

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

January 2, 2020

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.*

Seeman moved/Primmer seconded: To approve the minutes of December 24, 2019. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Rick Primmer as the chairman of the board of supervisors for 2020 and Gary Bierschenk as the vice-chairman. 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 2020 as The Star Press Union, The Cedar Valley Times, and The Vinton Eagle. Motion carried.

Dawn Driscoll, a candidate running for the State Senate 38th District position attended the Board Meeting as a guest and to introduce herself.

Bierschenk moved/Seeman seconded: To appoint the following members to the respective boards for 2020. 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

6th 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

Heritage Area Agency on Aging-Supervisor Bierschenk

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Seeman moved/Bierschenk seconded: To approve Resolution #20-1, Construction Evaluation. Motion carried.

RESOLUTION # 20-1 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, 2020 and January 31, 2021 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 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To authorize the chair to sign statement concerning building codes for 2020. Motion carried.

Seeman moved/Bierschenk seconded: To re-appoint Dr. Maggie Mangold and Mindy Fisher to the Health Board. Motion carried.

Bierschenk moved/Seeman seconded: To appoint David Redlinger to the Benton County Board of Adjustment. Motion carried.

Bierschenk moved/Seeman seconded: To re-appoint John Frazier to the Integrated Roadside Vegetation Management Committee. Motion carried.

Seeman moved/Bierschenk seconded: To re-appoint Dan Hill to the Benton County Conservation Board. Motion carried.

Seeman moved/Bierschenk seconded: To appoint the following persons to the Benton County Eminent Domain for 2020. Motion carried.

Licensed Real Estate Sales Person or Real Estate Broker

Danny Kaestner
Tami Timm
Shannon Feuerbach
Alan Michael
Wayne Siela
Scott Scharbaum
Melissa Lennie

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Persons Having Knowledge of Property Values by Reason of Occupation

Brian Bierschenk
Dave Coulter
Harold Knaack Jr.
Melissa McBride
Kristina Kremer
Denise Weeda
David Redlinger

Owner-Operator Agricultural Property

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

Owners of City or Town Property

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

Seeman moved/Bierschenk seconded: To approve Resolution #20-2, Authorize Auditor to Issue Checks and Sign ACH Agreements for 2020. Motion carried.

RESOLUTION #20-2

AUTHORIZING THE BENTON COUNTY AUDITOR TO ISSUE CHECKS AND SIGN ACH AGREEMENTS FOR 2020

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, 2020.

Rick Primmer, Chairman

Gary Bierschenk

ATTEST:

Tracy Seeman

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve Resolution #20-3, Authorize Treasurer to sign ACH Agreements for 2020. Motion carried.

**RESOLUTION #20-3
AUTHORIZING THE BENTON COUNTY TREASURER TO SIGN ACH AGREEMENTS FOR 2020**

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, 2020

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

Attest:

Hayley Rippel, Benton County Auditor

Seeman 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

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

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

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Seeman moved/Bierschenk seconded: To appoint Jerry Michael as Benton County Civil Rights Coordinator. 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 – John Menage

Keystone Benefited #2 – Dan Busch

Newhall Benefited #4 – Roy Becker

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

Bierschenk moved/Seeman moved: To appoint Myron Parizek to be the 2020 County Engineer pursuant to Iowa Code 309.17. Motion Carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-4, hiring Joshua Svoboda as Equipment Operator at Secondary Roads effective January 10, 2020. Motion carried.

RESOLUTION #20-4

WHEREAS: Benton County Secondary Road Department has an opening to fill for an Equipment Operator at the Main Shop and

WHEREAS: Applications were accepted for this position and

WHEREAS: These applications have been reviewed and evaluated.

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Joshua Svoboda be hired to fill one position of Equipment Operator at a starting wage of \$19.75 per hour starting January 10, 2020. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 2nd day of January 2020.

Rick Primmer, Chairman

Gary Bierschenk

ATTEST:

Tracy Seeman

Hayley Rippel, Benton County Auditor

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

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

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

Gary Bierschenk brought up how his son Brian rents the landfill land, so the motion to authorize Gary to sign USDA documents was withdrawn due to conflict of interest.

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

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

January 7, 2020

The Benton County Board of Supervisors met in regular 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.*

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Seeman moved/Bierschenk seconded: To approve Resolution #20-5, Variance to Benton County Subdivision Ordinance. Motion carried.

RESOLUTION #20-5

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 Yvonne Burkhart 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 SW ¼ SW ¼ of 11-T85N-R10W.

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 SW ¼ SW ¼ of 11-T85N-R10W.

Adopted this 7th day of January, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve 74 hours vacation carryover for Myron Parizek, to be used by May 31, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-6, Bridge Embargo Removal on 51st St Drive in Cedar Township. Motion carried.

RESOLUTION #20-6

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:

CE-3915 0.1 mile west of the E¼ corner of section 10-86N-11W (Cedar Township) on 51st Street Drive between 19th Avenue and 20th Avenue

Signed this 7th day of January 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

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Loras Schulte, Jennifer Zahradnik and Eric Werner, members of the landfill commission met with the Board to discuss possible future changes and having the commission take over the rural recycling program in Benton County. The commission would like to use the county's rolloff containers which are located in various parts of the county. Currently \$72,800 is budgeted for recycling and haulers who handle the recyclables. The Board was in favor of allowing the Landfill Commission to dig further into pros and cons of taking over the rural recycling program, but didn't want to cut services to the rural residences. No action was taken at this time, but it will be addressed at a later time after the landfill commission acts.

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

Erin Monaghan presented the CPPC Contract Amendment for approval. The changes are due to a few revisions including pricing and payment table. Contract duration is 7/01/19 through 6/30/2020 and amount is not to exceed \$22,500.

Bierschenk moved/Seeman seconded: To approve the seventh amendment to the Community Partnership for Protecting Children Coordination of Services (CPPC) Contract between the Iowa Department of Human Services and Benton County Board of Supervisors in the amount of \$4,000. Motion carried.

Stephen Beck, Belle Plaine City Administrator came to inquire about the notice the city received from the Treasurer's office regarding closing the satellite location for issuing drivers licenses. He also read a letter aloud to supervisors written on behalf of the Belle Plaine Council stating they were not in favor of shutting down this location on Wednesdays. Beck stressed the city and surrounding region appreciated the service that was offered for decades and was seeking clarifications on the numbers used on the costs and people served to make this decision. He felt the city of Belle Plaine should have been able to voice in this decision and asked that it be reconsidered. The County Attorney felt that this decision was not made by the Supervisors but by the Treasurer. Michele Sauer, Benton County Treasurer spoke up to say this wasn't a decision that was made lightly and also referred to 2002 when the state decided to cut back this service and Benton County was originally going to lose license issuance altogether. The former Treasurer Geater stepped up and took this on as additional duties so that it would continue to be available to residents. Beck thanked everyone for the time and information that he was provided that he can take back. He was also asking if there was any possibility of compromising on this which led to discussion on the staffing needs and the state issued computers used. The state supplies the station, it is not a portable unit, If the satellite station closes in Belle Plaine, that unit will then be brought back into the courthouse office and be an additional station to help serve customers 5 days a week. No action was taken.

Scott Hansen brought up the need to appoint a member to the E911 Committee, with recent changes, the Sheriff is already considered a member so they would need someone else in addition per Code Chapter 34A.

Seeman moved/Bierschenk seconded: To approve the minutes of January 2, 2020. Motion carried.

Bierschenk moved/Seeman seconded: Approve payroll checks numbered 141080 through 141085, ACH deposits numbered 40423 through 40561, claims numbered 233824 through 233960 and vendor checks 233961 through 233967. Motion carried.

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

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

Bierschenk moved/Seeman seconded: To approve Bid packet 3B and the notice to publish, authorize chairman to sign National Disaster Recovery Project intent to obligate construction funds and the affirmation of duplication of benefits and subrogation and assignment for National disaster resiliency infrastructure/watershed CDBG Grant Project. Motion carried.

Some guidance regarding supervisor budget and future agenda scheduling was discussed.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

January 14, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Seeman and Bierschenk present. The meeting was called to order at 8:00 a.m. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of January 7, 2020. Motion carried.

The Board scheduled budget times with various department heads to come and present their FY 21 budget requests. A letter was previously sent out with some guidance from the Board regarding the total asking amounts to keep them the same or reduced from current FY. Throughout the morning portion, they met with Maintenance, Sanitarian/Land Use, Veteran's Affairs, Transportation, Sheriff and IT/GIS.

Seeman moved/Bierschenk seconded: To appoint Ben Bonar to the Integrated Vegetation Roadside Management Committee. Motion carried.

Bierschenk moved/Primmer seconded: To appoint Gary McKenna to property value category re-arrange current members Wayne Siela and Brian Bierschenk on the eminent domain. Wayne will move from licensed realtor to agricultural, and Brian from agriculture to Property Value. Motion carried.

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

The Board acknowledged receipt of the collective bargaining agreement Local 2003 union's initial proposal.

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

Bierschenk moved/Seeman seconded: To set land use hearing date for Matt and Kimberly Johnson for Tuesday February 11, 2020 at 9:15 a.m. for part of the NW ¼ NE ¼ of 26-85-10.

Seeman moved/Bierschenk seconded: To set land use hearing date for Jeffrey Trosdahl for Tuesday, February 11, 2020 at 9:30 a.m. Motion carried.

Jane Drapeaux, Chief Executive Officer for the Hawkeye Area Community Action Program, Inc. presented the FY 21 budget request along with an update of what the program provides. The request is the same as last year. Drapeaux thanked the Board for their time and commitment to their program.

Seeman moved/Bierschenk seconded: To appoint Gary McKenna to the E911 Committee. Motion carried.

Bierschenk moved/Seeman seconded: To enter closed session at 11:30 a.m. pursuant to Iowa Code 21.5(1)(i)) Motion carried.

Motion carried.

Seeman moved/Bierschenk seconded: To exit closed session at 11:56 a.m. Motion carried.

Seeman moved/Bierschenk seconded: To approve employee agreement between Lori Siela and Benton County, Iowa that was discussed in closed session. Motion carried.

There was an hour recess for lunch and the board reconvened at 1:00 p.m and spent the afternoon with the following departments and their FY 21 Budget Requests: Attorney, Treasurer, Recorder, Mental Health/Relief, Engineer and Auditor/Elections. One big topic that always comes to the top during budget time is on the various wages and salary justifications. Due to recent changes in the Treasurer's office, they are experiencing a shortage of staff and change in duties. Newly appointed Sauer would like mid-year raises to be considered for the clerks in her office. No action was taken at this time.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

January 21, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Bierschenk present. Primmer was absent. The meeting was called 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 14, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date of Tuesday, February 18, 2020 at 9:15 a.m. for Wendling Quarries, Inc. for part of the SW ¼ NW ¼ 31-86-10. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141086 through 141113, ACH deposits numbered 40562 through 40698 claims numbered 233968 through 234095 and vendor checks 234096 through 234103. Motion carried.

Chris Schwartz came to discuss road maintenance needs for a culvert area at the intersection of 29th Ave. and 61st ST. Trail. She presented pictures to show where a culvert is washed out and they were asking to have it extended out at the T-intersection to make it 40' wide so it would be easier to turn trucks. The Engineer was also present and spoke up how this area had been previously cleaned out for water flow and they currently don't have more fill dirt, but this could be added to his list for repair work. It might be better to dig it up and move it than it is to widen it.

Seeman moved/Bierschenk seconded: To approve Iowa Department of Transportation's (IDOT) renewed Detour agreement from county road E44 to US Hwy 30. Motion carried.

Seeman moved/Bierschenk seconded: To approve Treasurer's Semi-Annual Report and Disbursements from July 1, 2019 through December 31, 2019. Motion carried.

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Seeman moved/Bierschenk seconded: To approve Resolution #20-7, Abate Taxes on parcel #030-23625. Motion carried.

RESOLUTION #20-7
ABATEMENT OF TAX

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that all tax and penalty in the amount of \$392.00 owing on parcel #030-23625 is hereby abated in full pursuant to order of the court under Iowa Code 657A.10A.

Dated this 21st day of January, 2020.

Gary Bierschenk, Vice-Chairman

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: Approve the RFQ needed for consulting services for updating the Benton County Iowa Multi-Jurisdictional Hazard Mitigation Plan. Motion carried.

Lindsey Upah, Rural Access Center Manager and Benton County Sheriff Ron Tippett, presented another way to fill the mental health gap in Benton County. The goal to help people released from jail, getting them set up with places to are supposed to go, instead of where they're not to go and keep them out of trouble. They would like to pursue a housing/shelter plan with Willis Dady Homeless Services, and another possible satellite location in Belle Plaine. The Regional Mental Health Board is having an upcoming meeting and they need local approval before they can present this consideration. The county is not fully committed until they come back with more of a proposal if the Region approves this project.

Seeman moved/Bierschenk seconded: To approve up to \$100,000 for mental health fund balance for an additional housing project that can be presented at the Region meeting Thursday. Motion carried.

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

Gary Bierschenk, Vice-Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

January 27, 2020

The Benton County Board of Supervisors met in special session at the Emergency Management Agency Office in the Benton County Law Enforcement Center. Supervisor Primmer called the meeting to order at 6:30 P.M. Supervisors Bierschenk and Seeman were also present. *Unless otherwise noted, all actions were approved unanimously.*

The purpose of the meeting was to be present during the public hearing on the FY21 Emergency Management Agency budget. The budget hearing was opened with Scott Hansen, agency coordinator, providing detailed information concerning the budget. After hearing all comments, the hearing was closed and adopted by the Emergency Management Commission.

Discussion was also had about the Radiological Emergency Plan (REP) and FEMA's requirements for the numbers and locations of the OWS in the Emergency Planning Zones. All the sirens have been updated within the last 5 years. There will have to be future discussions after the Duane Arnold Energy Center is officially shut down.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

January 28, 2020

The Benton County Board of Supervisors met in regular 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.*

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Seeman moved/Bierschenk seconded: To approve the minutes of January 21, 2020 and amend the minutes of January 2, 2020 regarding the Benefitted Fire district appointments to be as follows: Mike Deklotz to Benton-Linn Benefitted Fire and Roy Becker to the Newhall Benefitted #4 Fire Board. Motion carried.

Bierschenk moved/Seeman seconded: To set land use hearing date for William and Kelsey Bird for Tuesday, February 25, 2020 at 9:05 a.m. for part of the SW ¼ SE ¼ of 31-82-11. Motion carried.

Seeman moved/Bierschenk seconded: To set Tuesday February 11, 2020 at 9:45 a.m. for the public hearing for the maximum property tax dollars for FY 21. Motion carried.

Seeman moved/Bierschenk seconded: To set Tuesday February 11, 2020 at 10:00 a.m. for a public bid opening regarding the Cedar Valley Ranch land rent lease that is up in March, 2020. Motion carried.

Abby Michael and Melissa Hill with Riverview Center provided an overview of what services they are continuing to do that will ensure survivors of sexual assault in Benton County have confidential advocacy and therapy services available free of cost. Tina Eden with Virginia Gay Hospital also present, stated that they have recently trained nurses locally to be able to do the forensic testing necessary after sexual assault. Riverview Center also does community education programs and will also provide transportation to those in need. Jerry Michael, Urbana Police spoke on what a tremendous asset this group is to the Sexual Assault Response (SAR) team. Riverview is requesting \$6,000 for FY 21 and thanked the Board for their time.

Seeman moved/Bierschenk seconded: To approve Resolution #20-8, Employee Wage Changes in Treasurer’s office. Motion carried.

RESOLUTION #20-8 EMPLOYEE WAGE CHANGES IN TREASURER’S OFFICE

WHEREAS, the Benton County Treasurer has requested wage increases for clerks in her office for the remainder of FY 19/20, and

WHEREAS, the extra work load from being short staffed has put extra duties on everyone;

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Joy McGowan get an increase of \$4,984.99, Jodi Bonar an increase of \$3,000 and Denise Westerhoff an increase to \$16.50 an hour effective February 1, 2020.

Signed this 28th day of January 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Conservation Director couldn’t attend meeting today, but the Board took time to go over the budget sheets from what has been presented so far.

Primmer moved/Bierschenk seconded: To approve the low bid recommendations from Bid Packet 3B for the Middle Cedar WMA as follows: Schedule 1 is awarded to Peterson Contractors, Inc. in the amount of \$431,291.50 and Schedule 2 is awarded to Hatch Grading and Contracting, Inc. in the amount of \$530,130.00. Motion carried.

Bierschenk moved/Seeman seconded: To approve and authorize chairman to sign the MC-INV-005 Tier II and MC-INV-010 Tier II Review for the site specific projects for the WMA. Motion carried.

Bierschenk moved/Seeman seconded: To approve utility permit for East Central Iowa REC in Section 19 of Leroy township. Motion carried.

Bierschenk moved/Seeman seconded: To approve and sign DOT progress voucher for Project FM-CO06(113)—55-06 for a credit in the amount of \$24,355.54 for overpayment on a resurfacing project on D65. Motion carried.

The Supervisors and Engineer would like to add a reminder to rural county residents and their snow removal, to please be courteous where you put your snow piles and be courteous for oncoming traffic. There has been a lot of complaints!!

Jade Ewoldt and Jasmine Gaston, sisters of Baylee Hess along with other representatives presented the House File 2004, which they have been lobbying to state representatives to support, which if passed will be called “Baylee’s Bill.” They were seeking a letter of support from the supervisors. The bill stems from a fatal accident of Baylee at the intersection of Hwy 30 and 21st Ave., between Van Horne and Blairstown. They are seeking rumble strips at all county

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paved roads that intersect with state highways with a speed limit of 55 mph or more outside of city limits. This would include the intersection of Baylee's accident. The family felt that the strips would give one more startling point to realize there is an upcoming stop. They would appreciate the support in getting this bill passed. Supervisors all three agreed how Highway 30 is very busy and there are dangerous intersections. Primmer suggested adding permanent flashing lights, which led to costs involved to install and maintain lights and put in rumble strips. County Engineer stated he has been looking at criteria needed for rumble strip destinations and would need to put together proposals for cost estimates. Primmer would like the DOT to put in the strips when the two new lanes are added, but in the meantime, he'd like to see the county put the strips in. After hashing out more details, it was agreed a letter would be drafted up to show Benton County's support.

Recessed for lunch and reconvened at 1:30 p.m.

Seeman moved/Bierschenk seconded: To approve and sign the drafted letter stating Benton County supports House File 2004 and adding the possibility of adding the flashing lights and allowing for Engineer's discretion of what intersections have priority. Motion carried.

Primmer moved/Seeman seconded: To approve Resolution #20-9, Approving FY 21 Comp Board Salary Recommendations. Motion carried.

RESOLUTION #20-9 ELECTED OFFICIALS' SALARIES

WHEREAS, the Benton County Compensation Board met on December 10, 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>Current Salary</u>	<u>Recommended Salary for FY21</u>
Auditor (3%)	\$76,540.26	\$78,836.47
Treasurer (3%)	\$72,384.88	\$74,556.43
Recorder (3%)	\$72,384.88	\$74,556.43
Attorney (3%)	\$109,268.47	\$112,546.52
Sheriff (3%)	\$90,712.36	\$93,433.73
Supervisor (3%)	\$41,375.40	\$42,616.66
(Chairman)	\$42,375.40	\$43,616.66

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, 2020, as recommended by the Benton County Compensation Board.

Dated this 28th day of January, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To grant a 3% across-the-board increase to all employees who are not covered by a bargaining agreement or who are deputies of elected officials, except for the following employees who will be granted additional equalization as otherwise noted: Alisha Burmeister-4% and Katelyn Welper-\$18.50/hour. Motion carried.

Other FY 21 Budget work was done along with committee reports.

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"

February 4, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were all present. The meeting was called 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 27, 2020 and January 28, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To amend the public hearing date for Maximum property tax asking from February 11, to Tuesday February 25, 2020 at 9:30 a.m. Motion carried.

Benton County Historic Preservation Commission members presented their budget request. It reflects an increase of \$2,250 from last year's amount. They are applying for a community foundation grant and \$4,800 of that would be the required 40% local match. If they are granted the grant, they would like to obtain a survey to have a professional assess their historical properties and put together in a large report. The grant money would go towards this expense and they also provided the Board with updates on recent projects and future plans.

Benton County Conservation Director Karen Phelps presented the FY 21 budget request which included discussion regarding getting the shop at Hannen Park started.

Seeman moved/Bierschenk seconded: To approve Resolution #20-10, Approving final plat for Burkhart's First Addition to Benton County, Iowa. Motion carried.

RESOLUTION #20-10 APPROVING PLAT FOR BURKHART'S FIRST ADDITION TO BENTON COUNTY, IOWA

WHEREAS, a Plat of Burkhart's First 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 Burkhart's First 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 4th day of February, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Exhibit "A"

That part of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section No. 11, Township No. 85 North, Range No. 10 West of the Fifth Principal Meridian, Benton County Iowa, described as follows:

Beginning at the Northwest corner of said Southwest Quarter of the Southwest Quarter, point being a found "mag" nail in A.C.C. pavement;
 thence along the North line of said Southwest Quarter of the Southwest Quarter South 89°45½' East a distance of 440.1 feet to the Northwest corner of Parcel "A" per Plat of Survey dated 10/27/1999 recorded in Book 10 Page 436 in the Office of the Benton County Recorder, point being a found "mag" nail in A.C.C. pavement;
 thence along the West line of said Parcel "A" South 00°14½' West a distance of 565.0 feet to the Southwest corner of said Parcel "A", point being a set 1/2" rebar with license #23212;
 thence North 89°45½' West a distance of 440.6 feet to the West line of said Southwest Quarter of the Southwest Quarter, point being a set ½" rebar with license #23212;
 thence along said West line North 00°17½' East a distance of 565.0 feet to the point of beginning.

Containing 5.71 acres including 0.61 acres right-of-way.

Subject to restrictions, easements, covenants, ordinances, and limited access provisions of record and not of record.

Note: The North line of said Southwest Quarter of the Southwest Quarter is assumed to bear South 89°45½' West for this description.

Engineer Myron Parizek met with the board for clarification regarding the intersection of HWY 30 and 21st Ave. He questioned about the quality of life issue with the noise if rumble strips are installed on the north side. It would be 50 feet from a nearby residence. Parizek also discussed the standard for stop signs and stop ahead signs at intersections. He has looked at lighting options and talked with a contractor. Work could not begin on the rumble strips until it gets above freezing. Action on a recommendation will be put on next week's meeting agenda.

Bierschenk moved/Seeman seconded: To enter into exempt session pursuant to Iowa Code 20.17(3) for secondary roads bargaining discussion. Motion carried.

Seeman moved/Bierschenk seconded: To exit exempt session and go back into open session at 10:54 a.m. Motion carried.

Other FY 21 Budget work was done along with committee reports.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 11, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were all present. The meeting was called 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 4, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve Veteran's Affairs Quarterly Report ending January 31, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve class C liquor license for Tara Hills. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date of Tuesday, March 10, 2020 at 9:15 a.m. for Zach Ellis in part of the SE ¼ NW ¼ of Section 3-85-9. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: Approve Resolution #20-11, Approving final plat of the Replat of Lot 3 in R & O's First Addition to Benton County. Motion carried.

