benton County is doing or planning to do regarding wind towers. The current ordinance regulates wind generation as a non-agricultural use and standards that apply for approval of a new non-ag use would apply to this use as well. This topic probably needs to be addressed again so that Benton County can be more pro-active in the future. Iowa County has been in the news a lot lately regarding this.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

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

September 24, 2019

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

**Bierschenk moved/Seeman seconded:** To approve minutes of September 17, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140869 through 140896, ACH deposits numbered 39278 through 39424, vendor checks numbered 232641 through 232649, claims numbered 232650 through 232802. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Sarah Wagner to attend a conference out of state on November 15, 2019 in Bloomington, MN. Motion carried.

Michelle Dhondt discussed the percentage of regional mental health caseloads and how Benton County budgets for Sarah Wagner. Currently its 80/20 and It should continue to stay that way. Dhondt also informed the Board, the Region will be hiring her replacement in the near future. Dhondt's last day is next week. The Board wished Dhondt a happy retirement and told her she would be missed.

**Seeman moved/Bierschenk seconded:** To approve law enforcement contracts with City of Mt. Auburn to provide police protection for a yearly sum of \$650.00 to be paid quarterly, and not to exceed ½ hour a week. The City of Garrison, total yearly sum of \$3,900.00 and not to exceed 3 hours a week protection. Motion carried.

**Primmer moved/Seeman seconded:** To appoint Gary Bierschenk as a member to the Heritage Area Agency on Aging Board of Directors. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-55, Amending Resolution #17-83, Approving Final Plat of Harvey's First Addition to Benton County, Iowa. Motion carried.

### RESOLUTION #19-55 AMENDING RESOLUTION #17-83

#### RESOLUTION APPROVING THE "HARVEY'S FIRST ADDITION" FINAL PLAT, BY BENTON COUNTY, IOWA

**WHEREAS,** Previous Resolution #17-83 was approved for the Final Plat of Harvey's First Addition to Benton County, Iowa on December 19, 2017 and didn't get recorded in the required 120 day window, and

**WHEREAS,** A Final Plat of Harvey's First Addition to Benton County, Iowa, containing one (1) parcel, has been re-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.

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

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.

The remaining resolution, as amended remains in full force and effect.

ADOPTED AND PASSED this 24th day of September, 2019.

\_\_\_\_\_  
 Rick Primmer, Chairman

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

\_\_\_\_\_  
 Tracy Seeman

ATTEST:

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

**Seeman moved/Bierschenk seconded:** To authorize chairman to sign Native American Consultation letters for the Iowa Watershed Approach project for the Community Development Block Grant (CDBG) program, regarding seeding native prairie in a project area where there is no construction. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve utility permit for Poweshiek Water Association to bore under the county right of way in Leroy Township. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve utility permit for ITC Midwest, LLC to place power poles North of 22<sup>nd</sup> street in Kane Township. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve utility permit(s) for Interstate Power and Light Company to place fiber in the county right of way in Canton, Eden and Taylor Townships. Seeman abstained. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for Alliant Energy in Harrison Township. Motion carried.

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

\_\_\_\_\_  
 Rick Primmer, Chairman

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

October 1, 2019

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

**Seeman moved/Bierschenk seconded:** To approve minutes of September 24, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve 40 hours of vacation carryover for Dana Burmeister, Transportation Director. Motion carried.

Marc Greenlee brought up the Flood Plain Management Program and how the county needs to update their flood ordinance and follow FEMA's requirements with the newly updated maps. The last ordinance was done in 2008. The

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

wording will be changed from the 100 year flood to be reflected as base flood elevation. This ordinance would only affect the unincorporated areas of Benton County and those that would require flood insurance. Primmer suggested that Greenlee maintain issuing the permits in these regards and to also work on getting the replacement hired in his office.

**Bierschenk moved/Seeman seconded:** To set public hearing dates for Tuesday, October 15<sup>th</sup> at 9:45 a.m. for the first consideration and reading for the Flood Plain Ordinance #75 and Tuesday October 22<sup>nd</sup> at 9:15 for the 2<sup>nd</sup> and final consideration for Ordinance #75. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-56, Approving final plat of Tumilty Addition to Benton County, Iowa. Motion carried.

RESOLUTION #19-56  
APPROVING PLAT FOR TUMILTY ADDITION  
TO BENTON COUNTY, IOWA

WHEREAS, a Plat of Tumilty Addition to Benton County, Iowa, containing one (1) lot has been presented to the Benton County Board of Supervisors consisting of the following described real estate:

See Exhibit “A” attached hereto and made a part hereof

And

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

WHEREAS, the owners have executed and filed an Owner's Certificate containing 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 Tumilty Addition to Benton County, Iowa, will be and the same is hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveways will be built to comply with Benton County's driveway resolution dated October 17, 1975 and amended September 4, 1981, and April 17, 2008.
2. Any new water supply will be constructed with the approval of the Benton County Department of Health.
3. Any new sewage treatment system will be constructed with the approval of the Benton County Department of Health.

The Benton County Auditor is hereby directed to certify this Resolution Approving Plat and affix the same to said Plat as provided by law.

This resolution passed and approved on the 1st day of October, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

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

### EXHIBIT A

Legal Description:

Part of Lot 3 of Auditor's Plat No. 8 in the Northwest Quarter of the Northwest Quarter of Section 4, Township 84 North, Range 9 West of the Fifth Principal Meridian, Benton County, Iowa described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northwest Quarter of Section 4, Township 84 North, Range 9 West of the Fifth Principal Meridian; thence S1°05'01"E along the east line of said Northwest Quarter of the Northwest Quarter, 792.00 feet to the Northeast Corner of Lot 3 of Auditor's Plat No. 8; thence N66°11'42"W along the northerly line of said Lot 3, a distance of 125.11 feet to the point of beginning; thence continuing N66°11'42"W along said northerly line, 333.61 feet; thence S14°59'56"W, 305.55 feet; thence S80°21'41"E, 331.13 feet; thence N14°59'56"E, 223.54 feet to the point of beginning.

Said parcel contains 2.00 acres, subject to easements and restrictions of record.

**Seeman moved/Bierschenk seconded:** To approve hiring of Lydia Wieneke as part-time kitchen help in the sheriff's office effective today at the union contract rate. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve law enforcement contract with City of Atkins for a yearly sum of \$23,400 to be paid quarterly and not to exceed 18 hours a week. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve and authorize chairman to sign the intent to obligate construction funds, duplication of benefits form and send notice for bidders to the newspaper for the Middle Cedar WMA Bid packet 3A. Motion carried.

Dana Burmeister, Transportation Director wanted to discuss Blueprints and how all the bidding and getting quotes for the Transportation Building was going to take place. The Board would like to discuss some things with Brock Genesis at ECICOG for clarification before moving forward.

Bids were received as follows for a new 1 ton cab/chassis pickup for the Engineer's Service Department:

Thys Automotive, Belle Plaine-2019 Ram 3500 Reg Cab chassis 4X2-\$27,861

Van Horn Motors, Newhall-2020 Chevrolet Silverado 3500 Cab Chassis-\$28,714

John Greider Motors, Belle Plaine-2020 Chevrolet Silverado 3500 Cab Chassis-\$28,953

Thys Automotive, Blainstown-2020 Chevrolet Silverado 3500 Cab Chassis-\$29,299

Ervin Motor Co., Vinton-2020 GMC Sierra 3500 Cab Chassis-\$29,610

**Seeman moved/Bierschenk seconded:** To accept the Engineers recommendation and approve the lowest bid on a new 1 ton cab/chassis pickup for secondary roads from Thys Automotive, Belle Plaine for \$27,861. Motion carried.

**Bierschenk moved/Seeman seconded:** To authorize the county attorney to consent to Shellsburg acquiring property on parcel #190-12650 for abandoned property per Iowa code 657A.10B. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

October 8, 2019

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

**Seeman moved/Bierschenk seconded:** To approve minutes of October 1, 2019 with an addition per Primmer in the flood ordinance discussion regarding the Sanitarian's duties and proceeding with replacement hire. Motion carried.