RESOLUTION #20-11
APPROVING REPLAT OF LOT 3, R & O'S FIRST ADDITION
TO BENTON COUNTY, IOWA

WHEREAS, a Replat of Lot 3, R & O's First Addition to Benton County, Iowa, containing two (2) lots has been presented to the Benton County Board of Supervisors consisting of the following described real estate:

Replat of Lot '3', R & O's First Addition in Benton County, Iowa is a subdivision of Lot '3', R & O's First Addition to Benton County located in the Northeast Quarter of the Northeast Quarter, in Section 29, Township 82 North, Range 11 West of the Fifth Principal Meridian, Benton County, Iowa, as described on Exhibit "A" attached hereto and made a part of 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 the Replat of Lot 3, R & O's First 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 11th day of February, 2020.

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 land use hearing for Matt and Kimberly Johnson in part of the NW1/4 NE1/4 of 26-85-10. Johnson's were present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Johnson's would like to propose a change of 1 acre into a residential non-ag use. CSR is 29, land is not in production. The existing driveway meets all requirements, along blacktop road. This location was a previous house site and will need a new septic. An existing well is on site but will need tested to be sure it is safe. 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 Matt and Kimberly Johnson for one acre to build a new home on part of the NW1/4 NE1/4 SW1/4 of 26-85-10. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Jefferey Trosdahl in part of Parcel B in SE SE of 16-86-9. The Trosdahl's were present. Marc Greenlee presented the technical

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

information with the Benton County Agricultural Land Use Preservation Ordinance. Trosdahl's would like to propose a change of 1.81 acres to build a new home. CSR is 70, but not in production. This site would need a new driveway along with well and septic. All required notification was given and only heard one comment inquiring regarding if a survey was in place. Greenlee feels this is a good fit for a new residence. No further comment, the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use change for Jefferey Trosdahl in part of Parcel B in SE SE of 16-86-9. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141114 through 141132, ACH deposits numbered 40699 through 40834, vendor checks 234104 through 234111 claims numbered 234112 through 234309. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-12, Employment status change for Sherry Sakshaug. Motion carried.

RESOLUTION #20-12 EMPLOYMENT STATUS CHANGE FOR SHERRY SAKSHAUG

WHEREAS, the Benton County Sheriff has a need for full-time communication specialist; and

WHEREAS, Sherry Sakshaug has been employed by Benton County as part-time since August 13, 2019;

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

WHEREAS, the Sheriff recommended that Sakshaug 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 Sherry Sakshaug be changed to a full-time communications specialist in the Sheriff's office, effective February 11, 2020 at the hourly rate of \$16.92 an hour.

Dated 11th day of February 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

The time of 10:00 a.m. having arrived, and this being the time and date set for opening bids for the rental of the farm ground located at the Cedar Valley Ranch, the board proceeded with matter. The notice had been published in the newspapers with a February 11, 2020, filing deadline. Four bids were received as follows (on a per acre basis):

Alan Merchant-\$300

Wayne Siela - \$250

Wade Hopper-\$225

The board provided an opportunity for the bidders present to raise their bid as advertised. Wayne Siela was the only bidder present, he questioned if there had been any soil samples done?? His suggestion would be to require this in the future. He did not want to raise his bid.

Seeman moved/Bierschenk seconded: To award the lease for approximately 38 acres of farm ground located at the Cedar Valley Ranch in the SE1/4 of Section 22 of Taylor Township, to Alan Merchant, as the highest per-acre bidder, at a price of \$300.00 per acre. The final lease agreement is to be drafted with the parties executing the same at a later date. Motion carried.

Bierschenk moved/Seeman seconded: To enter into closed session pursuant Iowa Code 21.5(c) at 10:35 a.m. Motion carried.

Seeman moved/Bierschenk seconded: To exit closed session at 11:33 a.m. Motion carried.

No action was taken from what was discussed in the closed session.

Rumble strips were addressed again after they were proposed after a fatal accident at the intersection with HWY 30 and 21st Ave. One issue of installing rumble strips was the noise they would be creating for a nearby residence. Supervisor Tracy Seeman met with the couple who lives near the proposed strips. They were not in favor of the rumble strips, but preferred having two sets of flashing stop ahead lights on that road. Engineer Myron Parizek explained the standards used for location of stop ahead signs and rumble strips. Chairman Primmer asked if the board was backtracking, and referred to the letter of support for a legislative bill that was presented a few weeks ago. Parizek said the bill doesn't take into consideration the DOT's policies on rumble strip locations. This would affect several other

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

intersections in Benton County where residences are near the road and the noise from rumble strips. Seeman proposed rumble strips on the south side of HWY 30 and flashing light on the north. Primmer stated “if we are going to do rumble strips, we do rumble strips. If it saves lives, that’s what we’re looking at!”

Primmer moved/Bierschenk seconded: To install rumble strips and flashing stop signs and place as far away as allowed from local residences at the intersection of Hwy 30 and 21st Ave. Voting aye was Bierschenk and Primmer. Seeman voted nay. Motion carries.

Bierschenk moved/Seeman seconded: To approve (4) utility permits for East Central Iowa REC in Leroy, Harrison and Eden Townships. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-13, Revise Benton County 2020 Five Year Road Program. Motion carried.

**Resolution to Revise
Benton County
2020 Five Year Road**

Program

Resolution #20-13

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.

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-PO-5037- -73-06 PO-5037 TPMS ID: 16306	33rd Ave: Over blue Creek 90 x 30.5 CCS Bridge S24:T86:R9	10 073080	320 - Bridges County: Area Service		\$400 \$0 FM \$400 LcL	
Totals						\$400

The following (FY19) OLD project shall be ADDED into the Program’s Accomplishment year:

Signed this 11th day of February, 2020

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Discussion regarding the acceptable use of internet policy was had, no action was taken.
Seeman moved/Bierschenk seconded: To adjourn. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 13, 2020

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 Primmer and Seeman present. Bierschenk arrived later.

Discussion was held on the FY21 county budget. The dirt road known as 61st Street south of Vinton was a big topic. Wayne Siela brought up the concern with ag traffic traveling through town on C Ave and 13th Street. Siela would like to see something done that could detour all the ag traffic and make it safer near the schools and avoid all those traffic stops. He would like support from the Supervisors, Farm Bureau members and also the City of Vinton. Infrastructure improvements in this area would be good timing if this could be combined with the new sub-division development south of town.

Further budget topics ranged from additional road discussions, watershed management, mental health and other issues. **Seeman moved/Bierschenk seconded:** To adjourn at 7:40 p.m. Motion carried.

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 18, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were all present. The meeting was called 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 11, 2020 and February 13, 2020. Motion carried.

Bierschenk moved/Seeman seconded: Approve Resolution #20-14, Variance to Benton County Subdivision Ordinance. Motion carried.

RESOLUTION #20-14

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 Zachary Ellis 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 lot located within Parcel B in SE ¼ NW ¼ of 3-T85N-R9W.

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 Parcel B in SE ¼ NW ¼ of 3-T85N-R9W.

Adopted this 18th day of February, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Wendling Quarries, Inc. in part of the SW1/4 NW1/4 of 31-86-10. John Tuthill, representing Wendling Quarries was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Wendling would like to propose a change of 15.5 acres into non ag use for sand and gravel extraction. CSR is 65, land is not in production. The existing driveway meets all requirements. The parcel under review is immediately adjacent to the site currently used for the existing sand and gravel site owned by Coots Materials. The change would allow Wendling's to expand and keep continuity of the operations. The required notifications were sent to the adjacent landowner's and published in the official newspapers with no comments heard. There is no building, so won't be a need for well and septic. Tuthill explained how using the existing infrastructure in place at this site, will get them another 10-20 years of materials. Hearing no other further comments, the public hearing was closed.

Seeman moved/Bierschenk seconded: To approve land use change for Wendling Quarries, Inc. for 15.5 acres to non ag use and allow them to remove overburden material and dredge for sand and gravel on part of the SW1/4 NW1/4 SW1/4 of 31-86-10. Motion carried.

Bierschenk moved/Seeman seconded: to approve Resolution #20-15, Approve hire of Treasurer's Clerks. Motion carried.

RESOLUTION #20-15

APPROVE HIRE OF TREASURER CLERKS

WHEREAS, the Benton County Treasurer requested and was granted approval to hire clerk(s); and

WHEREAS, the treasurer has advertised and conducted interviews for said full-time positions, including all veterans who applied; and

WHEREAS, after careful consideration, the treasurer has recommended that Alex Maynard and Ann Stephens be hired to fill the positions;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hire of Alex Maynard and Ann Stephens as clerks in the treasurer's office, at an annual salary of \$30,000, effective March 2, 2020, is hereby approved.

Dated 18th day of February, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve early notices for publication regarding the environmental review for CDBG-13-NDRI-001 for Benton, Buchanan and Tama counties. Motion carried.

Bierschenk moved/Seeman seconded: To approve and authorize chairman to sign cyber and technology liability renewal application. Motion carried.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

February 25, 2020

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve the minutes of February 18, 2020. Motion carried.

Bierschenk moved/Seeman seconded: Approve payroll checks numbered 141133 through 141159, ACH deposits numbered 40835 through 40972, vendor checks 234310 through 234317 claims numbered 234318 through 234443. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date of Tuesday, March 24, 2020 at 9:10 a.m. for Justin and Stacy DeMoss for a part of Parcel A in NW ¼ NW ¼ 25-82-11. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date of Tuesday, March 24, 2020 at 10:00 a.m. for Kevin and Deb Kacena for part of the W ½ NW ¼ NW ¼ of 34-86-10. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for William and Kelsey Bird in part of the SW1/4 SE1/4 of 31-82-11. The Bird's were present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Bird would like to propose a change of one acre into non ag use for building a new home. CSR is 58, land is not in production, and most surrounding use is pasture and timber. The existing driveway meets all requirements. The parcel will need a new septic system and can hook into the existing rural water, so won't need a new well. The required notifications were sent to the adjacent landowner's and published in the official newspapers and only hearing from one, not for or against. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve land use change for William and Kelsey Bird for one acre to build a new home on part of the SW1/4 SE1/4 of 31-82-11. Motion carried.

FY21 Maximum Levy Budget Hearing was opened to the public. No members of the public present. Auditor Rippel handed out the proposed FY 21 budget packet and explained that this was the new requirement for budget certification due to SF 634 (new Code of Iowa 331.433A). All Cities and Counties have to abide by this. This hearing was for the purpose of taxpayers and residents of the county to present to the board objections to, or arguments in favor of the tax asking. Following the hearing, the board may decrease, but not increase the proposed maximum asking for the county services. Once this is adopted by resolution, it also has to be available to the public and then we can proceed to the next budget hearing process. Hearing no more comments, the public hearing was closed.

Seeman moved/Bierschenk seconded: To approve Resolution #20-16, Approval of the FY 21 Maximum Property Tax Dollars. Motion carried.

Resolution #20-16

Approval of FY 2021 Maximum Property Tax Dollars

WHEREAS, the Benton County Board of Supervisors have considered the proposed FY 2021 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county website, and

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on February 25, 2020.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Benton County that the maximum property tax dollars for General County Services and Rural County Services for FY 2021 shall not exceed the following:

General County Services - \$7,942,837

Rural County Services - \$3,077,607

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY 2021 does represent an increase of 6% from the Maximum Property Tax dollars requested for FY 2020.

By Roll Call Vote:

Ayes: Seeman, Bierschenk and Primmer

Nays: None

Passed and adopted the 25th day of February 2020.

Attest: Hayley Rippel, Benton County Auditor

Rick Primmer, Chairman
Benton County Board of Supervisors

Supervisor Seeman gave an update from his recent landfill commission meeting. He spoke on the challenges of recycling or disposing of wind turbine blades. There is a plant in Newton that may handle this. This discussion led to solar panels also.

Bids were received as follows for 2 sheriff patrol cars:

Thys Motors, Belle Plaine for 2020 Dodge Durango Pursuit V6 AWD -\$29,227.00 each

Thys Motors, Belle Plaine for 2020 Dodge Durango Pursuit V8 AWD-\$31,303.00 each

Thys Motors, Blairstown for 2020 Chevy Tahoe 4X4 Police pkg-\$37,698.00 each

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

The Sheriff asked to have some time to look over the bids and discuss before recommending action.

Seeman moved/Bierschenk seconded: To approve to hire of Amber Pierce as a part-time communications specialist at the sheriff's office starting at \$14.92 an hour. After successfully completing probation of 120 days wage will increase to \$15.92 an hour and then would be adjusted per union contract, effective February 25, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve hire of Adrieonna Hennings as a part time employee at the rural access center at \$20.00 an hour effective February 25, 2020. Motion carried.

Bids were advertised and received as following for the new Transportation Building:

Stark Construction-Labor for construction-\$63,500
 Edwards Plumbing and Heating-\$25,990 for the heating and duct work and \$37,960 for plumbing
 Wirtanen concrete -\$57,280
 Pickering Backhoe Service-\$7,589.28 for exterior sewer and water hook up
 Atkins Lumber-Material-\$140,320.59
 Halstead Doors-\$4,900 to install 2 overhead doors and opener
 Bearbower Drywall-interior drywall hanging and finishing-\$7,651.20
 McDowells-material-\$133,315

No action was taking on the bids. Supervisor Seeman and Dana Burmeister, Transportation director will meet and go over everything, and re-assess the missing needs such as electrical and insulation bids and determine the next steps. This will be put back on agenda for next week.

Seeman moved/Bierschenk seconded: Award vehicle bid to Thys Motors, Belle Plaine for (2) 2020 Dodge Durango AWD V8 for a total cost of \$62,606.00. Motion carried.

Seeman moved/Bierschenk seconded: To authorize chairman Primmer to sign and allow Benton County to act as the fiscal agent for the Historic Preservation Commission to apply for a \$10,000 grant for a project replacing stained glass windows at Spencer Grove Church. Motion carried.

Bierschenk moved/Seeman seconded: To appoint Edwon Yedlik to replace Jeff Young who moved out of the county on the Historical Preservation Commission with term ending on December 31, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To authorize signature by Primmer to sign the Certified Local Government Annual Report. Motion carried.

Bierschenk moved/Seeman seconded: To authorize chairman to sign tribal notices describing activities planned through the Iowa Watershed Approach Program funded by a National Disaster Resiliency grant under the Community Development Block Grant program. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize chairman to sign change order for schedule 5 for Schrader Tiling & Terrain, LLC for an additional \$5,500. Motion carried.

Seeman moved/Bierschenk seconded: To approve and sign title sheet for bridge replacement project BROS-SWAP-CO06(98)—SE-06 on 75th Street in Florence Township. Motion carried.

Seeman moved/Bierschenk seconded: To approve and sign title sheet for box culvert replacement project BROS-SWAP-CO06(107)—FF-06 in Benton Township. Motion carried.

Conservation Director Karen Phelps came to sit in on FY21 budget discussion. The board had asked for estimates regarding the new building for Hannen Lake and some other inquiries on land purchases. Phelps will get an estimate and report back at a later time. Other discussion such as fund transfers and other clean up that needs to take place before it can be scheduled for publication.

Bierschenk moved/Seeman seconded: Set the FY 21 Budget hearing date of Tuesday March 17, 2020 at 9:30 a.m. with an alternate date of March 24, 2020 at 9:45 if we can't meet the publication deadlines. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 3, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were all present. The meeting was called 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 25, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date of Tuesday, March 31, 2020 at 9:15 a.m. for Jeffrey and Amy Herbert for a part of SW ¼ NW ¼ 28-82-11. Motion carried.

Bierschenk moved/Seeman seconded: To approve part-time hiring of Gary Benson in the Auditor's office for additional election help on an as needed basis at \$20/hour effective immediately. Motion carried.

The Board discussed some recent letters received. One was from residents who live near the proposed location of rumble strips and the other from DOT regarding traffic safety. Bierschenk reported that strips are generally not used where the sound could be "obtrusive" to nearby residents or businesses. Alternate measures may be taken, such as flags, beacons and larger signs. He would like the county to do whatever it takes to keep the people happy and the intersection

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

safe. Primmer pointed out that anything the state decides would supersede what they do at the county level. Auditor Rippel pointed out the legislation regarding this and to keep up with the weekly updates that are provided. No action was taken, and the Engineer was not present. They hope to get a representative from the DOT to attend a future meeting and be involved in further discussion.

A lengthy discussion was had regarding the various bids that were received last week for the proposed new Transportation Building. Seeman has been trying to serve as the general contractor, which he said would save the taxpayers money. They went over how the work was advertised and what aspects of the process was missing such as insulation and electrical work. The County Attorney recommended that they re-advertise for the missing areas of the project. Thompson also outlined ramifications of having a supervisor or the supervisors serving as a general contractor. They would reach out to a few people and see if they were interested and willing to help serve as the contractor. A new notice will be placed in the papers so that we can continue to move forward with getting this project started as soon as possible.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 10, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman were present. Supervisor Primmer called in periodically throughout the meeting. 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 March 3, 2020. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141160 through 141199, ACH deposits numbered 40973 through 41111, vendor checks 234444 through 234450 claims numbered 234451 through 234593. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution # 20-17, Gifting LOSST funds to Cedar Mt. Auburn Fire Department.

RESOLUTION #20-17

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

WHEREAS, the Cedar Mt. Auburn Fire Department has requested a gift of funds; and

WHEREAS, the Cedar Mt. Auburn Fire Department provides emergency services to areas in Cedar Township, City of Mt. Auburn and mutual aid to other surrounding townships;

WHEREAS, the Cedar Mt. Auburn Fire Department has provided invoices totaling 20,000 for the purchase of an emergency response truck; and

WHEREAS, the Cedar Mt. Auburn Fire Department agrees that the vehicle 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 Gift to the Cedar Mt. Auburn Fire Department in the amount of \$2,000.00 which represents ten percent of the total purchase price for equipment.

Adopted this 10th day of March, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST: _____
Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Zach Ellis in part of the SE1/4 NW1/4 of 3-85-9. Zach Ellis was present along with numerous concerned neighbors and citizens. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Ellis plans to use the land for a new building on his owned parcel where he would move his business. The business is manufacturing corrugated boxes. The driveway met the required criteria and can be widened. CSR is 56 with surrounding use being farm ground. Adjacent owners were notified, and those present voiced their concern on the safety issues and the preservation of ag land as described in Benton County’s land use ordinance. Neighbor Joyce Wyckoff spoke on her safety concerns due to increased traffic this could cause and the dust it could create being along a curve and a semi backing into a driveway. Other nearby residences spoke on traffic concerns as well as noise and if there was an expansion on the facility in the future, and the deterioration of the gravel road this could cause. Mentioning there is an industrial area where development should occur. Land Use Administrator Marc Greenlee stressed there is control on what can be done with the building, if the land is sold, the building would have to continue to be used for the approved specific intended use as proposed by Ellis. Any other use would need to be approved by the Board of Supervisors. Seeman and Bierschenk agreed they would like to go see the driveway in person and make sure things are done in a safe manner.

Seeman moved/Bierschenk seconded: To table action on land use hearing for Zach Ellis in part of the SE1/4 NW1/4 of 3-85-9 for Tuesday, March 17, 2020 at 9:05 a.m. Motion carried.

Matt Boggess, Vinton Park and Recs Director along with Chris Ward, City of Vinton Administrator spoke about using the county right of way for a bike and walking trail and using courthouse lawn for some upcoming events. Myron Parizek, County Engineer will look at the route to field concerns and questions since a portion of the walking trail is on county property.

Seeman moved/Bierschenk seconded: To approve use of courthouse lawn application from the Vinton Park and Recreational Department for June 18, 2020 and October 31, 2020. Motion carried.

Election Deputy Gina Edler and the board proceeded with canvassing the March 3, 2020, Special City/School Election. Andrew M. Elwick of **City of Vinton Council District 2** was declared the winner.

Seeman moved/ Bierschenk seconded: To declare the canvass of the Special 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.

Seeman moved/Bierschenk seconded: To approve utility permit for East Central Iowa REC to bore under the county right of way in Canton Township. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit for Northern Natural Gas in Bruce Township. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit(s) for Poweshiek Water Association in Leroy and Florence Townships for new residences. Motion carried.

Seeman moved/Bierschenk seconded: To approve IDOT agreement No: 6-20-HBP-SWAP-013 for County Bridge Federal-aid SWAP funding on Project BROS-SWAP-CO06(98)—SE-06. Motion carried.

Seeman moved/Bierschenk seconded: To approve IDOT Federal-aid agreement No: 6-20-CHBP-003 for Competitive Highway Bridge Program on project Numbers: BRS-CHBP-CO06(115)—GB-06, BROSCHBP-CO06(117)-NC-06, BROSCHBP-CO06(110)-GA-06 and BROSCHBP-CO06(116)-GA-06. Motion carried.

Seeman moved/Bierschenk seconded: To Approve Cooperative 28E Agreement between Benton County and Johnson County for a Competitive highway Bridge Program (DHBP) Projects approved. Motion carried.

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

Gary Bierschenk, Co-Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 17, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman were present. Supervisor Primmer participated via telephone so Co-Chairman Bierschenk 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 for Damien and Jessica Andrew in part of the NW ¼ of NW ¼ & the NE ¼ NW ¼ of 31-82-10 for Tuesday, April 14, 2020 at 9:15 a.m. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of March 10, 2020. Motion carried.

Primmer moved/Seeman seconded: To accept resignation of Michele Sauer, Treasurer effective March 31, 2020. Motion carried.

Primmer moved/Seeman seconded: To accept resignation of Renee Petersen, part-time transportation driver effective immediately. Motion carried.

The time of 9:05 a.m. having arrived, and this being the time and date for a land use hearing for Zach Ellis in part of the SE1/4 NW1/4 of 3-85-9. Zach Ellis was present along with neighbors Richard and Joyce Wyckoff. Marc Greenlee gave a quick overview of last week’s hearing. Ellis plans to change use for a new building on his owned parcel

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

where he would move his business of manufacturing corrugated boxes. The driveway was a big concern and supervisors Bierschenk and Seeman visited the sight and also had secondary roads check it another time and it met criteria. Wyckoff's still had safety concerns about the traffic and the corner distance of a blind curve if creating a second driveway. Wyckoff also questioned if Supervisor Primmer had a conflict of interest if his trucking business was involved. Supervisor Primmer explained that his son was the driver who worked for West Rock. After no further discussion, the public hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use change for Zach Ellis in part of the SE1/4 NW1/4 of 3-85-9. Motion carried.

FY20 Budget Hearing was opened to the public. No members of the public present. Vinton Today Media was in attendance live streaming. Auditor Rippel explained that Benton County published both the maximum levy notice along with the regular budget notice and heard no comments. The Mental Health funding as always was a big topic, and the board agreed to leave it as published and not reduce. Hearing no more comments, the budget hearing was closed.

Primmer moved//Seeman seconded: To approve Resolution # 20-18, Adoption of the FY 21 County Budget. Motion carried.

RESOLUTION #20-18 ADOPTION OF THE FY21 COUNTY BUDGET

BE IT REMEMBERED that on this, the 17th day of March 2020, 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 2020-21 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 FY21 salaries for elected officials and as set forth and adopted in Resolution #20-9 is included in the FY21 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-\$830,585 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;

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 appropriate 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	\$5,483,494
General Supplemental	\$2,305,276
Mental Health Services	\$ 854,924
Rural Services Basic	\$3,003,469
Debt Service	\$ 0

IT IS THEREFORE RESOLVED, by the Benton County Board of Supervisors that the FY21 budget is hereby adopted.

Dated this 17th day of March 2020.

Gary Bierschenk, Co-Chairman

Rick Primmer

Tracy Seeman

ATTEST:

Hayley Rippel, Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Transportation building bids for insulation and electrical were opened and read as follows:

CV Insulation-\$19,142

G & H Electric-\$62,456

No action was taken on the bids. It will all be discussed as a whole in a future board meeting.

Seeman moved/Primmer seconded: To appoint Ben Vierling, Assistant County Engineer as Project Manager for the ground transportation building. Motion carried.

Group Benefit Partners, the new Agent contracted through Iowa State Association of Counties for Benton County's Health insurance met in a conference webinar set up. The current client benefits were presented along with the partial self-funded illustration. Group Benefit Partners also provided a few different renewal options. No action was taken, Benton County will need to take action with their official renewal soon that will become effective July 1, 2020 through June 30, 2021.

Seeman moved/Bierschenk seconded: To approve WMA publication of final notice and public explanation of a proposed activity in a 100-7ear floodplain or wetland in Benton, Buchanan and Tama County. Motion carried.

Seeman moved/Bierschenk seconded: To approve and sign change order no. 1 for Project no 8600 for Peterson Contractors, Inc. in the amount of \$2,800 for the WMA. Motion carried.

Primmer moved/Seeman seconded: To approve fireworks permit for Chuck Yedlik for the dates of April 4, May 23 and 24th, and October 24, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-19, Stop Sign Addition. Motion carried.

RESOLUTION #20-19

WHEREAS: The Garrison Quarry (Wending Quarries, Inc.) has a stripping operation underway with an excavating contractor (Steger Construction Inc.), and

WHEREAS: The stripping material will be transported across County Route E22 (61st Street), and

WHEREAS: A steel plate will be placed on the paved road for the heavy loads crossing the pavement, and

WHEREAS: The present traffic will need to stop before crossing this steel plate,

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that for the safety of the traveling public, the east and west traffic be required to stop and that regulatory signs be placed at the following locations along County Route E22 (61st Street).

1. Approximately 600 feet west of the SE corner of Section 28, T85N, R11W.
2. Approximately 650 feet west of the NE corner of Section 33, T85N, R11W.

AND, BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that these regulatory signs be removed at the completion of the project.

Signed this 17th day of March, 2020.

Gary Bierschenk, Co-Chairman

Rick Primmer

Tracy Seeman

ATTEST:

Hayley Rippel, Auditor

Office space for Foundation 2 was discussed for service center. They offer crisis prevention and intervention. Sheriff Tippett requested office space to take care of privacy issues and was willing to do some remodeling of the Rural Access Center area and obtained some quotes. HIPPA is a concern. Action and more quotes will be discussed at a future meeting.

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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. County Attorney David Thompson will release an official response at 4:00 p.m. in regards to what was discussed in closed session.

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

Gary Bierschenk, Co-Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 20, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. Supervisor Primmer called the meeting to order at 9:00 a.m. *Unless otherwise noted, all actions were approved unanimously. The department heads were given the zoom call information for Covid 19 update.*

Auditor Rippel discussed the vacancy in the Treasurer's office effective March 31, 2020 and reviewed Iowa Code Chapter 69 and the options to proceed in filling the vacancy of an elected official. Melinda Schoettmer presented her interest in the appointed position. This vacancy will be on the ballot for the upcoming elections in 2020.

Seeman moved/Bierschenk seconded: To proceed with filling the Treasurer vacancy with the intent to appoint Deputy Treasurer Melinda Schoettmer on Tuesday, April 7, 2020 at 9:15 a.m. and will prepare the official public notice. Motion carried.

Bierschenk moved/Seeman seconded: To enter into closed session pursuant to Iowa Code 21.5(1)j. Motion carried at 9:15 a.m.

Seeman moved/Bierschenk seconded: To enter back into open session at 10:25 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To follow the procedures as discussed in closed session and continue to keep the courthouse closed to the public and all employees report to work as normal. Only allowing the public to enter for legally mandated purposes and essential services and will continue with future updates as we move forward in response to the COVID-19 guidelines. All voting aye. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 24, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of March 17 and March 20, 2020. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141200 through 141223, ACH deposits numbered 41112 through 41250, vendor checks 234594 through 234601 claims numbered 234602 through 234696. Motion carried.

The time of 9:10 a.m. having arrived, and this being the time and date for a land use hearing for Justin and Stacy DeMoss in part of Parcel A in NW ¼ NW ¼ 25-82-11. Justin DeMoss called in to join the meeting and the public was also given notice if they needed to call in and participate. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. DeMoss previously removed an old mobile home put an apartment in its place, they would like to build a new home and keep the apartment also. This location is on a hard surfaced road and the existing driveway meets the required criteria. Ground is not in production and has an average CSR of 63. It will need a new septic. 4 adjacent land owners were notified and hearing no comments. Public hearing was closed.

Bierschenk moved/Seeman seconded: To approve land use hearing for one acre to allow Justin and Stacy DeMoss in part of Parcel A in NW ¼ NW ¼ 25-82-11 to build a new home. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit for Poweshiek Water Association along US Hwy 30 between 14th and 22nd Ave. Motion carried.

RFQs were received for the Benton County Iowa Multi-Jurisdictional Hazard Mitigation Plan update as follows:

Two Rivers Emergency Management-\$22,000

Steve Meyer Consulting LLC-\$12,000

Seeman moved/Bierschenk seconded: To award the quote to update Benton County's Multi-Jurisdictional Hazard Mitigation Plan to Steve Meyer Consulting LLC for \$12,000 and to continue having Scott Hansen as the Project Manager. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

The time of 10:00 a.m. having arrived, and this being the time and date for a land use hearing for Kevin and Deb Kacena in part of W1/2 NW ¼ NW ¼ 34-86-10. Kacena's joined the meeting by phone. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Kacena's would like to build a proposed 64' X 108' barn for an event/wedding venue. Currently part of this ground is used as a pumpkin and Christmas tree farm. Land is not in production, soil is of fine sand and no slope with a CSR of 45. They will need a new well and septic for this and they will obtain proper licenses for their kitchen. The existing driveway meets Iowa DOT requirements. Adjacent land owners were notified and hearing one comment from the Guenthers being in favor of such a lovely addition to the community. Greenlee felt this was a nice fit. Hearing no other comments, public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use hearing for Kevin and Deb Kacena in part of the W1/2 NW ¼ NW ¼ 34-86-10. Motion carried.

Quotes for Service Center remodel to allow Foundation 2 to be shared within the Rural Access Center were discussed.

Atkins Lumber -\$1614.05 (materials only)

McDowells, Inc. -\$3264.46 (materials) and \$3,150.00 (labor)

Primmer moved/Bierschenk seconded: To approve the quote from Atkins Lumber for the remodel of the Rural Access Center for Foundation 2 to have privacy. Motion carried.

Bids were reviewed from previous meetings in regards to the new Benton County Transportation Center. The county has been approved for a grant for up to \$318,000 towards the cost. There is as an agreement in place with East Central Iowa Council of Government (ECICOG) and once all this is officially approved by them and the Department of Transportation we can continue moving forward.

Primmer moved/Bierschenk seconded: To approve bids as followed for the Benton County Transportation Center. Motion carried.

1. \$131,140.00 Atkins Lumber
2. \$63,500.00 Starks-labor to build it
3. \$25,990.00 Edwards Plumbing
4. \$37,960.00 Edwards Heating
5. \$57,280.00 Wirtanen Concrete
6. \$7589.28 Pickering backhoe and sewer
7. \$62456.00 G & H Electric
8. \$19142.00 CV Insulation (for the better insulation)
9. \$20,208.00 Infrastructure Technology Solutions

Seeman moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)k Motion carried at 10:35 a.m.

Bierschenk moved/Seeman seconded: To exit closed session. Motion carried.

Seeman moved/Bierschenk seconded: To ask department heads and elected officials to prepare a continuation plan for offices to continue running smoothly in regards to the COVID 19 response plans. They would like these submitted by 1:00 p.m. Wednesday March 25, 2020 and there will be another meeting to discuss further at 3:00 p.m. on March 25, 2020. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 25, 2020

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 3:00 p.m. This meeting was zoom accessible to keep the amount of people present limited to 10 and under. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To enter into closed session pursuant to Iowa Code 21.5(1)k Motion carried at 3:05 p.m.

Bierschenk moved/Seeman seconded: To exit closed session at 3:55 p.m. Motion carried.

Seeman moved/Bierschenk seconded: To give the department heads and elected officials the discretion pursuant to follow their submitted plans for allowing employees to work from home or rotate their staff in the office accordingly in order to reduce the possible spread of the COVID-19 virus and keeping the county offices running smoothly. This is effective Thursday March 26, 2020 through Friday April 3, 2020. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 31, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of March 24 and March 25, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve Auditor's Quarterly Report ending March 31, 2020. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: To approve Resolution #20-20, Approving Replat of Fehl First Addition to Benton County. Motion carried.

**RESOLUTION #20-20
RESOLUTION APPROVING THE REPLAT OF THE FINAL PLAT OF
"FEHL FIRST ADDITION",
BY BENTON COUNTY, IOWA**

WHEREAS, at the request of the developer of Fehl First Addition, Benjamin Fehl, a replatting of the Final Plat of Fehl First Addition to Benton County, Iowa, containing two lots, has been submitted for approval to the Benton County Board of Supervisors consisting of the following described real estate:

THIS REPLAT OF THE FINAL PLAT OF FEHL FIRST ADDITION REPRESENTS A SURVEY OF:

Existing Parcel "A" per Plat of Survey dated 8/25/2008 recorded in Book 8 Page 4042 in the Office of the Benton County Recorder, described as follows:

That part of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section No. 16, Township No. 86 North, Range No. 12 West of the Fifth Principal Meridian, Benton County, Iowa, described as follows:

Beginning at the Southeast corner of said Southeast Quarter of the Southwest Quarter, point being a found "mag" nail in A.C.C. pavement with license #15525;
thence along the South line of said Southeast Quarter of the Southwest Quarter South 89°56¼' West a distance of 830.5 feet to a set "mag" nail in A.C.C. pavement with license #15525;
thence North 00°18' East a distance of 523.5 feet to a set ½" rebar with license #16264;
thence South 89°45¼' East a distance of 828.5 feet to the East line of said Southeast Quarter of the Southwest Quarter, point being a set ½" rebar with license #16264;
thence along said East line South 00°04¼' West a distance of 519.0 feet to the point of beginning.

Containing 9.93 acres including 0.63 acres of right-of-way.

Subject to easements, restrictions, covenants, ordinances and limited access provisions of record and not of record.

Note: The South line of said Southeast Quarter of the Southwest Quarter is assumed to bear South 89°56¼' West for this description.

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 replatting of the Final Plat of Fehl First Addition would be advantageous to Benton County, Iowa, and

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that said replatting of the Final Plat of Fehl First Addition to Benton County, Iowa, will be and the same hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981.
2. Any new private water supply system will be constructed with the approval of the Benton County Health Department.
3. Any new private on-site sewage treatment system will be constructed with the approval of the Benton County Health Department

The Benton County Auditor is hereby authorized and directed to certify a copy of this Resolution to the County Recorder of Benton County, Iowa, and affix the same to said Final Plat as provided as law.

ADOPTED AND PASSED this 31st day of March, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: To approve Class B liquor license for Bloomsbury Farms, Atkins. Motion carried.

Seeman moved/Bierschenk seconded: To approve Class B liquor license for Watkins Community Athletic Association. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jeffrey and Amy Herbert in part of SW 1/4 NW 1/4 28-82-11. Jeffrey Herbert joined the meeting by phone. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Herbert would like to build a new home and change 1 acre of his 20 acres CSR is low, driveway can be used and this will need a new septic, but existing well is fine. Adjacent land owners were notified and hearing from nobody, with no other comments, public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use hearing for Jeffrey and Amy Herbert in part of the SW 1/4 NW 1/4 28-82-11. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-21, Approving Final Plat for ZRCompany Addition to Benton County. Motion carried.

ZRCOMPANY ADDITION
TO BENTON COUNTY, IOWA
RESOLUTION APPROVING PLAT
RESOLUTION #20-21

WHEREAS, a Plat of ZRCompany 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 ZRCompany 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:

4. 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.
5. Any new water supply will be constructed with the approval of the Benton County Department of Health.
6. 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 31st day of March, 2020.

Benton County Board of Supervisors

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

Attest:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

EXHIBIT "A"

The east eighty feet of Parcel B, Plat of Survey in the Southeast Quarter of the Northwest Quarter of Section 3, Township 85 North, Range 9 West of the Fifth Principal Meridian, Benton County, Iowa, described as follows:

Commencing at the Center of Section 3, Township 85 North, Range 9 West of the Fifth Principal Meridian; thence S88°07' 45"W along the south line of the Northwest Quarter of said Section 3, a distance of 484.31 feet; thence N0°37' 45"W, 69.59 feet to the Southeast Corner of Parcel 8, Plat of Survey in the Southeast Quarter of said Northwest Quarter and the point of beginning; thence continuing N0°37' 45"W along the east boundary of said Parcel 8, 346.33 feet to the Northeast Corner of said Parcel 8; thence N87°46'23"W along the north boundary of said Parcel 8, 80.10 feet; thence S0°37' 45"E, 352.06 feet to the south boundary of said Parcel B; thence N88°07'26"E along said south boundary, 80.02 feet to the point of beginning.

Said parcel contains 0.64 acre, subject to easements and restrictions of record.

Bierschenk moved/Seeman seconded: To approve Resolution #20- 22, Proclamation of Sexual Assault Awareness Month. Motion carried.

RESOLUTION # 20-22 PROCLAMATION OF SEXUAL ASSAULT AWARENESS MONTH

WHEREAS, sexual assault affects individuals of any gender, race, culture or socio-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 2020 is hereby proclaimed as: "SEXUAL ASSAULT AWARENESS MONTH"

Signed this 31st day of March, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: Set FY 20 Budget Amendment hearing date of April 24, 2020 at 9:30 a.m. Motion carried.

Bierschenk moved/Seeman seconded: To approve East Central Iowa REC utility permit for buried electric under 19th Ave. and along 62nd Street Drive in Big Grove Township. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit for Gary and Jill Marlow to bury waterline underground along 55th Street in Harrison Township. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit for Interstate Power and Light Alliant Energy to bury electric under and along 78th Street Trail in Iowa Township.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve hire of part-time driver Mark Volesky at \$16.50 an hour effective April 1, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To keep the 2020 MC-70 Dust Control fees same as last year. The first 400 feet is \$1,185.00 and \$2.00 per foot after that with a minimum of 50-foot increments. Motion carried.

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

Bierschenk moved/Seeman seconded: To exit closed session. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

April 7, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of March 31, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve Recorder's Quarterly Report ending March 31, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To authorize signature on the receipt from FEMA for flood insurance for properties the county own in Vinton. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141224 through 141233, ACH deposits numbered 41251 through 41383, vendor checks 234697 through 234703 claims numbered 234704 through 234840. Motion carried.

Bierschenk moved/Seeman seconded: To approve Sheriff's Quarterly Report ending March 31, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-23, Appointing Treasurer per vacancy. Motion carried.

RESOLUTION #20-23

WHEREAS, the Benton County Appointed Treasurer, Michele Sauer resigned effective March 31, 2020, 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 Melinda Schoettmer as the successor to fill in as the Benton County Treasurer until an elected candidate takes office after the November, 2020 Election.

Dated this 7th day of April, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST: _____
Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: To approve Resolution #20-24, Treasurer Deputy Certification. Motion carried.

RESOLUTION #120-24
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:

- Rose Sackett - \$50,669.42 FY19/20
Joy McGowan - \$44,984.99 FY19/20

Dated this 7th day of April 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve renewal for Kingston Life to continue providing life insurance coverage and stay with the same ISAC Group 11E Select plan through Group Benefit Partners, and keep same dental and eye. Motion carried.

Discussion on various department's budget amendment requests were had. Auditor Rippel is still waiting on a few, and depending when those amounts come if the publication deadline will be met, and the hearing date might have to be changed accordingly.

Seeman moved/Bierschenk seconded: To continue keeping the courthouse closed to the public using the Governor's recommendations through April 30, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)c and 21.5(1)g Motion carried at 10:33 a.m.

Bierschenk moved/Seeman seconded: To exit closed session. Motion carried.

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

Rick Primmer, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

April 14, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session. Unless otherwise noted, all actions were approved unanimously.

Seeman moved/Bierschenk seconded: To approve the minutes of April 7, 2020. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk seconded: To approve the agreement with Master’s Touch, LLC for tax statement processing and mailing. Motion carried.

Bierschenk moved/Seeman seconded: To change the Budget Hearing for FY 20 amendment from April 24, 2020 to May 12, 2020 at 9:30 a.m. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Damien and Jessica Andrew in part of NW ¼ of NW ¼ NE ¼ 31-82-10. Andrews’s joined the meeting by phone. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Andrew’s would like to build a new home on an old farmstead sight. The land is not in production, there are some existing buildings on the farm sight. The existing driveway meets all policy requirements. The sight will need a new septic, but has an existing working well. The proper notice was given to adjacent land owners and only hearing back from one, whom was in favor of the change. No other comments were heard, and the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use hearing for Damien and Jessica Andrew in part of NW¼ of NW ¼ NE ¼ 31-82-10. Motion carried.

Seeman moved/Bierschenk seconded: To approve the Iowa Department of Transportation FY21-25 Secondary Road Construction Program, which reflects secondary road bridges and road upgrades over the next five years. Motion carried.

Seeman moved/Bierschenk seconded: To approve Iowa DOT FY 21 Secondary Road Budget. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-25, Secondary Roads Five Year Program. Motion carried.

Resolution #20-25

2020 County Five Year Program Resolution 0.1

Benton County Secondary Roads

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year 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 2020), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following projects shall be ADDED to the Program’s Accomplishment year:

Project Number Name Project ID	Project Location Description of Work	AADT Length Bridge ID	Type of Work Fund	Total
L-HO-1041 --73 -06 HO- 1041 14713	11th AVE: Over Br Stein Creek Bridge Replacement	15 0.000 miles 72340	320 Bridges Local	\$425,000
L-PO-5037---73-06 PO- 5037 16306	33rd Ave: Over Blue Creek Bridge Replacement	10 0.000 miles 73080	320 Bridges Local	\$400,000

The following projects shall be MODIFIED as follows:

Project Number Name Project ID	Project Location Description of Work	AADT Length Bridge ID	Type of Work Fund	Modifications	Total
BRS-SWAP-C006(107)--FF- 06 BE-2850 8329	E-24: N line Sec 33 - 85 - 9 Culvert Replacement	1640 0.000 miles 72520	332 Box Culverts SWAP	removed 75,000 FM dollars from 2020 added 115,000 SWAP dollars to 2020	\$440,000
BROS-SWAP-C006(98)--SE- 06 FL-4710 10710	75th ST: Over Br Prairie Creek Bridge Replacement	60 0.000 miles 69990	320 Bridges SWAP	Project Number updated Fund basis updated removed 60,000 Local dollars from 2020 added 300,000 SWAP dollars to 2020 removed 240,000 FA dollars from 2020	\$300,000

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

BRS-SWAP-C006(114)--FF- 06 BR-0032 32704	On V37, Over WOLF CREEK, S19 T86 R12 Project is on the Benton-Tama County Line. Total cost is estimated at \$2.4 million. Benton County	1140 0.000 miles 73600	320 Bridges SWAP	Project Number updated Project Location updated Fund basis updated removed 2,200,000 Special dollars from 2020 1,000,000 SWAP	\$1,200,000
BRS-SWAP-C006(108)--FF- 06 CE-1830 29496	On D65, Over SPRING CREEK, S20 T86 R11 Bridge Replacement	440 0.000 miles 73390	332 Box Culverts SWAP	Project Number updated Project Location updated Fund basis updated removed 155,000 FM dollars from 2020 1,000,000 SWAP	\$600,000
BHS-SWAP-C006(--FC-06 LE-5026/old Hwy 82 16307	On V-66, Over Prairie Creek, S13 T82 R11 Bridge Deck Overlay	1790 0.000 miles 14450	320 Bridges SWAP	Project Number updated Project Location updated Fund basis updated removed 400,000 FM dollars from 2020 1,000,000 SWAP	\$400,000
BROS-SWAP-C006(--FE-06 EL 5020 21820	W14: Over BR LITTLE BEAR CREEK Box Culvert Replacement	410 0.000 miles 71101	332 Box Culverts SWAP	removed 450,000 SWAP dollars from 2020 added 450,000 SWAP dollars to 2022	\$450,000
BRS-SWAP-C006(--FF-06	On E44, Over BEAR	1320	332 Box	removed 300,000 SWAP dollars from	\$300,000
EL-5026 36609	CREEK, S13 T83 R10 Culvert replacement	0.000 miles 365430	Culverts SWAP	2020 added 300,000 SWAP dollars to 2022	

Fund	Accomplishment Year		
	Previous Amount	New Amount	Net Change
Local	\$5,055,000	\$5,820,000	\$765,000
Farm-to-Market	\$10,385,000	\$9,755,000	\$-630,000
Special	\$2,800,000	\$600,000	\$-2,200,000
SWAP	\$8,319,000	\$10,734,000	\$2,415,000
Federal Aid	\$2,106,000	\$1,426,000	\$-680,000
Totals	\$28,665,000	\$28,335,000	\$-330,000

Dated this 14th day of April 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Continued COVID 19 discussion was had. As of this meeting time, Barb Greenlee reported that there are 20 confirmed cases in Benton County. Nancy Jorgensen, deputy auditor discussed some topics for handling part-time pay during this time and how things are being coded.

Seeman moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)c and 21.5(1)g Motion carried at 10:20 a.m.

Bierschenk moved/Seeman seconded: To exit closed session at 11:38 a.m. Motion carried.

Seeman moved/Bierschenk seconded: To authorize the county attorney to prepare and post the Weed Commissioner/Iowa Roadside Vegetation Management job opening. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

April 21, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of April 14, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date for Dustin and Nicole Druschel in part of SW1/4 SW1/4 11-85-10. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141234 through 141244, ACH deposits numbered 41384 through 41522, vendor checks 234841 through 234848 claims numbered 234849 through 234967. Motion carried.

Bierschenk moved/Seeman seconded: To certify tax suspension list to Department of Human Services. 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.

Seeman moved/Bierschenk seconded: To increase the insured coverage amounts agreed on for the Courthouse and Benton County Service Center, with new premium costs to begin on July 1, 2020. Courthouse is valued at \$8,000,000 and the Service Center at \$2,056,313 with \$100,000 in contents. Motion carried.

Discussion about the City of Newhall wanting to put up solar panels across the street where the county maintainer shed is. The Board agreed to have them move forward with this and will sign an official easement agreement in the future when everything is in place. The city will be obtaining quotes and also has agreed to do the mowing of this area in the future.

Seeman moved/Bierschenk seconded: To approve utility permit(s) for Interstate Power and Light Company/Alliant Energy to change from overhead to underground lines in Iowa Township. Motion carried.

Seeman moved/Bierschenk seconded: To approve Utility permit for East Central Iowa REC to bore underground in the county's right of way in sections 5 and 6 of Jackson Township. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-26, Bridge Embargo Removal. Motion carried.

RESOLUTION #20-26

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:

HO-1041 0.1 mile south of the NW corner of section 29-84N-12W (Homer Township) on 11th Avenue between 66th Street and 66th Street

Signed this 21st day of April 2020.

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 and sign lease agreement between Benton County and Benton County Agricultural Extension d/b/a Old School Produce Partners through December 31, 2020. Motion carried.

The County Attorney has looked over the lease agreement between East Central Iowa Council of Government (ECICOG) and Benton County. The terminology was fine, but this can wait until the building is done. Thompson was going to see about getting the sub-contractor agreements moving forward so the work can get started.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

April 28, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at <https://www.youtube.com/bentoncountyiowa>.
Unless otherwise noted, all actions were approved unanimously.