**Seeman moved/Primmer seconded:** Approve Auditor's Quarterly Report ending September 30, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Sheriff's Quarterly Report ending September 30, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140897 through 140918, ACH deposits numbered 39425 through 39572, vendor checks numbered 23803 through 232810, claims numbered 232811 through 232954. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Kenneth Nemececk in part of the SE1/4 SE1/4 of 24-84-9. No media or members of the public were present. Nemececk was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Nemececk was contacted by the ATF to see if his zoning status for his gun sales permit was compliant, and it



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

was learned that it was not. Greenlee told the Board that the only way for Nemecek to be compliant was to seek a change in land use. He has applied for a change of 1 acre for a new non-ag use. The required notification was sent to the adjacent landowner's and published in the official newspapers and no comments were heard for or against. Hearing no other further comments, the public hearing was closed.

**Bierschenk moved/Seeman seconded:** To approve land use change for Kenneth Nemecek in part of the SE1/4 SE1/4 of 24-84-9. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Treasurer's Report of Investments as of September 30, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve law enforcement contract with City of Blairstown for a yearly sum of \$19,500 to be paid quarterly and not to exceed 15 hours a week. Motion carried.

Dana Burmeister and Tracy Seeman updated the other board members about what they found out regarding the requirements and blueprint recommendations for the new transportation building. They have talked with Brock Genesis at ECICOG and everyone seems to be on the same wavelength. Seeman has spoken with Prull Custom Desings, LLC, and shared the design that McDowell's provided. They will get a finalized approved blue print of the plans and start on the timeline of events.

**Seeman moved/Bierschenk seconded:** To approve hiring of Randy Arndt as part-time driver for Benton County Transportation at an hourly rate of \$12.51 effective October 14, 2019. Motion carried.

United Business Technologies, Inc. were back with added information from a previous meeting for a new quoted upgraded phone system all integrated into one and hosted at a single data center that would allow the EMA to be on same system. Since the last meeting, they have met with all department heads and listened to their feedback as to what was needed. There would be a 3 year lease agreement, United Business would retain ownership during the contract time, after that it would be the counties, but the software license would still be needed accordingly. The Board wanted to allow the county attorney to look over the agreement before official approval. No action was taken.

**Seeman moved/Bierschenk seconded:** To set bid letting date for bridge replacement project #L-PO-5037--73-06 for October 29, 2019 at 10:00 a.m. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve title sheet for bridge replacement project on 33<sup>rd</sup> Ave in Polk Township. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve purchase of a new laptop for the courthouse security to host all the new security cameras.

The Board and the public were invited to attend an open house tour of a new swine facility located at 1729 64<sup>th</sup> Street, Garrison, IA.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

October 15, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes of October 8, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve Recorder's Quarterly Report ending September 30, 2019. Motion carried.

**Seeman moved/Seeman seconded:** To approve General Assistance Quarterly Report ending September 30, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** To amend bid opening date for courthouse tuck-pointing waterproofing bids from October 22, 2019 to November 12, 2019 at 11:30 a.m. Motion carried.

**Seeman moved/Bierschenk seconded:** To appoint Aaron Kinser, Roy Schulze, Brenda Sandburg and Clint Sandburg to Pioneer Cemetery Commission. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Mark and Crystal Manos in part of the N ½ NE1/4 of 20-86-9. No media or members of the public were present. Mark Manos present along with the land owners Thomas and Sharon Brehm. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Manos would like to put a new home on the same building site as the pre-existing acreage that is family owned. The required notification was sent to the adjacent landowner's and published in the official newspapers and one response heard was in favor. A new septic will be required, the existing driveway is approved. Hearing no other further comments, the public hearing was closed.

**Seeman moved/Bierschenk seconded:** To approve land use change for Mark and Crystal Manos in part of the N1/2 NE1/4 of 20-86-9. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Kurt and Elizabeth Blankenhorn in part of Parcel A in SE ¼ NE ¼ 12-82-10. No media or members of the public were present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance.

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

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Blankenhorn already had this property listed for sale and they were clearly in violation by converting an existing building for another residence. Greenlee noticed this when he got the septic inspection report and would like to get the Blankenhorn's in compliance before they sell this property as is. The required notification was sent to the adjacent landowner's and published in the official newspapers. Hearing no other further comments, the public hearing was closed.

The time of 9:45 a.m. having arrived, and this being the time and date for a public hearing on the first consideration of proposed ordinance #75, floodplain management. The Ordinance is a revision of Benton County's existing floodplain management ordinance #58, regulating flood hazard areas in the unincorporated areas of Benton County. Marc Greenlee presented the proposed summary and referred to Iowa Code Section 331.302(5). The ordinance also attempts to minimize adverse effects caused by occupancy of flood hazard areas. The ordinance will require a permit to be issued by the floodplain administrator prior to any floodplain development mapped in a flood zone area. A violation of this ordinance shall be a county infraction. Copies of the full ordinance is available in the Auditor's office. If the new ordinance is passed, the old ordinance #58 will be repealed in its entirety. No public was present to voice their opinion, so the public hearing was closed.

**Seeman moved/Bierschenk seconded:** To approve the first consideration of Ordinance #75, Floodplain Management. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve land use change for Kurt and Elizabeth Blankenhorn in part of Parcel A in the SE1/4 NE1/4 of 12-82-10. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for City of Vinton to place fiber outside of city limits along 59<sup>th</sup> Street Drive. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for Poweshiek Water Association to bore under the road between Section 31 of Fremont Township and Section 6 of Florence Township. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for Century Link in sections 1 and 12 of Taylor Township.

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

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Gary Bierschenk, Vice-Chairman

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

October 22, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes of October 15, 2019. Motion carried.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-57, Abatement of Taxes. Motion carried.  
**RESOLUTION #19-57**

WHEREAS, the State of Iowa has acquired property and were given the appropriate notice of the taxes due; and

WHEREAS, City of Shellsburg has been awarded title to property within the meaning of Iowa Code 657A.10B; and

WHEREAS, said entity's 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 2018 tax assessed against parcels listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63:

- 190-12650-\$1,578.00
- 890-04811-\$9.00
- 480-20861-\$135.00
- 480-20851-\$35.00
- 480-05961-\$.68

The treasurer is directed to strike the amount listed due from the county system.

Dated this 22nd day of October 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

The time of 9:15 a.m. having arrived, and this being the time and date for a public hearing on the second consideration of proposed ordinance #75, floodplain management. The Ordinance is a revision of Benton County's existing floodplain management ordinance #58, regulating flood hazard areas in the unincorporated areas of Benton County. Marc Greenlee presented the proposed summary and referred to Iowa Code Section 331.302(5). No public was present to voice their opinion, so the public hearing was closed.

**Seeman moved/Bierschenk seconded:** To approve second and final consideration for Ordinance #75. Motion carried.

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

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**Bierschenk moved/Seeman seconded:** To approve Resolution #19-58, Repealing Ordinance #58 and adopting the revised Floodplain Ordinance #75. Motion carried.

**RESOLUTION #19-58**  
**REPEALING ORDINANCE #58, ADOPTION OF ORDINANCE #75**  
**FLOODPLAIN MANAGEMENT**

WHEREAS: On August 5, 2008, the Benton County Board of Supervisors adopted Ordinance #58, Floodplain Management Ordinance;

WHEREAS, the Benton County Board of Supervisors desires to adopt Ordinance #75, a revision of Floodplain Management Ordinance;

WHEREAS: The Board of Supervisors considered repealing Ordinance #58 in its entirety on this date; and

WHEREAS; The Board of Supervisors would like to Adopt Ordinance #75, repealing Ordinance #58; and

WHEREAS; Adoption of Ordinance #75 by the Board of Supervisors is necessary to adopt the new Flood Insurance Rate Maps (FIRMS) and the Benton County Flood Insurance Study (FIS) that become effective on December 20, 2019; and

WHEREAS, two readings of Ordinance #75 were held on October 15, 2019 and October 22, 2019; and

WHEREAS, publication of the hearings was made according to Iowa Code; and

WHEREAS, a copy of said Ordinance #75 has been available to the public in the Benton County Auditor's office;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that BENTON COUNTY FLOODPLAIN MANAGEMENT ORDINANCE #75 be fully adopted. The Benton County Auditor is directed to publish a summary of Ordinance #75 in the official newspapers of Benton County.

**BENTON COUNTY ORDINANCE #75**

**FLOODPLAIN MANAGEMENT ORDINANCE**

**SECTION I** - Definitions

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

APPURTENANT STRUCTURE – A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

BASE FLOOD - The flood having one (1) percent chance of being equaled or exceeded in any given year (Also commonly referred to as the “100-year flood”).

BASE FLOOD ELEVATION (BFE) – The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.

BASEMENT - Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also see "lowest floor."

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. “Development” does not include “minor projects” or “routine maintenance of existing buildings and facilities” as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling or grading.

ENCLOSED AREA BELOW LOWEST FLOOR – The floor of the lowest enclosed area in a building when all the following criteria are met:

- a. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of SECTION V(A)4a of this Ordinance, and
- b. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
- c. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the base flood elevation, and

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- d. The enclosed area is not a "basement" as defined in this section.

**EXISTING CONSTRUCTION** - Any structure for which the "start of construction" commenced before the effective date of the first floodplain management regulations adopted by the community.

**EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION** - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by the community.

**EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION** - The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FACTORY-BUILT HOME** - Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.

**FACTORY-BUILT HOME PARK** - A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

**FIVE HUNDRED (500) YEAR FLOOD** – A flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.

**FLOOD** - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface waters from any source.

**FLOOD INSURANCE RATE MAP (FIRM)** - The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** – A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.

**FLOODPLAIN** - Any land area susceptible to being inundated by water as a result of a flood.

**FLOODPLAIN MANAGEMENT** - An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency preparedness plans, flood control works, floodproofing and floodplain management regulations.

**FLOODPROOFING** - Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

**FLOODWAY** - The channel of a river or stream and those portions of the floodplains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one (1) foot.

**FLOODWAY FRINGE** - Those portions of the Special Flood Hazard Area outside the floodway.

**HIGHEST ADJACENT GRADE** – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure

**HISTORIC STRUCTURE** - Any structure that is:

- a. Listed individually in the National Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

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- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either i) an approved state program as determined by the Secretary of the Interior or ii) directly by the Secretary of the Interior in states without approved programs.

**LOWEST FLOOR** - The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of Enclosed Area below Lowest Floor are met.

**MAXIMUM DAMAGE POTENTIAL USES** - Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.

**MINOR PROJECTS** - Small development activities (except for filling, grading and excavating) valued at less than \$500.

**NEW CONSTRUCTION** - (new buildings, factory-built home parks) - Those structures or development for which the start of construction commenced on or after the effective date of the first floodplain management regulations adopted by the community.

**NEW FACTORY-BUILT HOME PARK OR SUBDIVISION** - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the effective date of the first floodplain management regulations adopted by the community.

**RECREATIONAL VEHICLE** - A vehicle which is:

- a. Built on a single chassis;
- b. Four hundred (400) square feet or less when measured at the largest horizontal projection;
- c. Designed to be self-propelled or permanently towable by a light duty truck; and
- d. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

**ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES** – Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- a) Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
- b) Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- c) Basement sealing;
- d) Repairing or replacing damaged or broken window panes;
- e) Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

**SPECIAL FLOOD HAZARD AREA (SFHA)**- The land within a community subject to the "base flood". This land is identified on the community's Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.

**START OF CONSTRUCTION** - Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

**STRUCTURE** - Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factor-built homes, storage tanks, grain storage facilities and/or other similar uses.

**SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.

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

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SUBSTANTIAL IMPROVEMENT - Any improvement to a structure which satisfies either of the following criteria:

1. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (i) before the "start of construction" of the improvement, or (ii) if the structure has been "substantially damaged" and is being restored, before the damage occurred.

The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. The term also does not include any alteration of an "historic structure", provided the alteration will not preclude the structure's designation as an "historic structure".

2. Any addition which increases the original floor area of a building by 25 percent or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed 25 percent.

VARIANCE - A grant of relief by a community from the terms of the floodplain management regulations.

VIOLATION - The failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

### SECTION II - Statutory Authority, Findings of Fact and Purpose

- A. The Legislature of the State of Iowa has in Chapter 331, Code of Iowa, as amended, delegated the power to counties to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges and property of the county or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents.
- B. Findings of Fact
  1. The flood hazard areas of Benton County are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the community.
  2. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.
- C. Statement of Purpose

It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of Benton County and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in SECTION II (B)1 of this Ordinance with provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities.
2. Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.
3. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.
4. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

### SECTION III - General Provisions

- A. Lands to Which Ordinance Apply

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The provisions of this ordinance shall apply to all lands and uses which have significant flood hazards. The Flood Insurance Rate Map (FIRM) for Benton County and Incorporated Areas, dated December 20<sup>th</sup>, 2019, which were prepared as part of the Benton County Flood Insurance Study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the base flood shall be considered as having significant flood hazards. Where uncertainty exists with respect to the precise location of the base flood boundary, the location shall be determined on the basis of the base flood elevation at the particular site in question. The Benton County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

### B. Compliance

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

### C. Abrogation and Greater Restrictions

It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

### D. Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

### E. Warning and Disclaimer of Liability

The standards required by this Ordinance are considered reasonable for regulatory purposes. This Ordinance does not imply that areas outside the designated areas of significant flood hazard will be free from flooding or flood damages. This Ordinance shall not create liability on the part of Benton County or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

### F. Severability

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

## SECTION IV - Administration

### A. Appointment, Duties and Responsibilities of Local Official

1. The Benton County Land Use Administrator is hereby appointed to implement and administer the provisions of this Ordinance and will herein be referred to as the Administrator.
2. Duties and responsibilities of the Administrator shall include, but not necessarily be limited to the following:
  - a. Review all floodplain development permit applications to assure that the provisions of this Ordinance will be satisfied.
  - b. Review floodplain development applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.
  - c. Record and maintain a record of (i) the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved structures or (ii) the elevation to which new or substantially improved structures have been floodproofed.
  - d. Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
  - e. Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this Ordinance.



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- f. Submit to the Federal Insurance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.
- g. Notify the Federal Insurance Administration of any annexations or modifications to the community's boundaries.
- h. maintain the accuracy of the community's Flood Insurance Rate Maps when;
  - 1. Development placed within the Floodway (Overlay) District results in any of the following:
    - a) An increase in the Base Flood Elevations, or
    - b) Alteration to the floodway boundary
  - 2. Development place in Zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or
  - 3. Development relocates or alters the channel.

Within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.
- i. Perform site inspections to ensure compliance with the standards of this Ordinance.

### B. Floodplain Development Permit

1. Permit Required - A Floodplain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, excavation or drilling operations), including the placement of factory-built homes.
2. Application for Permit - Application shall be made on forms furnished by the Administrator and shall include the following:
  - a. Description of the work to be covered by the permit for which application is to be made.
  - b. Description of the land on which the proposed work is to be done (i.e., lot, block, track, street address or similar description) that will readily identify and locate the work to be done.
  - c. Location and dimensions of all buildings and building additions
  - d. Indication of the use or occupancy for which the proposed work is intended.
  - e. Elevation of the base flood.
  - f. Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.
  - g. For buildings being improved or rebuilt, the estimated cost of improvements and market value of the building prior to the improvements.
  - h. Such other information as the Administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this Ordinance.
3. Action on Permit Application - The Administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this Ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the County Board of Adjustment.
4. Construction and Use to be as provided in Application and Plans - Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance, prior to the use or occupancy of any structure.

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### SECTION V - Floodplain Management Standards

#### A. General Floodplain Standards

All uses and development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood elevations have not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination. Review by the Iowa Department of Natural Resources is not required for the proposed construction of new or replacement bridges or culverts where (i) the bridge or culvert is located on a stream that drains less than one hundred (100) square miles, and (ii) the bridge or culvert is not associated with a channel modification that constitutes a channel change as specified in 567-71.2(1)b, Iowa Administrative Code.

1. All development within the areas of significant flood hazard shall:
  - a. Be consistent with the need to minimize flood damage.
  - b. Use construction methods and practices that will minimize flood damage.
  - c. Use construction materials and utility equipment that are resistant to flood damage.
  - d. Obtain all other necessary permits from federal, state and local governmental agencies including approval when required from the Iowa Department of Natural Resources.
2. Residential structures - All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the base flood elevation and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers or extended foundations) may be allowed, where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

All new residential structures located in areas that would become isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

3. Non-residential structures - All new or substantially improved non-residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator.
4. All new and substantially improved structures:
  - a. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:
    - (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
    - (2) The bottom of all openings shall be no higher than one foot above grade.
    - (3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access and low damage potential storage.