Seeman moved/Bierschenk seconded: To approve the minutes of April 21, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve handwritten claims 234968 and 234969. Motion carried.

Bierschenk moved/Seeman seconded: To authorize the Auditor to apply in response to the CARES act for the Vote Safe Iowa Initiative grant funding. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit for Farmer's Mutual Telephone in Canton Township. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit(s) for East Central Iowa REC in Benton and Polk Township. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Bierschenk moved/Seeman seconded: To approve Resolution #20-27, Farm to Market Board Application. Motion carried.

#20-27

FARM TO MARKET REVIEW BOARD APPLICATION RESOLUTION

WHEREAS, a county may apply for modifications to its farm to market system to add or subtract mileage from its system, to accept or delete highways gained or lost through jurisdictional transfers, or to change the classification of roads within its system, and

WHEREAS, the Board of Supervisors of Benton County has consulted with its County Engineer and desires to modify its farm to market road system to provide continuity of intra-county and inter-county routes, to meet the needs of existing or potential traffic, to better meet land use needs, or to provide a more suitable location for a farm to market route, and

WHEREAS, application for modifications to any county's farm to market system must be made to the Farm to Market Review Board per the requirements of Code of Iowa Section 306.6,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY that this county is formally requesting that the Farm to Market Review Board approve the following modifications to its farm to market system:

Road segments proposed for addition to the farm to market system:

33rd Avenue Drive from 61st Street Lane north 1.044 miles in section 25, T-85N, R-9W.

33rd Avenue Drive from near the S¼ corner in section 24, T-85N, R-9W north 0.132 miles to 59th Street Trail.

59th Street Trail from 33rd Avenue Drive east 0.681 miles to Linn County line in section 24, T-85N, R-9W.

[Benton Linn Road from 71st Street to 72nd Street 1.00 mile in section 24, T-83N, R-9W.]

Total Mileage added to the Farm to Market System: **1.857** miles

Road segments proposed for deletion from the farm to market system:

Proposed road from near the N¼ corner in section 36, T-85N, R-9W east 0.5 miles to Linn County line.

Total Mileage deleted from the Farm to Market System: **0.50** miles

The Board of Supervisors of Benton County, in lawful session this 28th day of April, 2020 hereby adopts this farm to market modification resolution.

Recommended:

Approved:

County Engineer

Chair, Board of Supervisors

Attest:

Benton County Auditor

Members

The Board gave Engineer approval for part-time seasonal hire for Secondary Roads. **Seeman moved/Bierschenk seconded:** To approve and authorize the chair to sign the Certification of Cost Allocation Plan for FY19 prepared by Cost Advisory Services, Inc. Motion carried.

Janssen Waterproofing brought in some photos of additional courthouse repairs he feels that needs done on the south entrance and elevation. Randy felt that new copper flashing would be beneficial and will present an official quote/bid for next week's meeting.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: Enter closed session at 9:58 a.m. pursuant to Iowa Code 21.5(1). Motion carried.

Seeman moved/Bierschenk seconded: To exit closed session at 11:07 a.m.

Seeman moved/Bierschenk seconded: To approve Resolution #20-28, Combining Weed Commissioner and Roadside Manager position into a single position called Ecologist. Motion carried.

RESOLUTION #20-28

WHEREAS: Benton County is required by Iowa Code Chapter 317 to annually appoint a Weed Commissioner; and

WHEREAS Benton County also participates in Roadside Management functions pursuant to Iowa Code Chapter 314, and

WHEREAS: Benton County combines the job function of both Weed Commissioner and Roadside Manager into a single position called Ecologist, and

WHEREAS: Benton County has approved necessary changes to the job description of Ecologist to improve the management and day to day operations of this department, and

WHEREAS Benton County currently has a vacancy in the position of Ecologist and has need of appointing and hiring an Ecologist to fulfill these functions; and

WHEREAS: The position of Ecologist has been duly posted in compliance with Iowa Code Chapter 35C and applications were received and reviewed by the Board of Supervisors.

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Ben Bonar be hired and appointed to fill the Ecologist/Weed Commissioner position at a starting wage of \$24.12 per hour starting May 4, 2020.

Signed this 28th day of April, 2020.

Rick Primmer, Chairman

Gary Bierschenk

ATTEST:

Tracy Seeman

Hayley Rippel, Benton County Auditor

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

May 5, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present, Primmer participated via zoom, and Bierschenk acted as Chair and called the meeting to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of April 28, 2020. Motion carried.

Primmer moved/Seeman seconded: To approve Tier 1 Environmental Assessment for Community Block Grant through the IEDA for watershed improvements specific to Tier 2 Review and approve the proper notices for the paper. Motion carried.

Seeman moved/Primmer seconded: Approve and sign the intent to obligate construction funds and affirmation of duplication of Benefits subrogation for CDBG Grant Project for the Middle Cedar Bid Pack 4. Motion carried.

Randy Janssen from Janssen Waterproofing updated the board on the findings for additional courthouse repairs needed and had brought estimates and pictures of the concerned areas. Copper flashing is needed on top of the pediment on the south elevation about the south entrance and will include gable sides and stone piers of the pediment. Along with some windowsills to the outer edge of the banister.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Primmer moved/Seeman seconded: To approve the additional work in the total amount of \$40,179.00 with Janssen Waterproofing, Inc. along with D & S Sheetmetal, Inc. Motion carried.

Primmer moved/Seeman seconded: To approve the public notices for roadside spraying which will begin May 13, 2020 and also the notice to organic farmers and vineyards who need to notify the county if they don't want the spraying. Motion carried.

Seeman moved/Primmer seconded: To approve Resolution #20-29, Destruction of Noxious Weeds. Motion carried.

Resolution #20-29 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 **June 1, 2020** and as often thereafter as is necessary to prevent seed production:

Primary Noxious Weeds: Destroy by: June 1, 2020	Secondary Noxious Weeds: Destroy By: June 1, 2020
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, Buckhorn 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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Dated this 5th day of May 2020.

Gary Bierschenk, Chairman

Rick Primmer

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Seeman seconded: To authorize and approve signature of the transportation building contracts with Edwards Plumbing and Heating, G & H Electric, Stark Construction, Pickering Backhoe and Worthington Concrete. Motion carried.

Seeman moved/Primmer seconded: To approve and sign the builder's risk insurance coverage in the amount of \$1,231.00 with Gallagher Risk Insurance for the construction of the new Transportation Building. Motion carried.

Primmer moved/Seeman seconded: Approve utility permit for East Central Iowa REC in Harrison Township. Motion carried.

Primmer moved/Seeman seconded: To approve IDOT agreement for County Bridge Federal-Aid-SWAP funding for Bridge on D5, West of Mt. Auburn. Motion carried.

Primmer moved/Seeman seconded: To approve for the purchase of heavy equipment low boy trailer for secondary roads. Motion carried.

Engineer also provided an update on the right of way acquisition for bridge in Florence Township on 75th Street. Supervisor Primmer reported about items left at the recycling container in Shellsburg and how items being left aren't recyclable. This will be on for further discussion next week. Primmer also reported on the record number of people at the food pantry and challenges from fewer volunteers to help due to health concerns and protecting people waiting outside during bad weather.

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

Gary Bierschenk, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

May 12, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present, Primmer participated via zoom, and Bierschenk acted as Chair and called the meeting to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. Unless otherwise noted, all actions were approved unanimously.

Seeman moved/Bierschenk seconded: To approve the minutes of May 5, 2020. Motion carried.

Seeman moved/Primmer seconded: Approve payroll checks numbered 141245 through 141257, 141258 through 141269, ACH deposits numbered 41523 through 41660, 41661 through 41802, vendor checks 234970 through 234976, 235155 through 235161, handwritten claims numbered 234977 and claims 234978 through 235154. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Primmer seconded: To approve Resolution #20-30, Variance to Benton County Subdivision Ordinance. Motion carried.

RESOLUTION #20-30

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 Brian and Renalda Baldus 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 E1/2 NE1/4 NW1/4, Section 34-T86N-R10W.

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 E1/2 NE1/4 NW1/4, Section 34-T86N-R10W.

Adopted this 12th day of May, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Supervisor Primmer gave an update on the food pantry in Vinton. Though crowded, there is not a shortage of food. There is a shortage of volunteers due to Covid-19 and concerns how to help the large number of people getting food at the pantry during inclement weather. Possible temporary solution could be to use an enclosed trailer.

Ben Bonar, Weed Commissioner was given approval to get moving forward with his seasonal help. The hope is to start spraying by the end of the week. The weekend frost did wipe out some of the weeds and they seem to be behind in growth, but the weeds will catch-up as the weather gets warmer.

Primmer moved/Seeman seconded: To approve utility permits for Keystone Communications in Section 14 and 23 or Jackson Township and also in Sections 10 and 11 of Big Grove Township. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Primmer moved/Bierschenk seconded: To approve Resolution #20-31, Wage and Classification Change for Eric Hummel. Motion carried.

RESOLUTION # 20-31 Wage and Classification Change

WHEREAS: Benton County Secondary Roads Department has an employee that has been employed at his present job classification for a sufficient length of time to change his respective job classification, and

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that the Labor Grade classification of Eric Hummel will be VG. VG base wage for Eric Hummel will be \$22.37 per hour. Eric Hummel rate change will be effective May 11, 2020.

Signed this 12th day of May, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Supervisor Primmer reported on speaking to the Shellsburg Mayor regarding the recycling. Shellsburg city council discussed relocating the recycling equipment to the city's maintenance building. Currently it is on the county's property, but is mainly used by city residents and businesses. There was concerns about the trash that accumulates.

County department heads and elected officials met to discuss COVID 19 concerns and how to continue after the Governors recommendation to be closed through May 15th, and how to proceed. Sheriff Tippett provided an update from his recent weekly meeting with Emergency Management and Public Health Board. Benton County was at 35 confirmed cases, with 20 of those being recovered. He advised to keep on doing what we're doing, we know it works and recommending the same would go for the jail. We only want safety of the clients, workers and the public. David Thompson added the courthouse isn't closed, it is just closed to the public. We're still getting work done.

Karen Phelps, Conservation Director was concerned about the public's confusion as the governor says many parks may open while Benton County remains closed. Phelps explained the measurers recommended for those who want to camp, there is a lot of restrictions now, including the use of shelters and facilities. Further concerns in regards to campers was that those visiting our campgrounds might not all be from our county, possibly out of the state whom would then come into our towns and possibly spread the virus unknowingly.

Primmer moved/ Seeman seconded: Based on the Benton County Public Health Board's recommendations, Benton County facilities and campgrounds will remain closed to the public until further notice. Things will remain as is, with the recommendation that Conservation get their seasonal help hired and do the proper health screening. They will re-visit this topic on a regular weekly basis moving forward. Motion carried.

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

Gary Bierschenk, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

May 19, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. Primmer called the meeting to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of May 12, 2020. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve and authorize the chairman to sign the WMA Environmental Reviews for MC-INV-007 and MC-INV-009. Motion carried.

Bierschenk moved/Seeman seconded: To approve cigarette permit for Kimm's Mini-Mart effective July 1, 2020 through June 30, 2021. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-32, Approving Final Plat for Baldus First Addition to Benton County, Iowa. Motion carried.

RESOLUTION #20-32 APPROVING PLAT FOR BALDUS FIRST ADDITION TO BENTON COUNTY, IOWA

WHEREAS, a Plat of Baldus First 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 Baldus First 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 19th day of May, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Exhibit "A"

THIS PLAT REPRESENTS A SURVEY OF "BALDUS FIRST ADDITION" (PARCEL "A")

That part of the East Half of the Northeast Quarter of the Northwest Quarter (E 1/2 NE 1/4 NW 1/4) of Section No. 34, Township No. 86 North, Range No. 10 West of the Fifth Principal Meridian, Benton County, Iowa, described as follows:

Beginning at the Northeast corner of said East Half of the Northeast Quarter of the Northwest Quarter, point being a found "mag" nail in A.C.C. pavement;
thence along the East line of said East Half of the Northeast Quarter of the Northwest Quarter South 00°03'½' West a distance of 294.0 feet to a set ½" rebar with license #23212;
thence North 89°52'¼' West a distance of 366.0 feet to a set ½" rebar with license #23212;

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

thence North 04°13'¼' West a distance of 294.85 feet to the North line of said East Half of the Northeast Quarter of the Northwest Quarter, point being a set "mag" nail in A.C.C. pavement ;

thence along said North line South 89°52'¼' East a distance of 388.0 feet to the point of beginning.

Containing 2.54 acres including 0.43 acres right-of-way.

Subject to restrictions, easements, covenants, ordinances, and limited access provisions of record and not of record.

Note: The East line of said East Half of the Northeast Quarter of the Northwest Quarter is assumed to bear South 00°03'½' West for this description.

Parcel letter approved by County Auditor's Office

Date of Survey: 05/12/2020

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Dustin and Nicole Druschel in part of SW ¼ of SW ¼ 11-85-10. Dustin Druschel joined the meeting by phone. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Druschel's would like to build a new home on a tract of land owned by Yvonne Burkhart. The land in review is not in production, the CSR is 37. The sight will need a new well and septic, but has an existing driveway that meets all the requirements. The proper notice was given to adjacent land owners and no comments heard for or against. No other comments were heard, and the public hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use hearing for Dustin and Nicole Druschel in part of SW¼ of SW ¼ 11-85-10. Motion carried.

The time of 9:30 a.m. having arrived and this being the time and date for a public hearing on the adoption of the county's FY 20 budget amendment, the chair opened the public hearing for comment. There were no members of the public present. There were no comments heard in opposition to the FY20 budget amendment. Auditor Rippel went over the amendments to be made from the varied department requests and what was published in the newspapers. Hearing nothing further, the chair declared the public hearing closed.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve Resolution #20-33, Amending FY 20 Budget. Motion carried.

RESOLUTION #20-33

BE IT REMEMBERED on this, the 19th day of May, 2020, 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 19, 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	\$+10,000
Mental Health	\$ 0
County Environment & Education	\$ +57,138
Roads & Transportation	\$ +900,000
Government Services to Residents	\$ +10,000
Administration	\$ 0
Non-Program	\$ 0
Debt Service	\$ 0
Capital Projects	\$ 0
Operating Transfers Out	\$ 0

<u>REVENUES</u>	<u>Amount</u>
Intergovernmental	\$+57,138
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 19th of May 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To remove Ben Bonar from the Integrated Roadside Vegetation Management (IRVM) Commission and appoint Zach Parmater to replace him. Motion carried.

Ben Bonar, Weed Commissioner voiced his interest in using the old Transportation building for possible office and storage space. Sheriff Tippett has some storage interest also along with Scott Hansen, Emergency Management. Hansen was not sure about moving an office there because of it being in the flood plain issue. Storage of equipment is what the old transportation building was built for.

Judy Funk, Heartland Insurance Risk Pool provided the Board of Supervisors the renewal illustrations via zoom. They had time to review and ask questions. In addition to the renewal estimate, Funk informed the Board of a premium credit of \$41,598 that will be applied to the premium due for the FY 21 renewal. The mod factor decreased, which is a good thing. Funk explained how they take 6 years of data and throws out the highest and lowest and averages out the middle four. Benton County is in the same insurance pool along with 10 other counties and is self-funded.

Seeman moved/Bierschenk 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, 2020 through June 30, 2021. Motion carried.

Seeman moved/Primmer seconded: To approve the hiring of seasonal helper Hannah Timmerman at \$13.00 an hour effective Thursday May 21, 2020 in the Engineer's office. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

The Supervisors along with the elected officials and department heads continued discussion about the COVID-19 impacts.

Seeman moved/Bierschenk seconded: To open the county campgrounds up operating using the Level 1 protocols starting Wednesday, May 20, 2020. Campers will also be asked to fill out a wellness statement at registration time. All other county facilities will remain as is and will continue to discuss future changes if necessary. Motion carried.

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

Gary Bierschenk, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

May 26, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman were present. The meeting was called the meeting to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve farm exemption application for Rickie J. Gordon in the West ½ of the SW ¼ of 36-86-10. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of May 19, 2020. Motion carried.

Bierschenk moved/Seeman seconded: Approve payroll checks numbered 141270 through 141284, ACH deposits numbered 41803 through 41952, claims numbered 235163 through 235284 and vendor checks 235285 through 235292. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize chairman to sign the East Central Iowa Council of Government (ECICOG) purchase of service contract for FY 21 for Benton County Transportation. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-34, Employment Status Change in the Sheriff's Office. Motion carried.

RESOLUTION #20-34 EMPLOYMENT STATUS CHANGE FOR BRANDAN GEIGER

WHEREAS, the Benton County Sheriff has a need for full-time correction officer; and

WHEREAS, Brandan Geiger has been employed by Benton County as part-time since October 9, 2018;

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

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

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Brandan Geiger be changed to a full-time correctional officer in the Sheriff's office, effective May 26, 2020 at the hourly rate of \$18.74 an hour.

Dated this 26th day of May 2020.

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 #20-35, Amending Resolution #18-56, Updated Cremation Rates. Motion carried.

RESOLUTION #20-35
AMENDING RESOLUTION #18-56
ADOPTING BENTON COUNTY GENERAL ASSISTANCE
CREMATION SERVICE RATES

WHEREAS, the Benton County Board of Supervisors adopted a resolution establishing cremation service rates through the county general assistance on November 25, 2014; and amended said resolution updating expenses with resolution's #15-90, #17-75 and #18-85;

WHEREAS, the Board desires to change the rates approved for said services through the repeal of the existing resolutions and the adopting of new rates in lieu thereof,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Resolution's #15-90, #17-75 and #18-85 *Benton County General Assistance Establishing Cremation Service Rates*, are HEREBY REPEALED in their entirety, effective May 26, 2020,

BE IT FURTHER RESOLVED that the following cremation service rates are HEREBY ADOPTED effective May 26, 2020.

<u>Cremation Service</u>	
Crematory Expense	\$305.00
Cremation Tray	39.00
Medical Examiners Permit	75.00
Funeral Home Director's Fee	750.00
Optional Expenses:	
Grave Opening @ cost, not to exceed (Family must pay opening charges above \$225.00)	225.00
Minister Stipend (if used)	25.00

Signed this 26th day of May 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Adam Rodenberg, Middle Cedar WMA Coordinator presented the bids received on May 22, 2020 for the Bid Package No. 5 with Schedule 1A and 1B for flood mitigation.

Total bids were received as follows:

Cole Excavating, LLC-\$921,925.00

Schrader Tiling & Terrain, LLC-\$925,875.00

Peterson Contractors, Inc.-\$979,710.00

Connolly Constructions, Inc. -\$1,012,364.70

Kueter Equipment Co. -\$1,040,132.50

Steger Construction, Inc.-\$1,220,465.73

CJ Mayer & Sons, LLC-\$1,351,331.00

H & H Construction & Development, LLC.-\$1,612,619.90

Seeman moved/Bierschenk seconded: To award the bid to Cole Excavating, LLC-Greene, IA in the amount of \$921,925.00. Motion carried.

Bierschenk moved/Seeman seconded: To and authorize chairman to sign the letter of support for the HRDP Grant Submission application on behalf of the Benton County Historical Preservation. Motion carried.

Bierschenk moved/Seeman seconded: To approve Luke Hennings for the part time spray truck driver for the weed department effective June 1, 2020 at \$16.50 an hour. Motion carried.

Seeman moved/Bierschenk seconded: To approve the seasonal hire of George Haefner as the (IRVM) intern starting June 1, 2020 at \$13.79 an hour. Primmer abstained due to conflict of interest. Motion carried.

Tracy Seeman provided an update on the work he has been doing at the Benton County Service Center. Working on gutters and the progress in the Rural Access Center.

Benton County is continuing to monitor the impact of Covid-19 on county operations and discussed some ideas and suggestions or opening up more things in the county. Supervisor Seeman drove around the campgrounds over the Memorial Day Weekend and thought things seemed well. Karen Phelps, Conservation Director emailed an update and explained some of the ways they continue to encourage social distancing among campers and certain supplies and fogging devices are being purchased in proper ways for killing the viruses and bacteria on surfaces. They are hopeful to be able to open up more things in the near future. No changes at this time have been made.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

May 29, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present, Primmer participated via zoom, and Bierschenk acted as Chair and called the meeting to order at 10:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve Resolution #20-36, Employee Wage and Classification Change. Motion carried.

RESOLUTION #20-36
Employee Wage and Classification Change

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 Richard McNamara be set at \$21.47 effective May 25, 2020. This position carries a Labor Grade IVB classification.

Signed this 29th day of May 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Benton County officials are moving forward to draft a policy for plans and procedures regarding the COVID Pandemic and how to work on getting the facilities and offices open to the public. Sheriff Ron Tippet provided an update after his most recent meeting with the director of public health for Benton County. People are still obviously encouraged to continue social distancing and using protective equipment. Scott Hansen, Emergency Management Director explained how the protective equipment he is provided can be issued.

The court system has a draft on guidance for suggestions on opening up the buildings. The court will also have to get its own protective equipment. Courts will rely on video conferencing until then. The County Attorney urged the need for a written policy that can be drafted and approved before a decision is made. He would like to see masks required. Overall everyone agreed to keeping the building as restricted as possible and how to handle screening and masks at the entrance. Everyone agreed to try and limit to one person per family if necessary to come in, calling ahead for appointments, restrooms for employees use only etc. And for those things that can be done on line to continue doing so or utilizing the drop boxes at the west entrance. Lexa Speidel, Recorder, mentioned how some counties never closed, and how neighboring counties will be opening in June. Her office was ready to open back up. Melinda Schoettmer, Treasurer outlined how her office will try and require appointments for issuing driver's licenses. This topic brought up further discussion on extending deadlines on licenses, registrations and property taxes and possibly even cancelling the tax sale. Auditor Hayley Rippel relayed how nobody can plan for such a pandemic, and how all of these things have already affected budgets and will only continue to do so moving forward. Local Option Sales Tax will probably decrease along with road use tax and not to mention the interest collections we can't collect and how this will continue to trickle down to our county level. We want to keep our employees and public all healthy, yet we have to continue getting our work done. We are being paid to do our jobs with taxpayer's dollars. Hansen and Rippel are working together looking into applying for some reimbursement and encouraged everyone to continue marking their added expenses due to COVID for easier tracking. Sanitarian and Land Use Administrator, Marc Greenlee said he sees people out in the public that a huge part of his job can't be done over the telephone or on line. Life has to go on, so we're going to assume some risks because we are employees. Supervisor Seeman would like to see employees reporting back to working in the office vs from home, but was worried about a jump in the curve as more things open up everywhere. This followed up the earlier discussion for how having one positive case get into our county courthouse, how this could shut us down completely in a hurry. If employees are required to report back to work at their offices and are at risks in terms of health, what will be required or a plan for them to continue to be able to work from home.

As for the Conservation Department, they will continue to stay at Level 1 for parks, and will discuss opening up more next week. Karen Phelps, Director of Conservation said they are monitoring at two-week intervals and also watching what other counties are doing.