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- b. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
    - c. New and substantially improved structures shall be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities elevated or floodproofed to a minimum of one (1) foot above the base flood elevation).
  5. Factory-built homes:
    - a. All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the base flood elevation.
    - b. All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.
  6. Utility and Sanitary Systems:
    - a. On-site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
    - b. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the base flood elevation.
    - c. New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than one (1) foot above the base flood elevation.
    - d. Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.
  7. Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the base flood elevation. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning.
  8. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from the base flood elevation with a minimum of 3 ft. of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.
  9. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
  10. Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Ordinance. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the base flood. Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the area of significant flood hazard.
  11. Accessory Structures to Residential Uses
    - a. Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.

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- (1) The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the BFE must be constructed of flood-resistant materials.
  - (2) The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
  - (3) The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
  - (4) The structure shall be firmly anchored to resist flotation, collapse and lateral movement.
  - (5) The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
  - (6) The structure's walls shall include openings that satisfy the provisions of Section V(A)4a of this Ordinance.
- b. Exemption from the base flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.
12. Recreational Vehicles
- a. Recreational vehicles are exempt from the requirements of SECTION V(A)(5) of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied.
    - (1) The recreational vehicle shall be located on the site for less than 180 consecutive days, and,
    - (2) The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
  - b. Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of SECTION V(A)5 of this Ordinance regarding anchoring and elevation of factory-built homes.
13. Pipeline river and stream crossings shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.
14. Maximum Damage Potential Uses – All new or substantially improved maximum damage potential uses shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the 500-year flood, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2 % annual chance flood; and that the structure, below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

### B. Special Floodway Provisions

In addition to the General Floodplain Standards, uses and development within the floodway must meet the following applicable standards. The floodway is that portion of the floodplain which must be protected from developmental encroachment to allow the free flow of flood waters. Where floodway data has been provided in the Flood Insurance Study, such data shall be used to define the floodway. Where no floodway data has been provided, the Department of Natural Resources shall be contacted to provide a floodway delineation. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

1. No use or development shall be permitted in the floodway that would result in any increase in the base flood elevation. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
2. All uses and development within the floodway shall:
  - a. Be consistent with the need to minimize flood damage.

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- b. Use construction methods and practices that will minimize flood damage.
- c. Use construction materials and utility equipment that are resistant to flood damage.
3. No use or development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facility or system.
4. Structures, buildings and sanitary and utility systems, if permitted, shall meet the applicable General Floodplain standards and shall be constructed or aligned to present the minimum possible resistance to flood flows.
5. Buildings, if permitted, shall have a low flood damage potential and shall not be for human habitation.
6. Storage of materials or equipment that are buoyant, flammable, explosive or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the floodway within the time available after flood warning.
7. Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
8. Any fill allowed in the floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.
9. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

**SECTION VI – Variance Procedures**

1. The Benton County Board of Supervisors may authorize upon request in specific cases such variances from the terms of this Ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship. Variances granted must meet the following applicable standards.
  - a. Variances shall only be granted upon: (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local codes or ordinances.
  - b. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood would result. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
  - c. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - d. In cases where the variance involves a lower level of flood protection for buildings than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.
  - e. All variances granted shall have the concurrence or approval of the Department of Natural Resources.
2. Factors Upon Which the Decision of the Benton County Board of Supervisors Shall be Based - In passing upon applications for Variances, the Board shall consider all relevant factors specified in other sections of this Ordinance and:
  - a. The danger to life and property due to increased flood heights or velocities caused by encroachments.
  - b. The danger that materials may be swept on to other land or downstream to the injury of others.
  - c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.

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- d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  - e. The importance of the services provided by the proposed facility to the County.
  - f. The requirements of the facility for a floodplain location.
  - g. The availability of alternative locations not subject to flooding for the proposed use.
  - h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
  - i. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
  - j. The safety of access to the property in times of flood for ordinary and emergency vehicles.
  - k. The expected heights, velocity, duration, rate of rise and sediment transport of the flood water expected at the site.
  - l. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities (sewer, gas, electrical and water systems), facilities, streets and bridges.
  - m. Such other factors which are relevant to the purpose of this Ordinance.
3. Conditions Attached to Variances - Upon consideration of the factors listed above, the Benton County Board of Supervisors may attach such conditions to the granting of variances as it deems necessary to further the purpose of this Ordinance. Such conditions may include, but not necessarily be limited to:
- a. Modification of waste disposal and water supply facilities.
  - b. Limitation of periods of use and operation.
  - c. Imposition of operational controls, sureties, and deed restrictions.
  - d. Requirements for construction of channel modifications, dikes, levees and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purpose of this Ordinance.
  - e. Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Council shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

**SECTION VII - Nonconforming Uses**

- A. A structure or the use of a structure or premises which was lawful before the passage or amendment of this Ordinance, but which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:
1. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this Ordinance.
  2. Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
- B. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.

**SECTION VIII - Penalties for Violation**

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A violation of any provision of this Ordinance shall constitute a county infraction. In addition to any civil penalty imposed for violation of this ordinance the court may grant appropriate relief to abate or halt the violation. The court shall have available to it all of the options set forth in 331.307, CODE OF IOWA. Nothing in this section precludes the prosecution of any violations of this ordinance as a simple misdemeanor, pursuant to Chapter 331.307(11), CODE OF IOWA.

### SECTION IX - Amendments

The regulations and standards set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.

### SECTION X – Repealer

Benton County Ordinance #58 is hereby repealed in its entirety upon the effective date of this Ordinance.

ADOPTED AND PASSED by the Board of Supervisors of Benton County, Iowa on this 22<sup>nd</sup> day of October, 2019.

ADOPTED AND PASSED this 22nd day of October, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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

\_\_\_\_\_  
Tracy Seeman

ATTEST:

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

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140919 through 140934, ACH deposits numbered 39573 through 39719, vendor checks numbered 232955 through 232963, claims numbered 232964 through 233114. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and authorize chairman to sign 36 month Master Services Agreement with United Business Technologies, Inc. Motion carried.

**Bierschenk moved/Seeman seconded:** To 1.) Approve the National Disaster Recovery Project intent to obligate construction funds per the resilience competition grant requirements. 2.) Authorize chairman to sign the affirmation of duplication of benefits and subrogation and assignment for the watershed CDBG grant project. 3.) Approve and sign the Native American consultation letters environmental review for INV-006. 4.) Review and approve the Tier-II Environmental Review MC-INV-004. Motion carried.

**Seeman moved/Bierschenk seconded:** To accept Bid packet 3A schedules 1 & 2 for flood mitigation structures for the WMA project #8600 and accept lowest bid from Hatch Grading and Contracting for \$306,187.25 and move to contract pending contractor clearance from the state. Motion carried.

Scott Hansen and Steve Meyer discussed the future EMA budgets and possible expenses the county might have to absorb when the DAEC shuts down. Currently they fund approximately 40% of the total EMA budget. Hansen just wanted to inform the board before they start the FY 21 Budgeting Process.

**Seeman moved/Bierschenk seconded:** To approve the 2019 Weed Commissioner's Report. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for Poweshiek Water Association to bore underground in section 18 and 19 Fremont Township. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve utility permit for East Central Iowa REC for a new residence in sections 28 of Canton Township. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

October 29, 2019

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

**Bierschenk moved/Seeman seconded:** To approve the minutes of October 22, 2019. Motion carried.

Dana Burmeister was present for continued discussion on the new transportation building plans. The Board needs to decide if they want pole vs stick built and get some rough estimates and get ready to open this project up for bids.

Jerry Petermeier, representing the Cedar Valley Ranch brought some property maintenance needs to the Board's attention. Benton County still is the owner of the building and land where the Cedar Valley Ranch is located. Petermeier brought some photos of areas he is concerned with. The Auditor would like to do some checking with the Region if our local mental health fund balance can be used for this as part of the required spend down.

**Seeman moved/Bierschenk seconded:** To switch Denise Weeda's role on the Eminent Domain from licensed real estate to replace Kristina Kremer on the property value since Kremer moved out of Benton County, and to appoint Melissa Lennie to fill Denise Weeda's spot for licensed real estate. Motion carried.

The Engineer stated that there were four bids received for Bridge Project L-PO-5037—73-06 in Polk Township on 33<sup>rd</sup> Ave. outside of Urbana. Parizek recommended that the board award the bid to the lowest bidder. The bids were as follows:

Jim Schroeder Construction, Inc. - \$439,911.70

Peterson Contractors, Inc. - \$710,783.78

Taylor Construction, Inc. - \$397,978.80

Iowa Bridge and Culverts - \$399,908.20

**Bierschenk moved/Seeman seconded:** To accept low bid from Taylor Construction, Inc. New Vienna, IA for the amount of \$397,978.80. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and publish the early public notice for WMA project MC-INV-005, environmental review. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve and sign the Native American consultation letters for the environmental review for project MC-INV-005. Motion carried.

Auditor Rippel brought up some of the new budget requirements for cities and county. With an additional public hearing requirement this year, she would like some guidance before sending out all the department budget sheets so things can be done sooner and more efficiently this year and get ahead of things. The Board is to come up with some budgeting goals and will continue to have budget discussions at the upcoming meetings.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

November 5, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes of October 29, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve 61 hours of vacation carryover for Ben Turnis, to be used by April 30, 2019. Motion carried.

**Seeman moved/Bierschenk seconded:** Acknowledge resignation of part-time transportation driver, Randy Arndt effective October 25, 2019. Motion carried.



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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-59, Certifying Homestead, Military and Disabled Veterans’s credit for the 2019 assessment year. Motion carried.

**RESOLUTION #19-59**

APPROVAL AND DISAPPROVAL OF HOMESTEAD TAX CREDITS, MILITARY TAX CREDITS, AND DISABLED VETERAN’S HOMESTEAD TAX CREDITS FOR 2019 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,

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, 2019, for the 2019 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 5<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

Toni Parizek, Veterans Affairs Director provided an update and explained how Parizek is now spending the 1<sup>st</sup> Wednesday’s of the month in Belle Plaine from 9 to 3:30. She also brought up the idea of how she would like to work remotely on Fridays. The Board disagreed with that idea and quoted the county handbook.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-60, Hiring Maintainer Operator for secondary roads. Motion carried.

**RESOLUTION #19-60**

WHEREAS: Benton County Secondary Roads Department has a Maintainer Operator to fill at the Van Horne Shed 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 Richard McNamara be hired to fill the position as Maintainer Operator at a starting wage of \$20.75 per hour starting November 25, 2019. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 5<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

Sheriff Tippett updated the board on a variety of things including the new cameras that were installed and he also provided a copy of the recent jail inspection report. Tippett also discussed the need for vehicle purchases and how he would like to take one patrol car out of rotation and sell to Foundation 2 for a dollar, and they would use it for the co-responder unit and would be responsible to insure it.

**Seeman moved/Bierschenk seconded:** To approve of the process for the sheriff to purchase the new patrol vehicles and offering one for the Foundation 2's use. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-61, Changing employment status of Lindsey Upah in the Rural Access Center from part-time to full and also approve hiring of two part-time positions . Motion carried.

**RESOLUTION #19-61  
EMPLOYMENT STATUS CHANGE FOR LINDSEY UPAH**

WHEREAS, the Benton County Sheriff has a need for full-time Rural Access Center Manager; and

WHEREAS, Lindsey Upah has been employed by Benton County as part-time since July 15, 2019 a;

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

WHEREAS, the Sheriff recommended that Upah 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 Lindsey Upah be changed to a full-time office administrator in the Rural Access Center, effective November 13, 2019 at the hourly rate of \$21.34 an hour.

Dated 5th day of November 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

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

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Treasurer Kelly Geater provided a letter with her resignation intention. No action was taken.  
**Bierschenk moved/Seeman seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
 Rick Primmer, Chairman

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

November 8, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer, Bierschenk and Seeman present. Primmer called the meeting to order at 9:30 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Seeman seconded:** With regret to officially acknowledge the resignation of Benton County Treasurer Kelly Rae Geater effective December 2, 2019. Motion carried.

Auditor Rippel presented Iowa Code Chapter 69 and how to proceed in filling the vacancy of an elected official. The office of Treasurer is held by the County Auditor in case of a vacancy. The vacancy will last until the end of the term or the next time the County is called for an election. However, it cannot appear on a Primary Ballot so that means we are looking at the next General Election in November 2020. The Board has two choices, either fill the vacancy by appointment, which would carry through until November of 2020 and then it would have to be elected on at that time, or they can call a special election. If it is filled by appointment, they have 40 days after the vacancy occurs which puts that date to January 9, 2020. If they call for a special election, the Auditor needs a minimum of 46 day notice and it has other provisions as well to look at. Both of these choices would require public notices, therefore we need to make some decisions and plan accordingly to get this vacancy filled. The County Attorney was also present and weighed in on some options and pointed out that the fairer the process looks, the less likely a petition would be filed.

**Seeman moved/Bierschenk seconded:** To fill the vacancy of the County Treasurer by appointment. Motion carried.

The Board, Rippel and Thompson worked on wording for the publication, where to publish and the timeline they need to follow to meet the requirements of the appointment process. Thompson also stressed the importance of the veterans' preference statute if this is opened up to the public. Regardless if opened up to the public or only to the county employees there needs to be a deadline to submit their interest for that as well.

**Seeman moved/Bierschenk seconded:** To open up the vacancy position to the public with a deadline for applications be Friday December 6, 2019 at 4:30 p.m. with the appointment date of Tuesday, December 17, 2019 at 9:30 a.m. Motion carried.

**Seeman moved/Biershenk seconded:** To adjourn. Motion carried.

\_\_\_\_\_  
 Rick Primmer, Chairman

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

November 12, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer, Bierschenk and Seeman present. Primmer called the meeting to order at 11:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Bierschenk moved/Seeman seconded:** To approve the minutes of Tuesday, November 5 and Friday, November 8, 2019. Motion carried.

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-62, Wage and Classification change for Josh Kelly. Motion carried.

RESOLUTION #19-62  
EMPLOYMENT STATUS CHANGE FOR JOSHUA KELLEY

WHEREAS, the Benton County has an employee that has been employed by Benton County for six months, and

WHEREAS, upon the completion of the probationary period the base wage is to be increased from the starting wage;

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hourly base wage of Joshua Kelley be set at \$21.57 effective November 13, 2019. This position carries a Labor Grade VB classification.

Signed this 12th day of November 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

**Seeman moved/Bierschenk seconded:** To authorize for chairman to sign and approve contract and contractors bond with Taylor Construction, Inc. for bridge project L-PO-5037—73-06 in Polk Township on 33<sup>rd</sup> Ave. Motion carried.

Seeman brought up an area with erosion concern to the Engineer on the Shellsburg blacktop.

Mona Krugger, Utilization Review Coordinator representing Benton County’s Mental Health Department brought the new CEO of the region who replaced Michelle Dhondt. Krugger introduced Mae Hingtgen to everyone. Krugger is going to be off for medical and wanted some clarification of who to report to, and in regards of her willingness to be able to work from home during her medical leave. The County Attorney was also present and pointed out that Krugger’s schedule is determined by the CEO of the Region and with her specific skillset, it would be a benefit to have her expertise still be willing to help during this time. The General Assistance office at the Service Center is to remain open as long as an employee is present with the understanding there will be certain occasions where there will need to be signs posted and nobody available.

**Seeman moved/Bierschenk seconded:** Approve payroll checks numbered 140935 through 140952, ACH deposits numbered 39720 through 39863, vendor checks numbered 233115 through 233121, claims numbered 233122 through 233339. Motion carried.

Tracy Seeman presented a few quotes he received comparing the difference in costs of stick built vs pole built for the new Transportation Building. The Board and Transportation Director Dana Burmeister agreed to go the pole built route and to continue to move forward with specs accordingly.

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

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-63, Tax Abatement. Motion carried.

### RESOLUTION #19-63

WHEREAS, the Canton Benton Shellsburg Fire Association has acquired property and were given the appropriate notice of the taxes due; and

WHEREAS, said entity 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 2018 tax assessed against parcel listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63:

190-15200 in the amount of \$1,534.00 taxes and \$23.00 in interest

The treasurer is directed to strike the amount listed due from the county system.