Officials will continue preparing their offices and relaying their department information and suggestions to Scott Hansen who will draft a policy that can be discussed before being approved. The overall goal in mind is to get every office ready with preparations made to open back up to the public by Monday June 15, with added restrictions and proper guidelines in place. No action was formally taken but will be discussed further at next week's board meeting to allow for more time preparing the policy and to also keep an eye on the curve in Benton County.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

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

Gary Bierschenk, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

June 2, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was held in the Basement of the courthouse in the GIS Conference room. Primmer called the meeting to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of May 26, 2020 and May 29, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve the hiring of Benjamin Weekly and Karsyn Semelroth as part-time correctional officers for the sheriff's office at the rate of \$14.92 an hour effective June 2, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve the Secondary Roads Union Contract with Public, Professional & Maintenance Employees Local Union 2003 International Brotherhood of Painters & Allied Trades, AFL-CIO for the period July 1, 2020 through July 1, 2023. Motion carried.

Seeman moved/Bierschenk seconded: To approve Conservation's plan to move to a level 2 in a three-level scale process for the campgrounds in response to Covid-19. This will go into effect Friday, June 5, 2020. This will open up the playgrounds, and restrooms while still emphasizing social distancing and hygiene. Motion carried.

Scott Hansen, Benton County Emergency Management presented a draft to the board after taking into consideration all the elected officials and department heads requests. This will be used for guidelines for a phased re-opening process to the Benton County public offices. This will go in effect on Monday June 15, 2020. A few tweaks discussed will be made and will get this sent to the newspapers and notify the public of the changes. The restrooms in the courthouse will be closed to the public and we will encourage people to come on an appointment only basis, limiting to county residents as long as possible and maintain social distancing. Benton County will still encourage the use of the phones, websites and e-mail to conduct business as allowed. Other areas discussed was disinfecting, check points and health and security screenings and the debate on requiring masks.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

June 16, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of June 9, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize signature for service agreement to participate in the Iowa State Association of Counties HIPAA Program effective July 1, 2020. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Bierschenk moved/Seeman seconded: To approve Resolution #20-39, Enter into 28E agreement with Benton Community School District and Benton County Sheriff Department for a Resource Officer program. Motion carried.
RESOLUTION #20-39

28E AGREEMENT FOR SCHOOL RESOURCE OFFICER PROGRAM BETWEEN BENTON COMMUNITY SCHOOL DISTRICT (BCSD) AND THE BENTON COUNTY SHERIFF DEPARTMENT, VINTON, IOWA

WHEREAS, BCSD and the Benton Co. Sheriff Department share a mutual desire to provide law enforcement and related services to the schools in the Benton Community School District located within the communities of Atkins, Blirstown, Elberon, Keystone, Newhall, Norway, Van Horne, and Watkins to help maintain a safe environment, which will promote the safety, health, and general welfare of the students and staff, including freedom from intimidation; and

WHEREAS, BCSD and the Benton Co. Sheriff Department recognize the need for a School Resource Program (hereinafter “the SRO Program”) for BCSD and the need to have one School Resource Officer (hereinafter “SRO”) to work solely with BCSD, not to be shared with any other school district, in order to provide a cooperative approach toward addressing the desires of both parties; and

WHEREAS, BCSD and the Benton Co. Sheriff Department recognize the benefits of the SRO program to the citizens of Benton Community School District and particularly to the students of BCSD; and

WHEREAS, BCSD and the Benton Co. Sheriff Department wish to develop guidelines that shall clarify each entity’s roles and expectations and formalizes the relationship between the participating entities to foster an efficient and cohesive SRO Program that will build a positive relationship between law enforcement officers, school staff, and the students; promote a safe and positive learning environment; and decrease the number of youth formally referred to the juvenile justice system; and

WHEREAS, it is understood that this Agreement is between two public agencies and is entered into pursuant to the provisions of Iowa Code Chapter 28E and shall be electronically filed with the Iowa Secretary of State’s Office upon execution, as required by law.

Signed this 16th day of June, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

28E AGREEMENT FOR SCHOOL RESOURCE OFFICER PROGRAM BETWEEN BENTON COMMUNITY SCHOOL DISTRICT AND THE BENTON COUNTY SHERIFF DEPARTMENT, VINTON, IOWA

This Agreement, is made and entered into on _____, 2020 by and between BENTON COMMUNITY SCHOOL DISTRICT (hereinafter “BCSD”) and THE BENTON COUNTY SHERIFF DEPARTMENT, VINTON, IOWA (hereinafter “Benton Co. Sheriff Department”).

WHEREAS, BCSD and the Benton Co. Sheriff Department share a mutual desire to provide law enforcement and related services to the schools in the Benton Community School District located within the communities of Atkins, Blainstown, Elberon, Keystone, Newhall, Norway, Van Horne, and Watkins to help maintain a safe environment, which will promote the safety, health, and general welfare of the students and staff, including freedom from intimidation; and

WHEREAS, BCSD and the Benton Co. Sheriff Department recognize the need for a School Resource Program (hereinafter “the SRO Program”) for BCSD and the need to have one School Resource Officer (hereinafter “SRO”) to work solely with BCSD, not to be shared with any other school district, in order to provide a cooperative approach toward addressing the desires of both parties; and

WHEREAS, BCSD and the Benton Co. Sheriff Department recognize the benefits of the SRO program to the citizens of Benton Community School District and particularly to the students of BCSD; and

WHEREAS, BCSD and the Benton Co. Sheriff Department wish to develop guidelines that shall clarify each entity’s roles and expectations and formalizes the relationship between the participating entities to foster an efficient and cohesive SRO Program that will build a positive relationship between law enforcement officers, school staff, and the students; promote a safe and positive learning environment; and decrease the number of youth formally referred to the juvenile justice system; and

WHEREAS, it is understood that this Agreement is between two public agencies and is entered into pursuant to the provisions of Iowa Code Chapter 28E and shall be electronically filed with the Iowa Secretary of State’s Office upon execution, as required by law.

THEREFORE, BCSD and the Benton Co. Sheriff Department agree to the following terms:

ARTICLE I

A. Purpose

The purpose of this 28E Agreement is to formally establish the terms and conditions necessary to maintain an SRO Program for BCSD and for the Benton Co. Sheriff Department acting by and through the Benton Co. Sheriff Department shall assign a law enforcement officer to act as an SRO to serve in the BCSD schools and not in any other school district. Except as otherwise provided in this Agreement, this 28E Agreement is not a contract which binds the Sheriff Department to provide any other services to BCSD. No special duty or duty act is created by this Agreement.

B. Mission

The mission of the SRO Program is to promote school safety by building a positive school climate in which everyone feels safe and students are supported to succeed. The SRO Program also seeks to reduce violent crime committed by and against youth in our community. The SRO Program accomplishes this mission by supporting safe, secure, and orderly learning environments for students, teachers, and staff. SROs will establish a trusting channel of communication with students, parents, and teachers and establish regular feedback opportunities. The role of the SRO is not to enforce school discipline or punish students. SROs will serve as positive role models to instill in students good moral standards, good judgment and discretion, respect for other students, and a sincere concern for the school community. SROs will provide information on community resources available to students and parents. Goals and objectives are designed to develop and enhance rapport between youth, families, police officers, school administrators,

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and the community in order to promote overall student achievement and success.

C. Goals

The goals of the SRO Program are the following:

- (1) To ensure a safe learning environment for all children and adults who enter the building.
- (2) To prevent and reduce potential harm related to incidents of school violence.
- (3) To foster a positive school climate based on respect for all children and adults in the school.
- (4) To create partnerships with behavioral health and other care providers in the community for student and family referral.

ARTICLE II

The duration of this Agreement shall be for two years, and the SRO Program for BCSD shall run from July 1, 2020 until June 30, 2022.

ARTICLE III **DUTIES OF THE BENTON CO. SHERIFF DEPARTMENT**

The Benton Co. Sheriff Department, acting as a department of Benton County, Iowa, agrees to provide the following:

A. Selection of the SRO

The Benton Co. Sheriff Department shall recruit employee candidates to serve in the SRO position. Administration from BCSD may participate in the interview process and make a recommendation to the Benton Co. Sheriff Department regarding candidates for the SRO position. Ultimately, because the SRO is an employee of the Benton Co. Sheriff Department, the Benton Co. Sheriff Department, will make the final decision regarding the candidate to be hired for the SRO position. However, the candidate hired is still subject to the approval by BCSD's Board of Directors of the employee's assignment to work at BCSD, as outlined below.

The SRO should generally meet the following criteria:

1. A 2-year or 4-year college degree in a relevant field would be beneficial and preferred.
2. A minimum of 2 years of experience as a field police officer with experience with juvenile assignments is required.
3. Prior successful performance in the area of juvenile assignments is required.
4. Prior to beginning service as an SRO, _____ hours of relevant training, at the expense of the Benton Co. Sheriff Department, is required.

B. Assignment of the SRO

The Benton Co. Sheriff Department shall assign one regularly employed full-time deputy officer to BCSD to act as an SRO for BCSD. This assignment shall be subject to the approval of BCSD's Board of Directors.

C. Employment and Supervision

1. The Benton Co. Sheriff Department shall, at all times, operate as the employer of the SRO, and the SRO shall, at all times, be an employee of the Benton Co. Sheriff Department. The SRO shall not be an employee or agent of BCSD. The Benton Co. Sheriff Department and BCSD acknowledge that the SRO is a law enforcement officer who shall endeavor to uphold the law under the direct supervision and control of the Benton Co. Sheriff Department. The SRO shall remain responsive to the chain of command of the Benton Co. Sheriff Department. Nothing herein shall be construed as giving BCSD the right to control the professional judgment or actions of the SRO.

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2. The Benton Co. Sheriff Department shall be solely responsible for paying the SRO. The Benton Co. Sheriff Department shall provide and pay for all required employee benefits, withhold income tax and social security tax, and shall provide for the benefits required by Iowa Code Chapter 411 for the SRO. The SRO shall not be entitled to participate in any benefit plans offered by BCSD.
3. The Benton Co. Sheriff Department shall be solely responsible for providing and paying for all required and/or recommended testing and/or training for the SRO. The Benton Co. Sheriff Department shall provide BCSD Superintendent with a schedule for testing and training of the SRO as early as possible before the beginning of the school year.
4. The Benton Co. Sheriff Department shall assign an individual to directly supervise the officer assigned to the SRO program (hereinafter “the SRO supervisor”). The Benton Co. Sheriff Department shall provide BCSD the name of the SRO supervisor no later than July 15 for each year of this Agreement and within thirty (30) days of the SRO supervisor changing.
5. In addition to providing training and direction for the SRO, the SRO supervisor will serve as a liaison between the Benton Co. Sheriff Department and BCSD in order to resolve matters of mutual concern.
6. The SRO supervisor, in consultation with a designated BCSD representative, will complete performance evaluations for the SRO during May of each year. BCSD shall provide the Benton Co. Sheriff Department the name of the designated BCSD representative no later than July 15 for each year of this Agreement and whenever the designated BCSD representative changes. The SRO supervisor, however, shall be the final arbiter of all decisions with respect to said evaluation.
7. However, while in BCSD buildings or on BCSD grounds, the SRO will be further accountable to the building principal or his/her designee. The SRO will be expected to cooperate with the building principal and other BCSD officials. The SRO will be expected to respond to the reasonable request of BCSD officials. The SRO will be expected to follow all applicable BCSD policies and procedures.

D. Regular Duty Hours of the School Resource Officer

1. The SRO shall be assigned to BCSD school buildings and grounds on a full-time basis of eight (8) hours each day when school is in regular session. The SRO shall typically be on one of the BCSD campuses from ½ hour prior to the start of class until ½ hour after classes are dismissed, but has discretion to adjust starting and ending times to maintain a forty (40) hour work week. The SRO will occasionally receive adjusted hours by the Superintendent (or designee) or Associate Superintendent (or designee) of BCSD if evening events and activities are taking place and the SRO is needed or if exceptional situations exist and the SRO is needed.
2. The SRO shall be assigned to BCSD school buildings and grounds as determined appropriate when school is not in regular session. Summer hours may be adjusted for evening or weekend activities or events. Summer hours may also entail work on curriculum, safety assessments, developing plans for the school year safety and active shooter training and leadership of such, and drills/practices with staff and students. The Benton Co. Sheriff Department may temporarily re-assign the SRO during school holidays and vacations, training activities, and periods of police emergencies and other occasions as agreed upon by the Superintendent or his/her designee and the Benton Co. Sheriff Department.
3. The Benton Co. Sheriff Department shall make every effort to re-assign a qualified substitute employee to cover the SRO’s duties should the assigned SRO be unavailable for a period greater than one (1) day.

E. Uniform, Equipment, and Vehicle of the Student Resource Officer

The Benton Co. Sheriff Department shall supply all necessary and appropriate uniforms, equipment, vehicle(s), and vehicle equipment required by the SRO to perform his/her duties. All uniforms, equipment, vehicle(s), and

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vehicle equipment purchased by the Benton Co. Sheriff Department for the SRO to perform his or her duties shall be the property of the Sheriff Department. All equipment purchased by BCSD for use by the SRO will be the property of BCSD.

F. Duties of the School Resource Officer

The primary functions of the SRO are to help provide a safe and secure learning environment, foster a positive school climate, reduce/prevent crime, serve as an educational resource, and serve as a liaison between BCSD and the Benton Co. Sheriff Department. Specific daily assignments to accomplish this function will vary by school building.

The SRO and the BCSD Superintendent or designee will meet on a regular basis to discuss plans and strategies to address specific issues or needs that may arise.

The basic responsibilities and duties of the SRO may include but will not be limited to the following:

1. The SRO shall coordinate the SRO's activities directly with the BCSD Superintendent, the building principals or their designees, and the SRO supervisor.
2. Except as excused by other terms of this Agreement or with the consent of the SRO supervisor, the SRO shall be present at the assigned BCSD school during times of high activity, such as the beginning and end of each school day and lunch periods.
3. The SRO shall coordinate his/her non-law enforcement activities with the BCSD administration or the principal or a faculty member of the school or schools concerned and shall seek permission, advice, and guidance from the proper BCSD administrators or staff prior to enacting any programs within the school/s to ensure all programs stay within BCSD policies and guidelines.
4. The SRO shall provide instruction for specialized short-term programs at the BCSD schools when a member of the school administration or staff has invited the SRO to do so and the program has been approved by the SRO supervisor.
5. The SRO shall make presentations and provide instruction on various subjects to students such as a basic understanding of the laws, drugs and alcohol prevention, the roles of sheriffs, deputies, police officers, and police mission.
6. The SRO shall encourage individual and small group discussions with students to establish rapport with the students.
7. When requested by a principal or other administrator, the SRO shall attend parent/faculty meetings to encourage support and understanding of the SRO program.
8. The SRO shall be available for conferences with students, parents, and faculty members in order to address and assist with problems of a law enforcement or crime prevention in nature. The SRO shall not disclose confidential information obtained pursuant to an investigation except as provided by law or a court order.
9. The SRO shall become familiar with community agencies that offer assistance to students and their families, including, but not limited to, mental health and substance abuse treatment facilities. The SRO shall act as a resource officer to the students, families, faculty, and staff and shall make referrals to these agencies as needed.
10. The SRO shall work with the administration and faculty of BCSD to develop plans and strategies to prevent and/or minimize the threat of harm that may result from student unrest.
11. The SRO, in coordination with the Superintendent and the Benton Co. Sheriff Department, shall

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develop a Diversion/Restitution Plan and process for working directly with students who have violated the law, have been referred to BCSD by other agencies, or are on the verge of engaging in high risk behavior.

12. The SRO, in coordination with the Superintendent and the Benton Co. Sheriff Department, shall coordinate School Crisis and Safety Planning and training, including the creation of a School Safety Plan and the coordination of appropriate school safety drills.
13. The SRO shall take law enforcement action as necessary in the exercise of the SRO's discretion as a law enforcement officer. As soon as practical, the SRO shall make the principal or the Superintendent aware of such action. Whenever practical, the SRO shall advise the principal or the Superintendent before requesting additional police assistance on campus. If the use of force or an arrest becomes necessary, the SRO shall follow all applicable federal and state law, rules, and regulations and policies, as well as the rules and regulations of the Benton Co. Sheriff Department.
14. The SRO shall, at the request of the principal or the Superintendent, take appropriate law enforcement action against intruders or unwanted guests who may appear on school grounds, at a school building, or at a school function, to the extent permitted by law. The SRO shall advise the principal of any additional police presence or assistance on campus after the incident or as time allows.
15. The SRO shall, at the request of the building principal or the Superintendent, conduct investigations relating to BCSD students, staff, or assigned facilities. The SRO shall inform the appropriate BCSD administrator or principal as soon as possible regarding the need for any such investigation.
16. The SRO shall determine whether it is necessary to conduct formal police interviews with students. The SRO shall inform the principal or the Superintendent as soon as possible of any such interviews. The SRO shall adhere to school board policy, sheriff department policy, and all Federal, State, and local laws, should it become necessary for the SRO to conduct interviews with students.
17. The SRO shall attend and participate in BCSD activities when possible and when approved by the Superintendent or designee.
18. The SRO shall cooperate and give assistance to other law enforcement officers (both from the Benton Co. Sheriff Department and the Vinton Police Department and from other agencies) and government agencies in matters regarding his or her school assignment whenever the need arises.
19. The SRO shall conduct such other non-law enforcement activities as agreed to by the Benton Co. Sheriff Department and the BCSD Superintendent.
20. The SRO shall maintain detailed and accurate records of his/her activities, and provide a written monthly report to the BCSD Superintendent and the Benton Co. Sheriff Department. This activity report shall be for statistical purposes only and will not contain any confidential arrest, intelligence, or student information.
21. The SRO shall collaborate with BCSD to collect data on time spent on select activities and perception data from students, staff, and if applicable, parents.
22. The SRO shall respect the confidential nature of student information and shall abide by all state and federal laws, all policies and procedures of the Benton Co. Sheriff Department, and the policies and procedures of BCSD relating to student information. The SRO will not release information he/she has acquired unless specifically permitted pursuant to state and federal law, the policies and procedures of the Benton Co. Sheriff Department, and the policies and procedures of BCSD.
23. BCSD shall retain full responsibility for disciplining students. The SRO shall not act as a disciplinarian. However, in the event BCSD believes that there has been a violation of the law, the SRO may be contacted, and the SRO shall work with the building principal and the SRO supervisor to determine

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whether law enforcement action is appropriate.

24. The SRO will work in business, casual business, or uniform attire when on duty as prescribed by the Benton Co. Sheriff Department. Exceptions would be during special events or circumstances at which time the SRO may be expected to be in uniform. The SRO shall carry a regulation sidearm in accordance with the Benton Co. Sheriff Department guidelines.
25. The SRO shall perform other duties as mutually agreed upon by the parties. However, the performance of any such duties should be reasonable related to the SRO Program as described in this Agreement and shall be consistent with federal, state, and local laws, Sheriff Department rules and regulations, and BCSD policies, rules and regulations. The Benton Co. Sheriff Department shall meet with designed BCSD administration to resolve any and all questions arising under this paragraph.

ARTICLE IV **DUTIES OF THE BENTON COMMUNITY SCHOOL DISTRICT**

The Benton Community School District, agrees to provide the following:

A. Materials and Facilities

BCSD shall provide the SRO with the following materials and facilities, which are deemed necessary to the performance of the SRO's duties:

1. Access to an office equipped with air-conditioning, proper lighting, and a desk telephone that will be used for business purposes.
2. A location to store files and records which can be properly locked and secured.
3. A desk with drawers, a chair, work table, filing cabinet, office supplies, and a cell phone to use in the course of the SRO's duties. All office supplies, including a cell phone, provided by BCSE for the SRO shall be the property of BCSD. Therefore, upon termination of this Agreement, all equipment provided to the SRO by BCSD as a part of this Agreement shall be retained by BCSD.
4. Access to a computer and/or secretarial support.
5. Guidance with regard to any instruction or programming to be delivered or presented by the SRO.

ARTICLE V **FINANCIAL CONSIDERATIONS**

The parties agree to the following regarding their financial obligations related to this Agreement:

A. Employment of and Payment of Salary to School Resource Officer

As outlined above, the Benton Co. Sheriff Department shall, at all times, operate as the employer of the SRO, and the SRO shall, at all times, be an employee of the Benton Co. Sheriff Department. As such, and as outlined above, the Benton Co. Sheriff Department shall be solely responsible for paying the SRO for any work performed in the SRO's role as an SRO.

B. Reimbursement by BCSD to Benton Co. Sheriff Department

For the duration of this Agreement (from July 1, 2020, through June 30, 2022), BCSD agrees to reimburse the Benton Co. Sheriff Department for the annual salary cost for the SRO. The parties agree that the annual salary cost for the SRO effective July 1, 2020, shall be \$_____.

The parties agree that, if either the Benton Co. Sheriff Department or BCSD receive any grant funds that may be applied to the SRO position and/or this Agreement, said funds will be applied to the annual salary cost prior to reimbursement by BCSD and shall act to reduce the amount of the annual salary cost

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reimbursed by BCSD.

The Benton Co. Sheriff Department shall submit four (4) quarterly invoices to BCSD for payment of the quarterly salary cost (which is calculated by dividing the annual salary cost by four). The Benton Co. Sheriff Department shall itemize the salary and taxes on each invoice. BCSD shall promptly pay each invoice, after any necessary Board approval.

The Benton Co. Sheriff Department and BCSD shall each maintain their own individual budgets with regard to their financial obligations under this agreement.

ARTICLE VI

DISCIPLINE AND/OR REPLACEMENT OF THE SCHOOL RESOURCE OFFICER

In the event that BCSD believes that the SRO is not effectively performing his or her duties or that any other disciplinary action needs to be taken with regard to the SRO, the appropriate BCSD administrator or designee shall do the following:

1. Contact the SRO supervisor in order to provide the Benton Co. Sheriff Department with an opportunity to resolve the matter internally.
2. If the matter is not resolved in a reasonable amount of time, BCSD may provide a written request for disciplinary action to be imposed upon and/or the removal of the SRO to the SRO Supervisor on behalf of the Benton Co. Sheriff Department. That request must provide a detailed reason or reasons that the request is being made.
3. Upon receipt of BCSD's request, the Benton Co. Sheriff Department will consider the request and make a proposal regarding an appropriate response to the concerns outlined in the request. The Benton Co. Sheriff Department will provide the proposal to BCSD within a reasonable amount of time after receipt of the request.
4. If the parties cannot reach an agreement on the proposal to resolve the request provided by BCSD, the parties may attempt to mediate a resolution.
5. Additionally, as a resolution to the request, the Benton Co. Sheriff Department may reassign the SRO to another position within the Benton Co. Sheriff Department consistent with Department rules, regulations, and/or operations order and only when it is in the best interest of BCSD and the Benton Co. Sheriff Department to do so.
6. In the event that the SRO is reassigned, resigns, or has a long absence, the Benton Co. Sheriff Department shall consult with BCSD to assign a temporary replacement for the SRO within one week of receiving notice of the reassignment resignation, or absence. The Benton Co. Sheriff Department will work jointly with BCSD to interview and select a permanent replacement as soon as practical and consistent with the procedures outlined in this Agreement.

Nothing in this Article affects the rights of either party to terminate this Agreement pursuant to the procedures outlined herein.

ARTICLE VII **MISCELLANEO** **US**

A. Each Party Responsible for Their Own Acts

Each party shall be responsible and liable for the consequences of any act or failure to act on the part of itself and its employees. Each party shall be responsible for its own negligence and that of its officers and employees. Neither party shall indemnify nor hold the other party harmless. Neither party will insure the actions of the other.

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B. Good Faith

BCSD, the Benton Co. Sheriff Department, their agents, officers, and employees agree to cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between BCSD and the Benton Co. Sheriff Department, or their designees.