Dated this 12th day of November 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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

The Board had a public notice requesting bids concerning repair and maintenance needs on various areas of the Benton County Courthouse. The bids received for the courthouse exterior repair needs were as follows:

Janssen Waterproofing-Complete exterior masonry renovations to existing exposed elevations of courthouse structure, but will not include the clock tower. Base bid of \$40,517 includes renovating what is presently defective. Also included was some additional alternates. 1) Reseal all movement fractures, not including the old yellowish mono sealant-\$8,794.00 2) Transparent waterproofing after all renovations are complete and properly cured. -\$15,498.00. The warranty would be extended up to 5 years if both alternates are accepted in the package and also throwing in the south basement entrance needs at no additional cost. Total package deal -\$64,809.00

Karr Tuckpointing presented a packet with proposals and explanations of their findings. When discussing the domes on the clock tower, Karr does not have the equipment needed to reach those areas. And regarding the waterproofing to be applied after the completion of the masonry repairs, they felt this was not needed and was only an added expense. Karr Tuckpointing provided two work area options. Work Area 1) all stone masonry and trim on sides of the courthouse, excluding the clock tower. Power washing all masonry and stone to remove surface dirt and expose defective joints, tuck point damaged joints, seal all cracks, caulk all cracks and patching and caulking as necessary. - \$70,655.00. Work area 2) South Elevation Basement entrance –power washing concrete block, walls and roof to remove dirt and expose defective joints, tuck point damaged joints, caulk joints, install caulk between joints and patch damaged concrete -\$2,145.00

**Seeman moved/Bierschenk seconded:** To accept the proposal from Janssen Waterproofing using both alternates for a total of \$64,809.00 and comes with a 5 year warranty. Motion carried.

The Board took a 20 minute recess.

The time of 1:00 p.m. having arrived, Election Deputy Gina Edler and the board proceeded with canvassing the November 5, 2019, regular City/School Election.

**Seeman moved/ Bierschenk seconded:** The write-ins for Shellsburg council member for Brian Reeves and Brian P. Reeves are both to be counted as same person. Motion carried.

**Seeman oved/ seconded:** The write-ins for Mt. Auburn council member for Alan Docherty, Alan Donordy, Allen Docherty and Allen Doshutty all be counted as same person. Motion carried.

**Bierschenk moved/Seeman seconded:** The write-ins for Newhall Mayor for Doug Boddicker and Doug Boddik are both to be counted as same person. Motion carried.

**Bierschenk moved/ Seeman seconded:** The write-ins for Atkins council for Maria Olsen and Maria Olson are both to be counted as same person. Motion carried.

**Bierschenk moved/Seeman seconded:** The write-ins for Garrison council for Dana Auen, Danielle Auen and Danielle Aun are all to be counted as same person. Motion carried.

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

**Seeman moved/ Seeman seconded:** The write-ins for Garrison council for Dawn Fleckenger, Dawn Flickenger, Dawn Flickinger and Dawn Flinger all variations to be counted as same person. Motion carried.

**Bierschenk moved/ Seeman seconded:** The write-ins for Luzerne council for Dwight Gliasmann, Dwight Glinsm and Dwight Glinsmann are all to be counted as same person. Motion carried.

**Seeman moved/Bierschenk seconded:** The write-ins for Luzerne council for Jean Brand, Jeanne Brandt and Jeannie Brandt are all to be counted as same person. Motion carried.

**Bierschenk moved/Seeman seconded:** The write-ins for Center Point School District 3 for Cie Stien and Cira Stien both to be counted as same person. Motion carried.

**Seeman moved/Bierschenk seconded:** The write-ins for Vinton Council Member, District 2 for Lu Karr and Luann Karr are both to be counted as same person. Motion carried.

After the action of combining votes for Luann Karr resulted a tie so had to draw for a winner which was Luann Karr.

Other ties for Van Horne and Norway councils resulted in winners by drawing names also. Jarred Childs was declared the winner for Van Horne and Martin Schulte for Norway.

The following City Officials were elected:

**City of Atkins:** Council-Lana Offill Robison and Nathan Shepard

**City of Belle Plaine:** Mayor-David Fish, Council at Large-Mary T. Pech, Council District 2-Garrett Landuyt, Park Commissioner -Shawn Welsh.

**City of Blirstown:** Mayor-Corrine Kimm, Council –Nicholas T. Mokas, Scott Metz

**City of Garrison:** Mayor-Garrett Flickinger, Council-Marvin Trimble, Jr. and Doug Kearns

**City of Keystone:** Mayor-Erin Janss, Council-Anna Upah and Michael Kaiser

**City of Luzerne:** Mayor-John W. Brandt, Council- Kelly W. Kendall and Lorin Potter, Barbara Shields, Patrick McLeod and Dwight Glinsmann.

**City of Mt. Auburn:** Mayor-Jeffrey Whitson, Council- Jessica Helms, Alisha Burmeister, Tosha McGarvey, Austin Brase and Alan Docherty.

**City of Newhall:** Mayor-Jan Mattson, Council-Doug Boddicker, Douglas Rinderknecht, Mike Gardemann, Gerald Gessner and Mart C. Campbell.

**City of Norway:** Mayor-Bruce E. Volz, Council-Loras Schulte and Martin Schulte.

**City of Shellsburg:** Mayor-Lonnie M. Speckner, Council-Nancy Thorkildson and Brian Reeves

**City of Urbana:** Mayor-Mitch E. McDonough, Council-Don Westendorf, Jeff Bendull and Shelly Lala

**City of Van Horne:** Mayor-Martin Junge, Council-Todd Donald and Jarred Childs

**City of Vinton:** Mayor-Bud Maynard, Council at Large-Tamara S. Stark, Council District 2-Luann Karr, Council District 4-Nathan Hesson

**Public Measure B:** Passed

**Bierschenk moved/ Seeman seconded:** To declare the canvass of the City/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. School officials and the City of Walford officials will be certified in the second tier canvass which will be held on November 19.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

November 19, 2019

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

**Seeman moved/Bierschenk seconded:** To approve the minutes of November 12, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** To acknowledge resignation of Tony Thomsen as medical examiner investigator and appoint Matthew Fults as his replacement effective immediately. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve adding the signatories of Hayley Rippel, Michele Sauer and Melinda Schoettmer to the official banks of Benton County listed as follows: Motion carried.

US Bank- Vinton

Farmers Savings Bank & Trust-Vinton

Midwest One Bank & Trust-Belle Plaine

Wells Fargo Bank Iowa, N.A.

Regions Bank-Waterloo/Vinton

Chelsea Savings Bank-Belle Plaine and Van Horne

Benton County State Bank-Blairstown

Bank Iowa-Norway

Watkins Savings Bank-Watkins

Cedar Valley Bank & Trust-La Porte City/Vinton

Central State Bank-Walford

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

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Atkins Savings Bank & Trust-Atkins  
 Keystone Savings Bank-Keystone  
 Dysart State Bank-Dysart  
 Northeast Security Bank-Urbana/Independence

**Seeman moved/Bierschenk seconded:** To approve the hiring of Alexandra Fox as a part-time correction officer in the sheriff office with a starting wage of \$14.92 effective November 12, 2019. Upon completion of required training and probation period, wage will increase to \$16.92 an hour. Motion carried.

Auditor Rippel talked to the Board about some needed guidance for the FY21 preliminary budget work. Thoughts on such things as employee's portion of insurance premiums and that a letter is usually generated for the department heads once we get some rates from the state. They need to be thinking about things they want to point out as the departments are filling out their budget sheets. Primmer suggested departments need to look at ways for cutting their budgets due to lack of economic diversity. The Board agreed to keep the employee contributions the same, while possibly not raising wages. Seeman pointed out that we can't continue having more expenses than revenues, if everyone can make reductions, we won't have to pick them apart.

**Seeman moved/Bierschenk seconded:** To acknowledge the certified post-election audit that took place on Friday November 15, 2019 at 9: 00 a.m. Motion carried.

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

The time of 9:30 a.m. having arrived, Election Deputy Gina Edler and the board proceeded with canvassing the 2<sup>nd</sup> tier of the November 5, 2019, regular City/School Election.

The following **School Board Directors** were elected:

**Belle Plaine:** Benjamin Reineke, Stephen Beck and Alicia Jacobi

**Benton Community:** District 1-Roy John Becker Jr.

District 2-Theresa Thompson

District 3-Matt Nolte

District 7-Emily Upah

**Vinton-Shellsburg:** At Large-Kathleen J. Van Steenhuyse

District 1-Thomas Burke and Rebecca S. Williams

District 2-Jake Fish

The following City Mayor and Council Members were elected:

**City of Walford:** Mayor-William Voss, Council-Jo Ellen Carter, Jeffrey S. Pottebaum and Matt Greiner

**Bierschenk moved/ Seeman seconded:** To declare the 2<sup>nd</sup> tier canvass of the City/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.

Karen Phelps, Conservation Director provided updates to the Board regarding a few recent inquiries they had with recent projects and purchases. Phelps also brought up suggestions on selling some county owned real estate and the proper steps that will need to take place in those regards.

**Seeman moved/Bierschenk seconded:** To approve and authorize signature of the Environmental Review for the final notice for Iowa Watershed Approach Project 13-NDRI-002. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Final Notice for MC-INV-005 to be published in Friday November 22, 2019 papers in Vinton and Tama. Motion carried.

Sheila Hlas, Executive Director of the Benton County Volunteer Program presented an overview of services provided. They volunteer program is governed by a seven member volunteer board with meetings held quarterly. There are still currently two locations, Vinton and Belle Plaine. As they continue to grow, these services can only be sustained through the generosity of funding from partners like Benton County. The same funding request of \$25,000 was requested for FY21

**Bierschenk moved/Seeman seconded:** To approve utility permit for Poweshiek Water Association to bore under pavement in sections 11 and 12 in St. Clair Township. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve utility permit for Farmer's Mutual Telephone in Benton Township along 32<sup>nd</sup> Ave. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve final payment for IDOT voucher with Vieth Construction Corporation in amount of \$5,068.47 for project HRRR-CO06-(76)—5R-06. Motion carried.

Discussion on the Maplewood cemetery owned by Taylor Township regarding estimated costs to sealcoat and if the county can provide some figures and see what can legally be levied for cemetery care.

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

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Rick Primmer, Chairman

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

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

November 26, 2019

The Benton County Board of Supervisors met in regular adjourned session with Supervisors Primmer, Bierschenk and Seeman present. Primmer called the meeting to order at 9:30 a.m. *Unless otherwise noted, all actions were approved unanimously.*

**Seeman moved/Bierschenk seconded:** To approve the minutes of November 19, 2019. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 140953 through 141015, ACH deposits numbered 39864 through 40007, vendor checks numbered 233340 through 233347, claims numbered 233348 through 233525. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve 75 hours vacation carry over for Marc Greenlee to be used by March 15, 2020. Motion carried.

**Seeman moved/Bierschenk seconded:** Approve Veterans Affairs Quarterly Report ending September 30, 2019. Motion carried.

Committee reports were had and then followed up with some budgeting goals. A letter was drafted to be sent to the department heads and discussion regarding having a department head meeting in the near future.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

December 3, 2019

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

**Bierschenk moved/Seeman seconded:** To approve the minutes of November 26, 2019. Motion carried.

Sheriff Tippett came to discuss a deputy driving a patrol car to his home outside of county limits. The Board felt they wanted to research into this more but for now to allow him to drive to and from his home in the county vehicle.

**Seeman moved/Bierschenk seconded:** To approve utility permit for Alliant Energy to bore underground in the county's right of way in Fremont Township. Motion carried.

Engineer asked to table the truck bids until next week.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

December 10, 2019

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

**Bierschenk moved/Seeman seconded:** To approve the minutes of December 3, 2019 with a few changes. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve farm exemption application for Stephen and Jodie Ries in part of the SE ¼ NE ¼ 16-85-9. Motion carried.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 141016 through 141044, 141045 through 141063 ACH deposits numbered 40008 through 40145, 40146 through 40285 vendor checks numbered 233526 through 233534, claims numbered 233535 through 233660 and vendor checks 233661 through 233668. Motion carried.

**Bierschenk moved/Seeman seconded:** To appoint Matthew Anderson as a Medical Examiner Investigator for Benton County. Motion carried.

Tracy Achenbach, came to update the Board on the East Central Iowa Housing Trust Fund and recent activities. Most recently announced their committing of up to \$105,000 for those people who qualify for the affordable housing opportunity such as the new development near the Vinton-Shellsburg high school. Presenting a slight increase with a request of \$3,388 for the FY 21 Budget is somewhat due to the anticipation for the need for higher local grant matches, currently still based on the 2010 population counts.

Ben Kurka, representing the EMS Board along with numerous other members came to provide an update regarding the (EMS) Emergency Medical Services program within Benton County. There are currently three transport services in Benton County, with Vinton, Belle Plaine and Blairstown along with numerous first responder groups. There is a big concern in the rural areas, due to distance it is to hospitals. Rural providers help provide stabilization in the field.



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

EMS is at a tipping point, one of the big things is increased costs as with everything else and can create a shortfall that impacts the bottom line. Currently the EMS Board is working to set up an advisory council on what can be done locally to keep up with the needs of patients and services. Looking forward, they are looking for increased support and sustainability, making sure friends and families have what they need when they call 911.

Greg Walston representing The Old School Produce Partners, provided an update to the Board. They received their funding help through CSA funds along with donations and the work/study programs at the gardens. Walston said they were overjoyed with the volunteers and all the time and work they put in this year and they could not have done it without them. The partners served over 9 pantries within Benton County. They have confirmation for becoming a 501c3 group for 2020 and would like to continue with the lease for next year and also discussed a future mowing arrangement and possible fencing between them and the new proposed Transportation Building.

**Bierschenk moved/Seeman seconded:** To agree to continue to have a lease prepared for 2020 year between Benton County and Old School Produce Partners. Motion carried.

The Engineer presented the bids received for 2 new tandem trucks. Pricing includes Henderson dump bodies, plows, wings and labor to mount the equipment. Bids were as followed:

Truck Country of Cedar Rapids, Freightliner 114SD-\$206,183.00/each

Harrison Truck Center, Western Star 4700SF-\$214,197.00/each

GATR of Cedar Rapids, Mack GR64F-\$217,059.00/each

**Seeman moved/Bierschenk seconded:** To approve the bid with Freightliner Truck Country for 2 new tandem trucks in the amount of \$412,366.00. Motion carried.

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

\_\_\_\_\_  
Rick Primmer, Chairman

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

December 12, 2019

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. Primmer called the meeting to order at 8:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

The Board spent time discussing and reviewing applications received for the Treasurer's vacancy that was previously advertised. Together they prepared a list of questions and topics to discuss with all of the candidates.

The time of 9:00 a.m. having arrived and this being the time scheduled for Melinda Schoettmer, and she requested a closed session to do her interview.

**Seeman moved/Bierschenk seconded:** To enter into closed session per Iowa Code 21.5(1)a. at 9:00 a.m. Motion carried.

**Seeman moved/ Bierschenk seconded:** To exit closed session. Motion carried at 9:40 a.m.

The Board proceeded at 9:45 a.m. in an open session with candidate Barbara Parbs.

The time of 10:30 a.m. was the scheduled interview for Kirk Beason and he was fine to proceed during the open session.

Michele Sauer had an interview time of 11:15 a.m. and requested that hers be in a closed session.

**Seeman moved/Bierschenk seconded:** Motion carried to enter into closed session per Iowa code 21.5(1)a. at 11:15 a.m.

**Bierschenk moved/Seeman seconded:** To exit closed session at 12:00 p.m. Motion carried.

A recess was had for lunch.

The time of 1:00 p.m. having arrived and this being the time scheduled for Kimberly Howe-Rouse. Kimberly stated to proceed in open session.

After all interviews were finished, time was spent sharing comments and discussing how to proceed moving forward with the upcoming appointment process. Background checks will be done before the official appointment is finalized on Tuesday.

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

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Rick Primmer, Chairman

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

December 17, 2019

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

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

**Bierschenk moved/Seeman seconded:** To approve the minutes of December 10, 2019 and December 12, 2019 Motion carried.

**Seeman moved/Bierschenk seconded:** To approve 44 hours of vacation carryover for Sarah Wagner to be used by April 30, 2020. Motion carried.

Kelly Geater along with Michele Sauer were both present to explain and answer questions.

**Seeman moved/Bierschenk seconded:** To approve the Treasurer’s accounting report through November 30, 2019 when Kelly Geater finalized her position with Benton County. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-64, tax abatement on parcel #270-23550. Motion carried.