C. Insurance and Indemnification

To the extent permitted by law, each party will indemnify and hold harmless the other party from and against an and all losses, costs, damages, claims, and expenses, including reasonable attorney's fees and expenses, occasional by or arising from the negligence or willful misconduct of itself and its agents, representatives, administrators, officers, deputies, and/or employees. Each party shall be responsible for the action or failure to take action by itself and its agenda, representatives, administrators, officers, and/or employees. Neither party shall insure the actions of the other party.

D. Full Understanding

This Agreement constitutes the full understanding of the parties, and no terms, conditions, understandings or agreement purporting to modify or vary the terms of this Agreement shall be binding unless hereafter made in writing and signed by both parties.

Further, this Agreement constitutes a final written expression of all of these terms of this Agreement and is a complete and exclusive statement of those terms.

E. Modification of Agreement

This Agreement shall not be modified except by written agreement signed by both parties.

F. Termination of Agreement

This Agreement may be terminated by either party, upon thirty (30) days written notice. In the event that this Agreement is terminated, compensation shall be made to the Benton Co. Sheriff Department for all services performed through the date of termination, under the terms set forth in this Agreement.

G. Notices

Any written notices as required in this Agreement shall be sent to the addresses of the respective parties as set out in this Agreement.

Notices for BCSD shall be delivered to:

Superintendent
Benton Community School District 304
1st Street
Van Horne, IA 52346

Notices for the Benton Co. Sheriff Department shall be delivered to: Sheriff/SRO

Supervisor
Benton County Sheriff Department 113 E
3rd Street
Vinton, IA 52349

H. Additional Provision Pursuant to Iowa Code Section 28E.6

In accordance with Iowa Code Chapter 28E, BCSD and the Benton Co. Sheriff Department further state:

1. There shall be no separate legal entity to conduct the joint or cooperative undertaking contemplated by this Agreement. The Benton Co. Sheriff Department, acting on behalf of Benton County, shall act as administrator for purposes of Iowa Code Chapter 28E.

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2. No real or personal property shall be acquired or held jointly in the execution of this Agreement or the conduct of the SRO Program contemplated hereby. Rather, BCSD and the Benton Co. Sheriff Department shall each acquire, hold, and dispose of all real and personal property as elsewhere provided in this Agreement.
3. Pursuant to Iowa Code Section 28E.8, the Benton Co. Sheriff Department shall file this Agreement with the Iowa Secretary of State, in an electronic format and in a manner specified by the secretary of state.
4. This Agreement is by and between the parties only. There are no third-party beneficiaries to this Agreement.

IN WITNESS THEREOF, the parties have caused this Agreement to be signed by their duly authorized officers.

BENTON COMMUNITY SCHOOL DISTRICT by:

Date

THE BENTON COUNTY SHERIFF DEPARTMENT by:

Date

Conservation Director Karen Phelps came to update the board on the conservations budget status as well as the county parks moving to a level 3 effective Friday June 15, 2020. This level 3 will allow for the use of the cabins and shelters, and undecided on the Nature Center at this time.

Allison Hicks along with other members of the Historic Preservation Commission met with the board regarding the purchase of a new copy machine. The cost for the new machine was \$3,500 and the Board had questions during last week's meeting and wanted to wait on paying the claim. Supervisor Primmer questioned the need for something of such magnitude, and why it wasn't purchased through the company that Benton County already had a contract with. County Attorney David Thompson added that if the commission wanted to purchase this, the supervisors can't say "No". Supervisor Seeman stated he was not saying the commission didn't deserve this, but wondered if there was a cheaper alternative. After further back and forth on the matter, the claim was approved with hopes that the new copier will benefit the commission and the county through grants.

Bierschenk moved/Seeman seconded: To approve the purchase of the RACOM tower, equipment, and 5 acres located at 5645 20th Ave. for \$25,000.00 with the funds to come from 911 as approved by the 911 Board. Motion carried.

Seeman moved/Bierschenk seconded: To approve amendment #2 for the subrecipient agreement between Benton County, Iowa and East Central Iowa Council of Governments (ECICOG) for the provision of administrative services to implement an Iowa Watershed approach project as funded through the Community Development Block Grant (CDBG)

Bierschenk moved/Seeman seconded: To approve and sign the Iowa Department of Transportation (IDOT) agreement for county bridge federal-aid SWAP Funding for bridge habilitation on V66 over Prairie Creek. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit for USA Communications in Iowa, Leroy, St. Clair, Union and Eldorado township to bore underneath the county's right of way. Motion carried.

Bids were received as follows for motor grader:

Altorfer Cat -2020 Caterpillar150-\$311,127

Altorfer Cat-2011 Caterpillar 140 M2-\$221,900

Altorfer Cat-2011 Caterpillar 140M2-\$213,900

Mid Country Machinery-2015 Caterpillar 140 M3-\$213,590

Seeman moved/Bierschenk seconded: To approve purchase of used 2015 caterpillar 140M3 Motor Grader from Mid Country Machinery in the amount of \$213,590. Motion carried.

Bierschenk moved/Seeman seconded: To sign title sheet for Bridge replacement project #BRS-CHBP-CO06(115)—GB-06 on 16th Ave. in Leroy Township. Motion carried.

Bierschenk moved/Seeman seconded: To sign title sheet for Bridge replacement project #BROSCHBP-CO06(117)—NC-06 on 22nd Ave Dr. in Cedar Township. Motion carried.

Seeman moved/Bierschenk seconded: To approve purchase agreement with Kevin and Cara Patterson in the amount of \$288.00 for temporary and permanent easement on .06Acre for bridge replacement project #BROSCHBP-CO06(117)—NC-06 on 22nd Ave Dr. in Cedar Township. Motion carried.

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Seeman moved/Bierschenk seconded: To approve purchase agreement with Maurice and Joyce Flickinger in the amount of \$2600.00 for temporary and permanent easement on 0.65 Acre for bridge replacement project #BROSCHBP-CO06(110)—GA-06 in Harrison Township on 24th Avenue Drive and some fencing costs. Motion carried.

Seeman moved/Bierschenk seconded: To approve purchase agreement with Thomas and Bonnie Haes in the amount of \$520.00 for temporary and permanent easement on 0.10 Acre for bridge replacement project #BROSCHBP-CO06(110)—GA-06 in Harrison Township on 24th Avenue Drive. Motion carried.

Seeman moved/ Bierschenk seconded: To approve purchase agreement with Weston Frye in the amount of \$720.00 for temporary and permanent easement on 0.14 Acre for bridge replacement project #BROSCHBP-CO06(110)—GA-06 in Harrison Township on 24th Avenue Drive. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

June 23, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of June 16, 2020. Motion carried.

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Bierschenk moved/Seeman seconded: To approve Resolution #20-40, FY 21 Appropriations. Motion carried.

**RESOLUTION # 20-40
APPROPRIATIONS**

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2020, 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 2020/2021 on March 17, 2020, be and are itemized by service area to each department on the budgets filed in the office of the county auditor on July 1, 2020 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, 2020.

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 2020-2021 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 22, 2021, 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, 2021, for payroll expenses occurring after the date stated in Section 7, for the final processing of expenses submitted on or before June 22, 2021, and for any expenses approved by the Board of Supervisors subsequent to June 22, 2021. All appropriations will lapse at the close of business June 30, 2021.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 23, 2020.

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 #20-41, Bank Depositories. Motion carried.
Resolution #20-41
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 2021.

Farmers Savings Bank & Trust Vinton/Traer	\$ 20,000,000
Midwest One Bank & Trust Belle Plaine	\$ 1,000,000
Regions Bank Waterloo/Vinton	\$ 1,000,000
Chelsea Savings Bank Belle Plaine	\$ 5,000,000
Chelsea Savings Bank Van Horne	\$ 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 23rd day of June, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Bierschenk moved/Seeman seconded: To approve Resolution #20-42, County Official Bank Depository Limits. Motion carried.

RESOLUTION #20-42 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 2021:

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
Dana Burmeister, Transportation Dept. Midwest One Bank	\$ 2,500

Signed this 23rd day of June, 2020

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To set land use hearing date of Tuesday, July 21, 2020 at 9:15 a.m. for Andy Rabe in part of the SE1/4 of SW1/4 of 35-82-11. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141334 through 141355, ACH deposits numbered 42100 through 42247, claims numbered 235439 through 235666 and vendor checks 235667 through 235674. Motion carried.

Wayne Shannon and Roy Schultze with the Cemetery Commission met with the board with some concerns with cemeteries, and wanting to get some surveys done in the county and some using ground penetration radar. One particular cemetery, Stringtown, located on the south side of 74th Street and West of E-66 near Blairstown would need to widen the road to avoid running into graves. The cemetery sign had been taken down and probably farmed over. The county attorney was also present for the discussion. The Board asked the commission to report back when they get some of the estimated costs for said surveys.

Seeman moved/Bierschenk seconded: To approve purchase agreement with Randy and Kelly Pickart in the amount of \$960 for temporary and permanent easement on .12 Acre for bridge replacement project #BRS-CHBP-CO06(115)—GB-06 on 30th V44, North of Luzerne. Motion carried.

Seeman moved/Bierschenk seconded: To approve purchase agreement with EDK Farms, LLC. in the amount of \$864.00 for temporary and permanent easement for bridge replacement project #BRS-CHBP-CO06(115)—GB-06 on 30th V44, North of Luzerne. Motion carried.

Bierschenk moved/Seeman seconded: To approve purchase agreement for temporary easement from Schminke's in the amount of \$184.00 for bridge replacement project in section 4 Canton Township on 30th Ave. Drive. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: To approve Resolution #20-43, Wage and Classification change for Grant Wittmer. Motion carried.

RESOLUTION #20-43
Employee Wage and Classification Change

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

WHEREAS: This employee as part of the original hire is entitled to a wage increase

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the Labor Grade classification of Grant Wittmer will be VD (mechanic.) VD base wage for Grant Wittmer will be \$22.42 per hour. Grant Wittmer rate change will be effective June 24, 2020.

Signed this 23rd day of June, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve utility permit for East Central Iowa REC in Taylor Township to service a new residence. Motion carried.

Seeman moved/Bierschenk seconded: To sign title sheet for Bridge replacement project #BRS-CO06(114)—60-06 on V37 over Wolf Creek, North of Dysart. Motion carried.

Supervisor Seeman presented some pictures of dead trees in a Watkins alley that is on county property that needs trimming. The concern is if they fall down and cause damage to other property.

Scott Hansen and Steve Meyer, representing the EMA commission presented a letter to the Board with their recommendation regarding the DAEC warning sirens. After lengthy discussions about the offer and the various parameters and considerations involved. The commission members were offered the opportunity to vote by email for their options. Their recommendation back to the supervisors is to not accept the offer, but yet the commission was unanimous in support of the supervisors with whatever decision they do make. No action was taken.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

June 30, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of June 23, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date of Tuesday July 28, 2020 at 9:15 a.m. for David and Mary Paustian in part of the NE ¼ NE ¼ of 31-85-9. Motion carried.

Bierschenk moved/Seeman seconded: To acknowledge the Independent audit report for FY19 from the State Auditor's office for the Central Iowa Juvenile Detention Center. Motion carried.

Mark Mossman, resident of Benton County came to discuss billboards. Mossman stated how the ag country side in Benton County is so attractive, yet billboards can be an eyesore. He understands they serve a purpose, but wondered about a balance. Supervisor Primmer observed how currently there are no restrictions in the county. It should be a part of a comprehensive plan. Mossman suggested forming a committee to look into creating an ordinance on signage and he'd be willing to serve and volunteer his time on it. No action was taken.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve contract between Benton County Board of Supervisors and Benton/Iowa County Decategorization (DECAT) and Community Partnership for Protecting Children (CPPC) Governance Board and Braxton Scott effective July 13, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve and sign contract #DCAT4-21-021, Decategorization Coordination (DECAT) and #DCAT4-21-024, Community Partnerships for Protecting Children (CPPC), both effective July 13, 2020 through June 30, 2021. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-44, Interfund Operating Transfers for FY 21. Motion carried.

RESOLUTION #20-44 INTERFUND OPERATING TRANSFERS

WHEREAS, it is desired to authorize the auditor to periodically transfer sums from the general basic fund to the secondary road fund, general supplemental fund, and conservation land acquisition fund; and rural services fund to secondary road and sanitary disposal funds during the 2019-2020 budget year, and

WHEREAS, said transfers must be in accordance with section 331.432, Code of Iowa,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY, IOWA as follows:

Section 1. The total maximum transfers for the fiscal year beginning July 1, 2020, shall not exceed the amounts listed in the respective funds as follows:

<u>FROM (Fund)</u>	<u>TO (Fund)</u>	<u>AMOUNT (max.)</u>
General Basic	Secondary Road	\$ 250,000.00
General Basic	General Supplemental	\$ 350,000.00
General Basic	Capital Projects	\$ 150,000.00
Rural Services Basic	Secondary Road	\$ 3,000,000.00

Section 2. The auditor shall order a transfer each quarter of fiscal year 2020-2021. Said quarterly transfers shall be one quarter of the total transfer to each fund as set forth in Section 1.

Section 3. Exceptions to Section 2 shall be transfers to the Conservation Land Acquisition fund, which may be done at any time during the fiscal year

Section 3. The amount of the transfers required in section 1 to the Secondary Road fund shall be in accordance with Iowa Code 331.429(1)(a) and (b).

Section 4. The amount of any transfer shall not exceed available fund balances in the transferring fund.

Section 5. The auditor is directed to transfer said funds in accordance with this resolution and to notify the treasurer and county engineer of the amounts of said transfers.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 30th, 2020.

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 #20-45, Transfer of funds for the FY 20 Budget. Motion carried.

RESOLUTION #20-45
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
- Debt Service to Capital Projects-\$134,000.00

The auditor is authorized to make the necessary adjustments to the FY20 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 30th, 2020.

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 #20-46, Certification of Deputy and Assistants Salaries for FY 21. Motion carried.

ESOLUTION #20-46 CERTIFICATION OF DEPUTY SALARIES FOR FY21

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-70% of the principal officer

Treasurer's Office:

Rose Sackett – 70% of the principal officer
Joy McGowan – 62.15% of the principal officer
Jodi Bonar– 49% of the principal officer

Sheriff's Department:

Chief Deputy– John Lindsman-85 % of the principal officer

FURTHER BE IT KNOWN that the county attorney has set the salaries for the assistants in his office as follows:

Timothy W. Dille – 85% of the principal officer
Kelly J. Smith-80% of the principal officer

Dated this 30th day of June 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To acknowledge the resignations of Scott Hepker and Jeffrey Ealy in the Transportation department. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Supervisor Seeman relayed information on the Shellsburg recycling trailer. Shellsburg council members do not want one in the city limits with concerns of it being a mess. The county has concerns about the contamination in the recycling trailers. Talk of “no dumping” signage led to giving them one more chance. This area will be on watch, either they shape up or its going to be shipped out.

Discussion was had in regards to the vacant office that has now become available at the Benton County Service Center with Horizons leaving. Sheriff Tippett reported that the Abbe Center has shown interest and he felt that was a good fit in that building with all the other services that are provided. Tippett and Supervisor Seeman also provided an update on the Rural Access Center which is also housed inside the Service Center. Tracy Seeman has provided the labor along with his son and has spent \$1,749.51 in materials along with putting 34 hours of work into this project. Seeman does not want paid for his time, but has provided material invoices. Everyone agreed that Seeman’s son should be compensated for time spent on the project. They plan to get the baseboard ordered and finished up and will provide some final bills so they can also be submitted to the Region for using the mental health fund balance for this.

Continued discussion was had in regards to the Covid-19 pandemic. The Board agreed to keep things as is until August 15th, having to make appointments only for visitors to come inside the courthouse and county buildings and also continue limiting this to Benton County residents only. Sheriff Tippett also brought up HF2502 and suggested a security committee meeting in the near future.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

July 7, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county’s YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To set land use hearing date of Tuesday August 4, 2020 at 9:15 a.m. for Elwick Brothers LLC in part of the SW ¼ SE ¼ of 22-85-10. Motion carried.

Bierschenk moved/Seeman seconded: To approve the minutes of June 30, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Braxton Morrison as Medical Examiner Investigator and also approve the cost to attend forensic training in August if a grant that was applied for doesn’t get awarded. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve Resolution #20-47, Variance to Sub Division. Motion carried.

RESOLUTION #20-47

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 Tim Folken 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 SE ¼ NE ¼, Section 3-T86N-R9W.

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 SE ¼ NE ¼, Section 3-T86N-R9W.

Adopted this 7th day of July, 2020.

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 land use hearing for Brandon and Jennica Jordan in part of Parcel E in the SW ¼ NE ¼ of 27-85-9. No members of the media were present. Jordan's were both present, along with five property owners that have land adjacent to the parcel under review. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Jordan's would like to propose a change of 2 acres into non-ag use for a wedding venue that would have the capacity for up to 250 guests year-round. The parent parcel is 11.1 acres and is currently owned by Beau Chene Inc. The venue would be south of where the Jordan's residence is. CSR is 68 with the land in production being alfalfa. The location is approximately 3.5 miles north of Shellsburg along hard surface. The existing driveway does meet requirements, however in the event that it gets changed, it will have to be reconfigured to have 6:1 side slopes. Jordan's plan to plant vegetative barriers where practical. This location will need a new well and septic. The required notification was sent to the adjacent landowner's and published in the official newspapers. No responses or concerns have been expressed prior to today's hearing.

Neighbor Dennis Manley was the first to speak up in opposition to the land use change. Manley had concerns about an access road, and the noise and lights that would be on the property and the traffic. Other neighbors in the area also spoke up about their concerns of how this could change the dynamic of the whole area and how farm ground should be preserved. Talk of alcohol and loud music and how this will be controlled. Jordan assured them this is not going to be a college hangout, but a wedding venue. "It is the world we live in, people are building everywhere and we want to build this for ourselves and the community." Supervisor Primmer pointed out this board recently approved a venue north of Vinton that is close to residential areas. He doesn't see this being any different than that. Primmer also stressed these venues can bring in additional revenue to the county. He is pro-business and pro-development. Supervisor Seeman asked if there would be music outside, and Jordan's said there wouldn't be.

Hearing no other further comments, the public hearing was closed.

Seeman made a motion, and Supervisor Bierschenk spoke up with some questions about the distance between the venue and the neighbors. Not hearing a second from Bierschenk, Primmer seconded the motion to approve the land use change for Brandon and Jennica Jordan in part of Parcel E in the SW ¼ NE ¼ of 27-85-9. Voting aye were Seeman and Primmer. Bierschenk voting no. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Larry Koster in part of NE ¼ NW ¼ of 28-82-11. Larry Koster attended via zoom call. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Koster would like to propose a change on the use

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

of 1 acre to allow Koster to sell firearms. This business would take place within his existing home in a 12' X 24" room. No improvements are planned. The required notification was sent to the adjacent landowner's and published in the official newspapers. This use is secondary to the overall use of the property and does not create any conflicts with our ordinance. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve land use change for Larry Koster in part of NE ¼ NW ¼ of 28-82-11. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141356 through 141369, ACH deposits numbered 42248 through 42392, handwrite 235675, claims numbered 235676 through 235812 and vendor checks 235813 through 235819. Motion carried.

Seeman moved/Bierschenk seconded: To approve and sign lease agreement between Benton County and the Cedar Valley Ranch effective July 1, 2020 through June 30, 2021. Motion carried.

Bierschenk moved/Seeman seconded: To approve Jail excess flood policy renewal. Motion carried.

Seeman moved/Bierschenk seconded: To approve Sheriff's Quarterly Report ending June 30, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve and sign law contracts with City of Atkins, City of Newhall and City of Shellsburg effective July 1, 2020 through June 30, 2021.

Seeman moved/Bierschenk seconded: To approve Resolution #20-48, Approval and Disapproval of Business Property Tax Credits (BPTC) for the 2019 Assessment year. Motion carried.

RESOLUTION #20-48

APPROVAL OF BUSINESS PROPERTY TAX CREDITS FOR THE 2019 ASSESSMENT

WHEREAS, Iowa enacted SF295 establishing a business property tax credit; and

WHEREAS, the legislation requires property owners to apply for the credit; and

WHEREAS, the board of supervisors is required to allow or disallow the credit based on the requirements of the legislation; and

WHEREAS, the sign-up period has past and the assessor has provided a list of those applying for said credit; and

WHEREAS, the assessor has recommended allowance or disallowance based on the classification and/or use of the property,

IT IS FURTHER RESOLVED that the eighty-one (81) total applications for the 2019 assessment year Business Property Tax Credit filed with the assessor on or before July 1, 2020 are allowed and sixteen (16) of those were new;

IT IS FURTHER RESOLVED that the sixty-five (65) applications for the 2019 assessment year Business Property Tax Credit that were re-filed with the assessor on or before July 1, 2020, due to changes in ownership or other matters, are allowed.

Signed this 7th day of July, 2020

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Holly Ollinger, John and Gwynn Whitson and Steve Helms, all residents along 61st Street came to present a petition regarding sealcoating and hear the estimated costs from the County Engineer. They are willing to cover the costs and have special assessments placed on their property taxes. Holly Ollinger is going to check with all the residents and see how they want to proceed with the process and this would allow time for the Auditor to research the proper steps to move forward with special assessment on their property taxes.

Bierschenk moved/Seeman seconded: To approve Utility permit for East Central Iowa REC in Leroy Township. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Accept bids for IDOT June Letting for Twin Box Culvert replacement on E24 as follows:

Taylor Construction, Inc.	\$372,896.05
K Construction Inc.	\$386,060.15
McCulley Culvert, Inc.	\$439,705.00
Tschiggfrie Excavating Co.	\$569,566.80
Boomerang Corp.	\$627,910.75

Seeman moved/Bierschenk seconded: To accept bids and award the lowest per Engineer's recommendation to Taylor Construction, Inc. for twin box culvert replacement project BRS-SWAP-CO06(107)—FF-06 in the amount of \$372,896.05. Motion carried.

Bierschenk moved/Seeman seconded: Approve Resolution #20-49, Designate County Engineer to execute contract.
Motion carried.

RESOLUTION #20-49

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as "the Board", believes the BRS-SWAP-CO06(107)—FF-06, hereafter referred to as "the project" is in the best interest of Benton County, Iowa, and the residents thereof. The project is defined as RCB Culvert Replacement-Twin Box on E24; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Benton County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Taylor Construction, Inc. in the amount of \$372,896.05 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Benton County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Myron L Parizek, the County Engineer for Benton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Benton County, Iowa, this 7th day of July, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve and sign plans for RCB Culvert Replacements on 19th Ave and 31st Ave. and to set the bid letting date for Tuesday August 4, 2020 at 10:00 a.m. Motion carried.

Discussion about a bridge replacement project with twin box culvert on D65, west of Mt. Auburn. No action was taken.

Seeman moved/Bierschenk seconded: To approve Sheriff's Quarterly Report ending June 30, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve Jail excess flood policy renewal. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve and sign lease agreement between Benton County and the Cedar Valley Ranch effective July 1, 2020 through June 30, 2021. Motion carried.

Bierschenk moved/Seeman seconded: To approve and sign law contracts with City of Atkins, not to exceed 936 hours a year at a yearly sum of \$23,400 to be paid quarterly. City of Newhall, not to exceed 780 hours a yearly amount of \$19,500 to be paid quarterly. The City of Shellsburg, not to exceed 1040 hours a year at a yearly sum of \$26,000 to be paid quarterly all effective July 1, 2020 through June 30, 2021.

Bierschenk n moved/Seeman seconded: To approve Resolution #20-49, Approval and Disapproval of Business Property Tax Credits (BPTC) for the 2019 Assessment year. Motion carried.