RESOLUTION #19-64

WHEREAS, the Benton County Treasurer has reported that there was a building on leased land that has appeared to been torn down and of no value; and

IT IS THEREFORE RESOLVED that the delinquent tax, penalty, interest and costs assessed on the below listed parcels and unpaid through the 2019 assessment year, are hereby abated pursuant to Iowa Code 445.16. The treasurer is directed to strike the amount due from the county system.

Parcel #270-23550 - \$4,432.00 in tax, penalty and interest

Dated this 17th day of December, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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

**Seeman moved/Bierschenk seconded:** To approve Resolution #19-65, Appointing Michele Sauer as the interim Benton County Treasurer. Motion carried.

RESOLUTION #19-65

WHEREAS, the Benton County Treasurer, Kelly Geater resigned effective December 1, 2019, and

WHEREAS, pursuant to Section 69.14A The Board of Supervisors has the authority to fill a vacancy in the office of county treasurer by appointing a successor or by calling a special election, and

WHEREAS, pursuant to Section 69.14A(2)(a)(2) a petition may be filed by the public within fourteen days of the notice of publication or within fourteen days after the appointment is made to call a special election to fill said vacancy by appointment.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that they have appointed Michele Sauer as the successor to fill in as the Benton County Treasurer until an elected candidate takes office after the November, 2020 Election.

Dated this 17th day of December, 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

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

Laurie Worden, Director of Kirkwood Workplace Learning Connection presented a power point to the Board on recent activities and those served using their services. The Budget request for FY 21 is the same as it was in FY 20 based on per capita. This is the 22<sup>nd</sup> year of serving 96 schools in Area 10 through Kirkwood. The Learning Connection is a self-funded department under Kirkwood.

Benton County Sheriff Ron Tippet along with representatives for Foundation 2 and Lindsey Upah, manager of the Rural Access Center provided an update on FY 21 budget and current statistics. Benton County is a part of a multi-county region for this service. Needs include better housing, homelessness, insurance, and support for people who were just released from jail. They have already served 42 people since August when this first opened, and numbers are expected to increase. They are working to hire more part-time positions as well as working with Unity Point and area schools. Meetings have also been had regarding another access center location in Belle Plaine, a space has been found that will accommodate all the providers in one location. City of Belle Plaine also has a big interest in this project. They will continue to keep the Board updated. Tippet also presented the budget for this, including a wage breakdown. Upah has been previously approved from a part-time to full time position and it was also recommended for a wage increase.

**Bierschenk moved/Seeman seconded:** To approve wage increase for Lindsey Upah, Rural Access Manager from 21.34 an hour to 24.04 an hour effective immediately. Motion carried.

Jerry Petermeier brought in some quotes he was asked to present regarding the repairs discussed in a previous meeting for the Cedar Valley Ranch. Supervisor Bierschenk is going to present this information to the Regional Board meeting and if it can be possible to use some of the Mental Health Fund Balance spend down to cover all or partial costs.

**Seeman moved/Bierschenk seconded:** To Approve Resolution #19-66, Wage and Classification change for Grant Wittmer. Motion carried.

### RESOLUTION #19-66

WHEREAS: Benton County has an employee that has been employed by Benton County for six months, and

WHEREAS: Upon the completion of the probationary period the base wage is to be increased from the starting wage

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hourly base wage of Grant Wittmer be set at \$20.55 effective December 24, 2019. This position carries a Labor Grade VB classification.

Dated this 17th day of December 2019.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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

**Seeman moved/Bierschenk seconded:** To approve utility permit for East Central Iowa REC in sections 22 and 27 of Taylor Township. Motion carried.

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

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Rick Primmer, Chairman

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

December 24, 2019

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. Primmer called the meeting to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: [www.bentoncountyiowa.org](http://www.bentoncountyiowa.org)*

**Bierschenk moved/Seeman seconded:** To approve the minutes of December 17, 2019 Motion carried.

**Bierschenk moved/Seeman seconded:** Approve payroll checks numbered 141064 through 141079, ACH deposits numbered 40286 through 40422, claims numbered 233669 through 233814 and vendor checks 233815 through 233823. Motion carried.

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

Benton County Sheriff Ron Tippett presented FY21 budgets last week for Foundation 2 and the Rural Access Center. The county is part of the east central mental health region, and even though it is county levied funds, it needs approval from both levels, Benton County Supervisors and the Regional Board. Tippett is asking for formal motions to approve said presented budgets.

**Seeman moved/Bierschenk seconded:** To approve the Critical Incident Training (CIT) budget not to exceed \$63,399 and allow those required to attend out of state training. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve the Foundation 2 budget up to \$85,871. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the Rural Access Center portion of the Mental Health Budget including wages, benefits and the upkeep to not exceed \$153,508. Motion carried.

Michele Sauer, Benton County Treasurer and Deputy Melinda Schoettmer came to discuss office hours and the need to advertise for more help. They also presented a handout showing the costs to operate in the Belle Plaine office on Wednesdays and staying open late on Thursday nights. It hasn't shown to be very cost effective per the statistics. In Belle Plaine the state requires 2 employees at all time in the driver's license station and when they might only get 4 customers in one day, there is a lot of wasted time. This also puts a burden on the courthouse office being short staffed by 2 and paying out mileage to the employees who drive back and forth. They both felt it would be more beneficial to have these employees back in the courthouse and issuing licenses along with other duties that could be completed in the down time on Wednesdays. And also closing at 4:30 on Thursday nights. They will get plenty of notices out to the public and were looking for Boards approval for this to take place effective January 31, 2020. During tax collections times, they will continue to be open the additional hours for the public regardless. And on Wednesdays they will now be able to issue all driver's license related tasks to all Benton County residents in the courthouse office.

**Seeman moved/Bierschenk seconded:** To accept the recommendations from the Treasurer's office for stopping the additional office hours on Thursday nights and closing the Belle Plaine drives license station effective January 31, 2020.

**Bierschenk moved/Seeman seconded:** To approve Resolution #19-67, Certifying Deputy Treasurer's and Salary effective December 24, 2019. Motion carried.

### RESOLUTION #19-67 CERTIFICATION OF DEPUTY TREASURER SALARIES

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, the salaries of the deputies and assistants of the treasurer has been certified by the principal officer to the board of supervisors; and

WHEREAS, the base salaries will not exceed the limitations specified in Iowa Code for the deputies in the treasurers department; 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 treasurer,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the following salaries for deputies and assistants in the treasurer's office be certified to the county auditor:

Melinda Schoettmer – 80% of the principal officer  
Rose Sackett – 70% of the principal officer

Dated this 24th day of December 2019.

\_\_\_\_\_  
Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Hayley Rippel, Benton County Auditor

Benton County Auditor presented a purchase agreement with Tenex Software Solutions, Inc. The Secretary of State has informed those counties using The Iowa Express Voter (electronic pollbook) that in the upcoming future they will no longer provide the support and updates needed. With the upcoming 2020 Elections, we asked some vendors to come share some other options with us. Adkins Election Services has agreed to allow us to purchase this recommended product and spread payment out over 3 fiscal years for easier budgeting and also provide to us a money back guarantee. We were impressed with the demonstration and talked with other counties already using this. Rippel suggested we get moving forward as soon as possible. With a recent notification for an upcoming special school election to be held on

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

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March 3, 2020, she felt this could be a perfect opportunity to test it out on a smaller scale and make sure we are happy with their product.

**Seeman moved/Bierschenk seconded:** To approve and sign the software purchase agreement between Benton County, Iowa and Tenex Software Solutions, Inc. in the amount of \$21,654 a year for 3 years. Motion carried.

Insurance and Wellness update was given by Auditor Hayley Rippel who attended the Iowa State Association of Counties (ISAC) wellness meeting in Des Moines. Also providing copies of the newly distributed rates by ISAC Group Health Program effective July 1, 2020. Currently we have the full 5% wellness discount from enough participation in the program. For next year, Benton County only had enough employee participation in the wellness program to be receiving a 2% next year. The current plan the county is on (11E) has increased by 7%. No action was taken at this time.

**Seeman moved/Bierschenk seconded:** To approve and authorize chairman to sign the wellness agreement between the Iowa State Association of Counties (ISAC) and Benton County to participate in the Wellness program during the plan year of 2020. Motion carried.

Discussion about the upcoming meetings regarding all the appointments and routine things that need to happen after the first of the New Year. It was agreed to not have the normal Tuesday meeting next week but to meet on Thursday January 2, 2020.

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

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Rick Primmer, Chairman

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