Bierschenk moved/Seeman seconded: To enter into closed session pursuant to Iowa Code 21.5(1)k Motion carried at 11:15 a.m.

Seeman moved/Bierschenk seconded: To enter back into open session at 11:42a.m. Motion carried.

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

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

July 14, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To set land use hearing date for Jeff and Marcia Knupp on Tuesday August 11, 2020 at 9:15 a.m. for in part of the SW ¼ SE ¼ of 22-85-10. Motion carried.

Supervisor Primmer asked for clarification on previous meeting as to why Supervisor Bierschenk voted no on the land use hearing for the Jordan's. Bierschenk stated that the neighbors were in opposition to this one, and the one previously in the northern part of the county didn't have that. He felt it was setting precedence.

Seeman moved/Bierschenk seconded: To approve the minutes of July 7, 2020. Motion carried.

Ben Bonar, Weed Commissioner came to the board along with intern George Haefner to give their department update. They also presented the Integrated Roadside Vegetation Management program packet along with their weed complaint program.

Seeman moved/Bierschenk seconded: To approve the Treasurer's Semi-Annual Report ending June 30, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve use of the courthouse lawn for the Iowa Bible Reading Marathon per Loel Fink to be at 7:00 p.m. on the courthouse lawn. Motion carried.

Seeman moved/Bierschenk seconded: To approve law enforcement contracts with City of Mt. Auburn and City of Luzerne, not to exceed 26 hours a year and total amount of \$650.00 to be paid quarterly. Motion carried.

Benton County Attorney announced that this is the week they have announced in-person opening for court. This shouldn't affect much in Benton County other than potential for more people using restrooms and such. They will be required the screening along with other visitors and asked to wear masks and maintain social distancing. Clerk of Court Julie Hennesius was also stressing that cleaning will need to be done by everyone and all have to pitch in to make a difference in times like these. This lead to talk of a possible fogger to disinfect the courthouse when needed especially for large court gatherings. The Board plans to address the Covid-19 further at their August 11th meeting. Things will continue as is until after that meeting and maintaining the require appointments to enter the building.

Bierschenk moved/Seeman seconded: To approve Recorder's Quarterly Report ending June 30, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve Auditor's Quarterly Report ending June 30, 2020. Motion carried.

Committee reports and updates were had. Supervisor Seeman reported on the new transportation building has been started, the poles and cement work.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

July 21, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of Tuesday July 14, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve 14 hours of vacation carry over for Toni Parizek. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-50, Variance to Sub-Division. Motion carried.

RESOLUTION #20-50

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 Chris and Julie Frimml 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 SE ¼ SE 1/4, Section 10-T83N-R10W.

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 SE ¼ SE 1/4, Section 10-T83N-R10W.

Adopted this 21st day of July, 2020.

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 land use hearing for Andy Rabe in part of SE ¼ SW ¼ of 35-82-11. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Rabe would like to propose a change on the use of 2 acres to build a new home. The parent parcel is 40 acres owned by big toy Storage, LLC. The land under review has been pasture with a CSR of 28. The driveway has already been done by easement and meets all requirements. This will need a new septic, but has rural water available. Proper notices were were mailed and published in the newspaper with no responses. This proposed use is compliance. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve land use change for Andy Rabe in part of SE ¼ SW ¼ of 35-82-11. Motion carried.

Seeman moved/Bierschenk seconded: To approve law enforcement contract with City of Norway not to exceed 520 hours a year and \$13,000 to be paid quarterly. Motion carried.

Bierschenk moved/Seeman seconded: To approve General Assistant's Quarterly Report ending June 30, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve the WMA Change orders for Bid Packet 3 and 3A. Motion carried.

Bierschenk moved/Seeman seconded: To set public hearing date for status of funded activities for the WMA for August 4, 2020 at 9:00 a.m. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141370 through 141382, ACH deposits numbered 42393 through 42540, vendor checks 235820 through 235967, claims numbered 235968 through 235975. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Kimberly Rayman as medical examiner investigator. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve purchase agreement for temporary and permanent easement for bridge replacement project #BROS-CHBP-CO06(116)—GA-06 from Glen Van Wechel Family Trust in the amount of \$888.00 for .43 Acres. Motion carried.

Seeman moved/Bierschenk seconded: To approve purchase agreement for bridge replacement project #BROS-CHBP-CO06(117)—NC-06 with Scott and Jill Deklotz for .10 Acres for \$80.00. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

July 28, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of Tuesday July 21, 2020. Motion carried.

Moved/seconded: To set land use hearing date of Tuesday August 25, 2020 at 9:15 a.m. for Chris and Julie Frimml for part of Parcel C in SE ¼ SE ¼ of 10-83-10. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-51, Abatement of Taxes. Motion carried.

RESOLUTION #20-51

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:

Parcel #240-88600 in the amount of \$1,546.00

The treasurer is directed to strike the amount listed due from the county system.

Dated this 28th day of July, 2020.

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 land use hearing for David and Mary Paustian in part of NE ¼ NE ¼ of 31-85-9. Land Administrator Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Paustians were in attendance and would like to propose a change on the use of 5 acres to allow for a wine production facility at their residence located within existing attached garage. They would like to add an addition on to this, and if so the driveway would need to be widened. The lots are located within the "Terrace Green Estates" Sub Division" with restrictive covenants. Greenlee presented a document that approved changes for the lots in question, signed by people in the development. It also allows for signage and special events. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use change for David and Mary Paustian in part of NE ¼ NE ¼ of 31-85-9 and for the amended covenants to also be recorded along with the compliance certificate. Motion carried.

Weed complaint was already handled, so they won't be in attendance.

Other committee reports were discussed, along with looking over the East Central Iowa Local workforce development shared liability agreement, the board decided to wait and get the county attorney's opinion. So no action was taken with that.

Bierschenk moved/Seeman seconded: Authorize claim #235976 for payment to Stark Construction for work done on the new transportation building in the amount of \$22,500 Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk seconded: To approve purchase agreement for temporary and permanent easement for bridge replacement project #BROS-SWAP-CO06(114) for Matthew & Connie Hobson in the amount of \$5,000.00 for 1.91 Acres. Motion carried.

Seeman moved/Bierschenk seconded: To approve purchase agreement for bridge replacement project #STPS-CO06(108)—SE-06 with Lubbocks for .47 Acres for \$3,465.00. Motion carried.

Seeman moved/Bierschenk seconded: To enter closed session at 10:02 a.m. pursuant to Iowa Code 21.5(1)k. Motion carried.

Seeman moved/Bierschenk seconded: To exit closed session.

Bierschenk moved/Primmer seconded: To follow the CDC Guidelines provided and adjust with changes that follow for all Benton County Facilities. Motion carried.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

August 4, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present, Primmer called in. Bierschenk called the meeting to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

The time of 9:00 a.m. was scheduled for a public hearing for the states of funded activities for the Iowa Watershed Approach Project of Benton County, Iowa as assisted by the Community Development Block Grant-National Disaster Resiliency (CDBG-NDR) program. Tom Gruis, East Central Iowa Council of Government Grant Administrator presented the requirements needed. Adam Rodenberg, WMA coordinator was also present. No members of the public were in attendance, and no comments or concerns were heard before this hearing.

As required for this hearing, it is noted that:

- a. For a general description of accomplishments to date, it is noted that the following has been completed: a watershed management plan has been completed; the following agricultural best management practices (BMPs) have been completed: 11 ponds and wetlands, 21 water and sediment control basis, 4 grassed waterways, 1 stream buffer, 7 grade stabilization structures, and 2 terraces; the first construction bid packet has been completed and signed off.
- b. For a summary of expenditures to-date, through June 30, 2020, a total of \$5,605,467 has been invoiced: \$1,959,657 for construction; \$3,999,199 for engineering and other technical services, such as land acquisition, appraisals, archeology, etc.; \$284,901 for the project coordinator and related activities; \$864,576 for flood modelling; \$277,717 for the watershed management plan and related activities; \$179,074 for grant administration. From a grant of \$11,168,559, project costs are reimbursed at 100%; however, landowners are matching 10% of the construction costs for BMPs. These funds are used to support the project.
- c. For a general description of remaining work, it is noted that the following is needed: construct more BMPs, mainly ponds and/or wetlands, with the number to be determined by funds available and actual costs of practices bid in the future; complete the contracted, not-yet-built BMPs in the \$5,313,886 contracted so far. An additional 6-10 ponds and/or wetland projects will be bid in fall 2020 depending on Environmental Review and remaining funds available
- d. For a general description of changes made to the project budget, performance targets, activity schedules, project scope, location, objectives or beneficiaries, it is noted that three HUC-12 watersheds were added to the eligible area for BMP installation; the federal cost share amount was increased from 75% to 90 % to promote landowner participation; and the project completion deadline was extended from 9/30/2021 to 12/31/2021.

Supervisor Seeman asked how much of the grant money was still available. Gruis responded with about ½ as noted through June. No other further comments, so the public hearing was declared closed.

Seeman moved/Primmer seconded: To approve the minutes of Tuesday July 28, 2020. Motion carried.

Primmer moved/Seeman seconded: To approve 20 hours of vacation carryover for Rick Bramow. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Elwick Brothers, LLC. in part of SW ¼ SE ¼ of 22-85-10. Mike Elwick and John Elwick were present. Land Administrator Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Elwick's would like to propose a change on the use of 26 acres to allow for a residential housing development. It is outside of the corporate limits of Vinton, but in the midst of it. The preliminary plat was also shared for Stoney Arch Estates Second Addition to Benton County. This would also include replotting of lots 8 and 9 of Stoney Arch Estates First Addition which was granted approval in August of 2017. The land under review is currently in production, CSR is 58. Drainage and erosion control has been addressed by the Engineer. The driveway location has also been approved. 10 adjacent land owners were notified along with proper notices in the official newspapers. Due to the fact that this is a subdivision, and due to the fact that the City of Vinton has a subdivision ordinance that stipulates that they have full right of review within

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

two miles of the corporate limits, they were notified as well. Hearing no comments prior to this hearing and no current comments, the public hearing was declared closed.

Seeman moved/Primmer seconded: To approve the land use change for Elwick Brothers, LLC. in part of SW ¼ SE ¼ of 22-85-10. Motion carried.

Primmer moved/Seeman seconded: To approve the preliminary plat of Stoney Arch Estates Second Addition. Motion carried.

Seeman moved/Primmer seconded: To approve Resolution #20-52, Variance to the Sub Division ordinance. Motion carried.

RESOLUTION #20-52

Variance to the Benton County Subdivision Ordinance

WHEREAS, Elwick Bros LLC., has requested a variance to the Benton County Subdivision Ordinance #72; and

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

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with regards to the division of real property located in the SW ¼ SE ¼ of 22-85-10 and owned by Elwick Bros LLC.

Article VII: Section 7.01 Other Provisions

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

Adopted this 4th day of August, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Discussion was had on the current count website administrators and how maintenance is hanged. The current website was created before we had our own IT Department. Admin rights would only allow people to access certain parts, while global admin rights would allow them to make changes anywhere. The Board asked that Ben Turnis, IT Director create a policy to be implemented within our county handbook on making changes as to who would be allowed to do what in regards to part-time employees and interns also.

The time of 10:00 a.m. and that was the published time for 2 Box Culvert Bid Letting projects.

Project L-UN-3021 (twin box) bids were received as follows:

McCulley-	\$162,076.00
Taylor Construction, Inc.-	\$163,809.60
K. Construction, Inc.-	\$166,947.00
Iowa Bridge and Culvert-	\$140,651.25
Tschiffgire Excavating-	\$226,785.00
Boomerang Corp-	\$217,099.80

Project L-UN-3025 (single box) bids were received as follows:

McCulley-	\$117,397.00
Taylor Construction, Inc.-	\$141,939.80
K. Construction, Inc.-	\$111,261.80
Iowa Bridge and Culvert-	\$102,061.80
Tschiffgire Excavating-	\$271,897.50
Boomerang Corp-	\$174,284.40

The Engineer recommended the lowest bidder, Iowa Bridge and Culvert for both projects.

Seeman moved/Primmer seconded: To approve the bids from Iowa Bridge and Culvert for Project L-UN-3021 in the amount of \$140,651.25 and Project L-UN-3025 in the amount of \$102,061.80. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Primmer moved/Seeman seconded: to approve Resolution #20-53, Bridge Embargo Removal.
RESOLUTION #20-53

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:

PO-5037 0.3 mile north of the SE corner of section 23-86N-9W (Polk Township)
on 33rd Avenue-north of 56th Street Trail

Adopted this 4th day of August, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Seeman seconded: To approve purchase agreement for temporary easement for box culvert replacement project #BRS-SWAP-CO06(107)—FF-06 for Walter and Martha Bruce in the amount of \$620.00. Motion carried.

The County Attorney prepared a solar panel easement for the City of Newhall. Supervisor Seeman will share with the mayor of Newhall and bring back for formal approval and recording at a later date.

Discussion was also had on pay for employees who are on leave for COVID related reasons. A possible policy will get drafted for further discussion on next week's agenda.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

August 11, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday August 4, 2020. Motion carried.

Seeman moved/Primmer seconded: To approve the website administration maintenance policy addendum to the Benton County handbook. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141383 through 141394, ACH deposits numbered 42541 through 42690, handwritten 235976, vendor checks 235977 through 235983, claims numbered 235984 through 236159. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jeff and Marcia Knupp in part of Parcel A in the NE ¼ SE ¼ of 35-85-12. Knupp's were not present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Knupp's would like to propose a change on the use of 1 acre to build a new home. The site has two out buildings on it currently, and had a house that was removed in October, 2014. That preexisting use discontinued for a period exceeding the 3 years, which makes the land use change necessary to replace the home. CSR is irrelevant as it has not been cropped. This site has an existing well and septic on it. There are two (2) driveways that serve the property and both meet the necessary requirements. The surrounding land uses are all crop land. The Knupp's farm the adjoining land around this site. Notification was given to three (3) adjacent property owners and the official newspapers. No comments were received prior to this hearing. This proposed use is a redevelopment of an old farmstead and is compatible. Hearing no other further comments, the public hearing was closed.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Bierschenk moved/Seeman seconded: To approve land use change for Jeff and Marcia Knupp in part of Parcel A in the NE ¼ SE ¼ of 35-85-12. Motion carried.

Seeman moved/Bierschenk seconded: To authorize signature on termination of contract for services between Vinton Lutheran Home and Benton County for cleaning services at the Benton County Services on August 3, 2020. Motion carried.

Steve Meyer, Emergency Management Commission wanted to thank the supervisors for their budget support and said without their support, the commission couldn't be doing the things they are such as now with the county disaster. With that being said, Meyer presented a County declaration statement.

Seeman moved/Bierschenk seconded: To authorize and approve signature on the Benton County Emergency declaration statement. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-54, Wage and Classification Change for Employee in the Sheriff's office. Motion carried.

RESOLUTION #20-54
EMPLOYMENT STATUS CHANGE FOR BRANNEN HUDSON

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

WHEREAS, Brannen Hudson has been employed by Benton County as part-time since August 2, 2019;

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

WHEREAS, the Sheriff recommended that Hudson 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 Brannon Hudson be changed to a full-time jailer in the Sheriff's office, effective August 11, 2020 at the hourly rate of \$17.39 an hour.

Dated 11th day of August 2020.

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 #20-55, Approve 28E Agreement with East Central Iowa Local Workforce Development Shared Liability Agreement. Motion carried.

RESOLUTION #20-55

A RESOLUTION PROVIDING FOR COOPERATION WITH OTHER GOVERNMENTAL UNITS IN THE CREATION AND OPERATION OF THE SERVICE DELIVERY OF EAST CENTRAL IOWA LOCAL WORKFORCE DEVELOPMENT AREA CONSORTIUMS

WHEREAS, the Governor of Iowa determined that the counties of Benton, Cedar, Iowa, Johnson, Jones, Linn and Washington shall comprise the East Central Iowa Local Workforce Development Area pursuant to the WIOA of 2014, and

WHEREAS, the WIOA of 2014 requires, and Chapter 28E, Code of Iowa (2019) allow, units of local government to indicate their joint participation in the WIOA, by executing a joint exercise of powers agreement in accordance with those laws and regulations, and

WHEREAS, the heretofore-named counties desire to participate in, and be a member of the East Central Iowa Local Workforce Development Area as designated by the Governor:

NOW, THEREFORE, BE IT RESOLVED BY the county of Benton, Iowa that it does hereby pledge its cooperation with the governing bodies of other cooperating governmental units in the creation and operation of the Chief Elected Official Board of the East Central Iowa Workforce Development Area by adopting the Articles of Agreement of such Board which is attached hereto and by this reference made a part hereof.

Dated 11th day of August 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve utility permit for East Central Iowa REC in Benton Township. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-56, Temporary Road closure for construction in Benton Township. Motion carried.

RESOLUTION #20-56

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from August 6, 2020, through the completion of the project.

From 30th Avenue Drive thence easterly approximately 1.0 mile to 31st Avenue along 61st Street Lane in Benton Township.

Adopted this 11th day of August, 2020.

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 and authorize signature for the contract and performance bond for box culverts with Iowa Bridge & Culvert, LC. Motion carried.

Elected Officials and Department Heads met again to discuss the COVID 19 procedures currently in place that were set through August 15. The Recorder and Auditor did not feel it is necessary for their customers to have to make an appointment to come in. The Auditor has election stuff going on, and voters can't be denied the right to come in and apply for absentee ballots or vote in person in the office. The Treasurer would like to keep things by appointment only, it seems to be working well for that office. Court has been slowly opening back up. Other topics discussed including how to pay employees in quarantine or isolation due to having COVID themselves or exposure situations. It was agreed a policy should probably be drafted in place as this will continue to be an issue. It was also agreed if employees that do not have enough sick time, if others employees who do could donate their paid time.

Seeman moved/Bierschenk seconded: To continue keeping things by appointments only for an additional 30 days in county facilities, and this will be re-addressed September 15, 2020. Motion carried.

With the recent storm and all the county wide damage done, this brought up the discussion of where rural residents were to place all their debris. Calls were already starting to come in. Barb Greenlee reported that she would talk to the DNR on their regulations. The Engineer spoke on some rural residents currently already use the right of way for burning, although it is not permitted, it happens. The landfill does not allow brush and trees, but other debris can still be hauled there. City residents usually have the capability to haul to their local brush dumps or place in the streets and city crews pick them up. Rural residents don't have that option. Some of the debris is obviously blocking the roads and in an emergency situation it needs to be addressed. Primmer didn't like the idea of allowing them to place debris in the county's right of way. How will this be policed if other debris and garbage is also placed there? The Engineer did not advise residents to do this.

Seeman moved/Bierschenk seconded: To allow rural residents to place trees and brush only for burning in the ditches or clearing roadways, but absolutely no building or other garbage debris or fines could be given. Voting aye were Seeman and Bierschenk. Primmer voted no. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

August 18, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday August 11, 2020. Motion carried.

Lexa Speidel, Benton County Recorder discussed an idea she had to have window access to her office on the NE side of the courthouse. It is along the gravel path. She would install a doorbell/buzzer system to notify her when someone was there. The County Attorney brought up courthouse security measures in place and questioned how allowing folks up to the window would be for liability issues. Speidel commented that each elected official or department head was supposed to be in charge of their customers and way of doing things. Supervisor Primmer reminded her that her office is within a county owned building. No action was taken.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: To approve Resolution #20-57, Approving the Final Plat of Stoney Arch Estates Second Addition to Benton County. Motion carried.

RESOLUTION #20-57
APPROVING FINAL PLAT

WHEREAS, the final plat of **Stoney Arch Estates Second Addition to Benton County, Iowa**, containing thirteen (13) lots, numbered 1 through 13, has been presented to the Benton County, Iowa, Supervisors consisting of the following described real estate:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 85 NORTH, RANGE 10 WEST OF THE 5TH P.M., INCLUDING LOTS 8 AND 9 OF STONEY ARCH ESTATES FIRST ADDITION, BENTON COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION;

THENCE **SOUTH 89°18'49" WEST (ASSUMED BEARING), 352.05 FEET** ALONG THE SOUTH LINE OF SAID SECTION TO THE SOUTHEAST CORNER OF LOT 7 OF STONEY ARCH ESTATES FIRST ADDITION;

THENCE **NORTHWESTERLY 843.54 FEET** ALONG A **1,407.40 FOOT** RADIUS CURVE CONCAVE **NORTHEASTERLY**, (SAID CURVE HAVING A LONG CHORD OF **NORTH 67°09'51" WEST, 830.97 FEET**);

THENCE **NORTH 49°59'14" WEST 224.27 FEET**, BOTH ALONG THE NORTH LINES OF LOT 7 AND LOT 6 OF SAID ADDITION TO THE SOUTHEAST CORNER OF LOT 5 IN SAID ADDITION;

THENCE **NORTH 40°08'04" EAST 21.40 FEET**;

THENCE **NORTHERLY 63.45 FEET** ALONG A **100.00 FOOT** RADIUS CURVE CONCAVE **WESTERLY**, (SAID CURVE HAVING A LONG CHORD OF **NORTH 21°57'20" EAST, 62.39 FEET**);

THENCE **NORTH 03°46'43" EAST, 89.93 FEET**;

THENCE **NORTHERLY 178.87 FEET** ALONG A **300.00 FOOT** RADIUS CURVE CONCAVE **EASTERLY**, (SAID CURVE HAVING A LONG CHORD OF **NORTH 20°51'30" EAST, 176.23 FEET**);

THENCE **NORTH 37°56'25" EAST, 245.15 FEET**;

THENCE **NORTHEASTERLY 180.47 FEET** ALONG A **200.00 FOOT** RADIUS CURVE CONCAVE **SOUTHEASTERLY**, (SAID CURVE HAVING A LONG CHORD OF **NORTH 63°47'23" EAST, 174.41 FEET**);

THENCE **NORTH 89°38'30" EAST, 126.77 FEET**;

THENCE **NORTH 00°25'25" WEST, 260.00 FEET**, ALL ALONG THE EASTERLY LINES OF LOT 5, LOT 4, LOT 3, LOT 2, AND LOT 1, OF SAID ADDITION TO THE NORTHEAST CORNER OF LOT 1 IN SAID ADDITION AND THE NORTH LINE OF SAID QUARTER-QUARTER SECTION;

THENCE **NORTH 89°07'14" EAST, 749.62 FEET** ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SECTION TO THE NORTHEAST CORNER THEREOF;

THENCE **SOUTH 00°05'46" EAST, 1,333.70 FEET** ALONG THE WEST LINE OF SAID QUARTER-QUARTER SECTION TO THE POINT OF BEGINNING;

CONTAINING **30.793 ACRES**, INCLUDING 1.008 ACRE OF 61ST STREET RIGHT-OF-WAY, SUBJECT TO EASEMENTS OF RECORD.

WHEREAS, the Benton County Board of Supervisors have fully considered the same and found the same to be in accordance with the ordinances of Benton County, Iowa and the laws of the State of Iowa; and

WHEREAS, the owners have executed and filed a Consent and Dedication for said Plat; and

WHEREAS, construction of streets are satisfactorily complete; and

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

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

NOW, THEREFORE, BE IT RESOLVED, by the Benton County Board of Supervisors, that said plat of **Stoney Arch Estates Second Addition to Benton County, Iowa**, will be the same and is hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981, and further amended April 17, 2008.
2. Any new private water supply will be constructed with the approval of the Benton County Department of Health.
3. Any private on-site sewage treatment systems will be constructed with the approval of the Benton County Department of Health.

The Benton County Auditor is hereby directed to certify this Resolution Approving Plat and affix the same to said final plat as by law provided.

Passed this 18th day of August, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Carosh Compliance Solutions came to present their services for protecting employee information and data breaches.

Seeman moved/Bierschenk seconded: To approve the law enforcement contract with the City of Keystone for the total yearly sum of \$6,500 to be paid quarterly and not to exceed 5 hours a week on average. Motion carried.

Bierschenk moved/Seeman seconded: To approve the janitorial contract for Department Of Human Services (DHS) and Kathy Chamberlain and Benton County, Iowa for the use at the Benton County Service Center.

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

Bierschenk moved/Seeman seconded: To exit closed session. Motion carried.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

August 18, 2020

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 11:15 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Scott Hansen, Emergency Management Director provided background on the weather event that hit Benton County, along with 21 other counties in Iowa, occurring on Monday, August 10. Hansen provided an overview of some of the damage, along with how after the storm, all communications were off. Most of the microwaves were turned east, so the county could barely page or talk with emergency officials. By the end of the week, they had partial communications and electricity back. Hansen commended all the organizations and numerous officials for helping their communities. The good news is for Benton County and all of the cities is that public assistance is now open in all categories. Now it's a matter of doing the formal damage assessment process. Just like 2011, we're going to recover from this, although the landscape is going to look a little different. This was a "big" one!

Hansen provided the officials with the FEMA information and links and will continue to update with all the emails that will go along with this process.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

August 21, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the law enforcement contract with City of Urbana to provide police protection for a total yearly sum of \$3,250 to be paid quarterly. Motion carried.

Continued discussion on the county facilities restrictions to the public due to COVID and looking at ways to start opening it up more. Auditor Hayley Rippel brought up the first half of taxes are due September 30. It will be hard to tell people they need to make an appointment to pay their taxes. We've spent plenty of money on the added security measures and disinfecting supplies to keep employees as safe as we can. Primmer reminded everyone that as a board they were waiting until September 15 to do anything different. It has been going on for two and half months, so its nothing new. He'd also like to have recommendation from local health officials and invite them back to the September 15th board meeting. County Attorney David Thompson said security people are doing what they've been told to do. When someone arrives without an appointment, then the elected official can be called. The Recorder pointed out, when we discourage people from bringing phones into the building, some aren't able to give us a call if they don't have a cell phone when they get to the doors and see the signs posted. Controlling the flow of people in the building and keeping loitering down is the main goal. Sheriff Tippet added, that above all, the county has to protect its employees, and do its part to protect citizens who are in the buildings.

It was agreed to allow those in to pay taxes without an appointment, but still limit the numbers coming in and have them go through the screening process, temperature checks and proper health questions asked.

Seeman moved/Bierschenk seconded: To enter into closed session at 9:24 a.m. pursuant to Iowa Code 21.5(1)c. Motion carried.

Seeman moved/Bierschenk seconded: To exit closed session at 10:20 a.m. Motion carried.

Seeman moved/Bierschenk seconded: To take action on what was advised in closed session. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

August 25, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve both sets of the minutes from Tuesday August 18, 2020 and Friday August 21, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date for Tim and Shelby Folken in part of the SE ¼ SE ¼ of 10-83-10 for Tuesday September 22, 2020 at 9:15 a.m. Motion carried.

Seeman moved/Bierschenk seconded: To approve the Veterans Quarterly Reports for periods ending March 31, 2020 and June 30, 2020. Motion carried.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141395 through 141411, ACH deposits numbered 42691 through 42839, handwritten 236160, vendor checks 236161 through 236168, claims numbered 236169 through 236279. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Chris and Julie Frimml in part of SE ¼ of SE ¼ 10-8-10. Frimml's were not present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Frimml's would like to build a new home on 2 acres of land. The land in review is not in production. The sight will need a new driveway, and there is an area where it can be installed and meet the driveway policy. A new septic will be required, and rural water is available. Surrounding land uses are farm ground and other acreages. The proper notice was given to 3 adjacent land owners and the official newspapers, there were no comments heard for or against. No other comments were heard, and the public hearing was closed.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk seconded: To approve the land use hearing for Chris and Julie Frimml in part of SE ¼ of SE ¼ 10-8-10. Motion carried.

Bierschenk moved/Seeman seconded: To authorize paperwork to terminate the farm lease between Benton County and April Harding, d/b/a Green Acres Ranch. Motion carried.

Seeman moved/Bierschenk seconded: To Approve first tier canvass as read for the Walford Special City Election Canvass. The official results are to be recorded in the office of the County Auditor. Motion carried. City of Walford officials will be certified in the second tier canvass which will be held on September 1.

Katie Cox, Director of Home and Public health provided a COVID update to the supervisors and other county officials. Cox also explained some texting and symptoms, contact tracing and ruling out other things that are not Covid-19. Cox felt that everybody is working hard and trying to make the best decisions, and trying to get back to normal, its important to talk things through. Another update will come in a few weeks.

Scott Hansen provided an update on the county's recovery efforts, including how Hawkeye Area Community Action Program (HACAP) has requested assistance with disaster case management. This case management is focused on connecting people with resources and supports available that would be reimbursed by Department of Human Services (DHS). Benton County may need to arrange for a memorandum of understanding between Benton County and HACAP. Sarah Wagner representing Benton County Relief has already offered to help with this vital work and will track her time on her timesheets going forward.

Bierschenk moved/Seeman seconded: To approve Resolution #20-58, temporary road closure for construction on 31st Ave. in Fremont Township. Motion carried.

RESOLUTION #20-58

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from August 24, 2020, through the completion of the project.

From 72nd Street thence north 1.0 mile to 71st Street along 31st Avenue in Fremont Township.

Adopted this 25th day of August, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve and sign bridge deck replacement project # BHS-SWAP-CO06(118)—FC-06 N of Blairstown on 21st. Avenue. Motion carried.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

September 1, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve both sets of the minutes from Tuesday August 25, 2020.

Bierschenk moved/Seeman seconded: To approve and authorize signature on the solar panel easement agreement between Benton County, IA and the City of Newhall for a period of 25 years required by Newhall to maintain and utilize the public improvement beginning on August 1, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve and sign letter of support for the Benton County Historical Preservation to apply for a grant to host a conference. Motion carried.

Seeman moved/Bierschenk seconded: To approve the second tier canvass as read for the Walford Special City Election Canvass. The official results declared Randy Bauer the winner and is to be recorded in the office of the County Auditor. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve Resolution #20-59, Hiring Sheriff Deputy. Motion carried.

RESOLUTION #20-59
APPROVING HIRE IN SHERIFF'S DEPARTMENT

IT IS HEREBY RESOLVED that the Sheriff has a vacancy for the position of a full time Deputy Sheriff, and;
WHEREAS Scott Bahmann has been selected through the Civil Service Board and completed all the required testing;
WHEREAS Bahmann is an ILEA certified officer, with over 7 years experience and qualifies for the 7-year wage scale.
IT IS FURTHER RESOLVED that the starting wage of Scott Bahmann is as follows:
Deputy Sheriff - \$28.67 per hour per union contract effective September 15, 2020.
Date this 1st day of September, 2020.

Rick Primmer, Chairman
Gary Bierschenk
Tracy Seeman

ATTEST:
Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve Resolution #20-60, temporary road closure. Motion carried.

RESOLUTION #20-60

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from September 8, 2020, through the completion of the project.

From 70th Street thence north 1.0 mile to 71st Street along 19th Avenue in Union Township.

Adopted this 1st day of September, 2020.

Rick Primmer, Chairman
Gary Bierschenk
Tracy Seeman

ATTEST:
Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To enter closed session pursuant to Iowa code 21.5(1)c. Motion carried.

Seeman moved/Bierschenk seconded: To exit closed session at 9:54 a.m. Motion carried.

Seeman moved/Bierschenk seconded: To act on what was discussed in closed session. Motion carried. The Board took a quick recess and then had some committee reports.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Bierschenk moved/Seeman seconded: To approve Resolution #20-61, Variance to the sub-division. Motion carried.

RESOLUTION #20-61

Variance to the Benton County Subdivision Ordinance

WHEREAS, Austin Pettit, has requested a variance to the Benton County Subdivision Ordinance #72; and

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

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with regards to the division of real property described as Parcel C in NW ¼ SE ¼ 4-85-10 and owned by Travis and Pamela Pettit.

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

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

Adopted this 1st day of September, 2020.

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

September 8, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county’s YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes from Tuesday September 1, 2020.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141412 through 141436, ACH deposits numbered 42840 through 42982, handwrites 236280 and 236289, vendor checks 236282 through 236288, claims numbered 236290 through 236415. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk seconded: To approve Resolution #20-62, Requesting Reimbursement from the Iowa Covid-19 Government Relief Fund and to approve and sign for the Vote Safe Iowa Initiative Grant Agreement with Iowa Secretary of State. Motion carried.

**RESOLUTION #20-62
REQUESTING REIMBURSEMENT FROM THE IOWA COVID-19 GOVERNMENT RELIEF FUND**

A resolution by Benton County to request reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund.

WHEREAS, the United States Congress approved the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide economic relief related to the COVID-19 pandemic.

WHEREAS, Governor Kim Reynolds allocated \$125 million of the State of Iowa's CARES Act funding to local governments for direct expenses incurred in response to the COVID-19 emergency.

WHEREAS, local government funding reimbursements may only be used for necessary expenditures incurred due to the COVID-19 pandemic, were not accounted for in the current fiscal year county budget, were incurred during the time period of March 1, 2020 through December 30, 2020 and have not been reimbursed from other sources.

NOW, THEREFORE BE IT RESOLVED, Benton County requests reimbursement of \$325,127.49 in eligible expenditures in response to the COVID-19 public health emergency.

BE IT FURTHER RESOLVED, Benton County affirms that the above requests for reimbursement follow all formal published Federal and State of Iowa guidance on how the funds should be spent, and understand if the reimbursements are misrepresented, the local government will be liable for any applicable penalty and interest.

HEREBY RESOLVED but the Board of Supervisors for Benton County on this 8th day of September, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: To approve Resolution #20-63, Variance to Sub Division. Motion carried.

RESOLUTION #20-63

Variance to the Benton County Subdivision Ordinance

WHEREAS, Stan and Nancy Geiken have requested a variance to the Benton County Subdivision Ordinance #72; and

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

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with regards to the division of real property described as Parcel C in NE ¼ NW ¼ 31-85-9 and owned by Stan and Nancy Geiken.

All provisions to the sub-division ordinance waived in its entirety

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

Adopted this 8th day of September, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve farm exemption application for Jason and Angie Sanders for the SE ¼ SE ¼ of the SW ¼ of 4-84-10. Motion carried.

Adam Rodenberg, The Middle Cedar Watershed Coordinator met with the board at the request of the landowner regarding the Lee watershed project. Rodenberg explained the concerns expressed by the landowner regarding pool depth and slope steepness as well as the issues regarding the direct impacts to a naturally occurring wetland and the permit requirements set by the USACE to mitigate those impacts on this site. Rodenberg explained that creation of stable slopes is a requirement of the contractor and that the IWA project cannot justify spending additional funds not outlined in the approved engineering plans and contract. The landowner was informed that additional earthwork outside of the IWA can be taken care of privately given the additional earthwork is acceptable under the USACE permit. Rodenberg was confident the other issues expressed by the landowner will be taken care of upon completion of the project. Rodenberg also updated the Board on other WMA projects.

Seeman moved/Bierschenk seconded: To allow Adam Rodenberg, WMA coordinator, to sign off on his own timesheets and claim forms as other department heads do.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

September 15, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes from Tuesday September 8, 2020.

Seeman moved/Bierschenk seconded: Approve handwrites #236416 through 236418 for the sheriff's office for employee training. Motion carried.

Seeman moved/Bierschenk seconded: To approve the Annual Benton County Urban Renewal Report. Motion carried.

The Board discussed a proposal for labor and employment services from Ahlers Cooney Attorneys. Benton County Attorney David Thompson stressed that anything involving an attorney, he has to sign off on or it doesn't happen. Primmer recommended tabling the item to allow Thompson to look the proposal over.

Mindy Druschel, Department of Human Services, discussed D-SNAP(Disaster Food Assistance) and use of the Benton County Service Center. They are expecting 700 households to apply for this, and she was concerned about

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

maintaining social distancing and the proper screening process. She was assured the board was okay with this and that the Sheriff's office would make sure security was handled.

Seeman moved/Bierschenk seconded: To set land use hearing date for Dennis Hearn in the NE ¼ of NW ¼ 36-86-10 for Tuesday, October 20, 2020 at 9:15 a.m. Motion carried.

Benton County Public Health's director Katie Cox provided an update on COVID-19 numbers in Benton County. The positive count was at 249, and about 40 to 50 are still active cases. Sheriff Ron Tippet said what we're doing seems to be working, and thought we should just stay status quo.

Seeman Moved/Bierschenk seconded: To keep the courthouse as is until Tuesday October 6, 2020 and continue utilizing appointments as much as possible. Motion carried.

The Engineer reported that his agenda items were not ready for action, the DOT was not officially done with their letting, so this will have to go back on next week.

Tracy Seeman provided a conservation update as well as a report on the new Transportation Building progress.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

September 22, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Primmer seconded: To approve the minutes from Tuesday September 15, 2020.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Bierschenk moved/Seeman seconded: To approve Resolution #20-64, National Voter Registration Month/Day. Motion carried.

**Resolution #20-64
National Voter Registration Month/Day**

WHEREAS, registering to vote empowers eligible citizens to exercise their right to vote on Election Day; and

WHEREAS, 2020 marks the centennial anniversary of women gaining access to the ballot box through the passage of the 19th Amendment to the U.S. Constitution; and

WHEREAS, one of the national leaders of the women’s suffrage movement was Iowan Carrie Chapman Catt; and

WHEREAS, Iowa consistently ranks among the top 10 states in the nation for voter registration and voter participation, with more than two-million residents currently registered to vote; and

WHEREAS, 17-year-olds are now eligible to register to vote in Iowa; and

WHEREAS, Iowa’s voter registration process is easier and more convenient than ever before, with online voter registration, Election Day registration, and applications available through government agencies across the state; and

WHEREAS, the State of Iowa’s online voter registration system enables citizens to register to vote and update their registration status quickly and easily, any time of day; 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 2020 as National Voter Registration Month; and Tuesday, September 22nd, 2020 as National Voter Registration Day.

Signed this 22nd day of September, 2020.

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 # 20-65, Homestead, Military and Disabled Veteran’s Homestead Tax Credits for the 2020 Assessment. Motion carried.

RESOLUTION #20-65

APPROVAL AND DISAPPROVAL OF HOMESTEAD TAX CREDITS, MILITARY TAX CREDITS, AND DISABLED VETERAN’S HOMESTEAD TAX CREDITS FOR 2020 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, 2020, for the 2020 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 22nd day of September, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To acknowledge the resignation of David Davis in the Transportation Department, effective Friday, October 2, 2020. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Bierschenk moved/Seeman seconded: To approve Resolution #20-66, Committing of funds. Motion carried.
RESOLUTION #20-66

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, 2020:

COMMITTED FUND BALANCES:

General Fund:

- \$16,000 sanitarian vehicle replacement;
- \$30,000 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-\$130,000 conservation building at Hannen and land purchase

EMS Revolving Loan Fund – \$122,109.16 for emergency services loans

LOSST Fund - \$50,000 for technology upgrades and infrastructure;

BE IT RESOLVED that committed fund balances established prior to June 30, 2020, are hereby uncommitted as of June 30, 2020, 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 22nd of September, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To Appoint Mike Rathje as Fremont Township trustee. Motion carried. The quote for audio wiring in the courtroom was disussed. 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 Tim and Shelby Folken in part of SE ¼ of NE ¼ 3-86-9. Tim Folken was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Folken’s would like to build a new home on 2 acres of land. The CSR has an average of 53. The sight will need a new driveway, and the proposed area has met all the requirements. Surrounding land uses are primarily residences and row crop. The proper notice was given to 6 adjacent land owners and the official newspapers, there were no comments heard for or against. No other comments were heard, and the public hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use hearing for Tim and Shelby Folken in part of SE ¼ of NE ¼ 3-86-9. Motion carried.

Seeman moved/Bierschenk seconded: To opt out of the presidential directive regarding withholding employee social security tax. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141437 through 141454, ACH deposits numbered 42983 through 43123, handwrites 236416-236418, vendor checks 236419 through 236426, claims numbered 236427 through 236560. Motion carried.

Bierschenk moved/Seeman seconded: To accept the bids the Engineer provided from IDOT September letting for Box Culvert Replacement on 75th St (BROS-SWAP-CO06(98)—SE-06 as follows:

- Iowa Bridge & Culvert, L.C.-\$276,665.50
McCulley Culvert, Inc. -\$302,148.75
Taylor Construction, Inc. -\$307,693.85
Boomerang Corp-\$347,878.00
Progressive Structures, LLC-\$350,796.60

Seeman moved/Bierschenk seconded: To award Box Culvert replacement bid and contract with Iowa Bridge & Culvert, L. C. in the amount of \$276,665.50. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-67, Designate County Engineer to execute contract signatures for Project (BROS-SWAP-CO06(98)—SE-06. Motion carried.

RESOLUTION #20-67

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as "the Board", believes the BROS-SWAP-C006(98)—SE-06, hereafter referred to as "the project" is in the best interest of Benton County, Iowa, and the residents thereof. The project is defined as RCB Culvert Replacement-Single Box on 75th St; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Benton County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Iowa Bridge & Culvert, L.C. in the amount of \$276,665.50 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Benton County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Myron L Parizek, the County Engineer for Benton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Signed this 22nd day of September, 2020.

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

September 29, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes from Tuesday September 22, 2020.

Seeman moved/Bierschenk seconded: To allow the Cedar Valley Ranch, keep their equity portion in their possession instead of the normal transfer to Benton County so they can fund some needed improvements. Motion carried.

Bierschenk moved/Seeman seconded: To approve handwrites to pay the taxes on Benton County parcels #240-88600 and 870-03160. Motion carried.

Scott Hansen, Benton County Emergency Management Director and Steve Meyer, Chairman of the Emergency Management Board met with the Board regarding FY 22 Budget. The Agency can no longer count on part of its budget coming from the Duane Arnold Energy Center (DAEC). The nuclear power plant has been shut down. Part of working with the DAEC is the siren system. There are 35 sirens located throughout the county, and this system might be turned over to us. Meyer also gave an update on the county's hazard mitigation plan. Deadline is February 16, 2021, and work has been stalled since the Deracho that hit in August.

Mike Day, RC Tech provided the quote for audio in the courtroom. Day toured the courtroom and will look at a few options and will re-submit before the Board makes final approval.

Bierschenk moved/Seeman seconded: To acknowledge resignation of Ross Hanson, communication specialist at the Sheriffs office.

Seeman moved/Bierschenk seconded: To approve the transition for Lydia Close between part-time kitchen and part-time communication specialist. Motion carried.

Seeman moved/Bierschenk seconded: To acknowledge the grant award from Center for Tech and Civic Life to be used to help plan for safe and secure election administration in Benton County in the amount of \$7,728.00. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk seconded: To approve Resolution #20-65, Abatement of taxes. Motion carried. RESOLUTION #20-68

WHEREAS, Benton County has acquired property used for right of way 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 2019 tax assessed against parcels listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63:

Table with 2 columns: Parcel ID and Amount. Lists 28 parcels with their respective abated amounts ranging from \$2.00 to \$28.00.

The treasurer is directed to strike the amount listed due from the county system.

Dated this 29th day of September 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Mae Hingtgen, CEO for MH/DS of East Central Region provided an ECR update and reviewed the strategic plan and fund balance. The East Central Region also came up with a new branding logo. Hingtgen handed out the regional plan that includes mission, vision and values. Talked about the access issues, crisis delivery and other partnerships, and the fiscal responsibility being in a cohesive region.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

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

Rick Primmer, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

October 6, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. Unless otherwise noted, all actions were approved unanimously.

Bierschenk moved/Seeman seconded: To approve the minutes from Tuesday September 29, 2020.

Seeman moved/Bierschenk seconded: To approve and authorize signature on revised quote from RC Tech for courtroom audio and wiring in the amount of \$9,694.18. Motion carried.

Seeman moved/Bierschenk seconded: To approve handwrite to pay Wirtenan Concrete for cement work done at the new transportation building in the amount of \$52,630.00 . Motion carried.

Seeman moved/Bierschenk seconded: To approve Sheriff's Quarterly Report ending September 30, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize the chair to sign the native consultation letters for the site map for MC-158-Hicks and the site specific environmental review specific to the Tier 2 for MC-INV-005. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-68, Bridge embargo removal. Motion carried.

RESOLUTION #20-69

WHEREAS, the structure at this location has been replaced by a new structure and

WHEREAS, the new structure will no longer need a weight restriction,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the weight restriction previously imposed on this structure be removed. The structure is located as follows:

FR-3035 0.5 mile south of the NW corner of section 22-83-09 (Fremont Township) on 31st Avenue between 71st Street and 72nd Street.

Signed this 6th day of October 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Katie Cox, Benton County Public Health Director, reported that the number of positive COVID cases has increased from 249 to 368 in the month since she'd last met with the Board. As for opening the courthouse, the courthouse is doing well in keeping Covid-19 out, so Cox related that health board member Dr. Maggie Mangold recommended that if it's not broke, don't fix it. Cox felt education and encouragement of using masks are reflected in Benton County's numbers in comparison to other counties even though they are still going up.

Bierschenk moved/Seeman seconded: To keep courthouse closed to the public as currently has been and will review again on November 17, 2020 after the election. Motion carried.

Shelby Williams provided a quick conservation update.

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

October 13, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes from Tuesday October 6, 2020.

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141455 through 141471, and 141472-141486, ACH deposits numbered 43124 through 43268, 43269 through 43410 handwrites 236570-236572, vendor checks 236561 through 236567, claims numbered 236573 through 236768 vendor checks 236769 through 236776. Motion carried.

Seeman moved/Bierschenk seconded: To approve Auditor's Quarterly report ending September 30, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve Recorder's Quarterly report ending September 30, 2020. Motion carried.

Adam Rodenberg provided an update of projects regarding bid packet 3 and bid packet 5. Rodenberg explained about the completion date for work to be complete by November 1. The watershed spans 10 counties: Franklin, Hardin, Butler, Grundy, Marshall, Tama, Blackhawk, Buchanan, Linn and Benton. In total it covers 1.5 million acres.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: To approve Resolution #20-70, Approving Final Plat for Folken Acres First Addition to Benton County. Motion carried.

RESOLUTION #20-70
APPROVING PLAT FOR FOLKEN ACRES FIRST ADDITION
TO BENTON COUNTY, IOWA

WHEREAS, a Plat of Folken Acres First Addition to Benton County, Iowa, containing two (2) lots has been presented to the Benton County Board of Supervisors consisting of the following described real estate:

Parcel B in the NE FRL ¼ of Section 3, Township 86 North, Range 9 West of the 5th Principal Meridian, Benton County, Iowa.

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 Folken Acres First 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 13th day of October, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve utility permit for Bill Selken in Kane Township for solar panels. Motion carried.

Bierschenk moved/Seeman seconded: To approve Utility permit(s) for Windstream Communications in Union, Eden and Eldorado Townships. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Bierschenk moved/Seeman seconded: To approve Resolution #20-71, Bridge Embargo. Motion carried.

RESOLUTION #20-71

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:

UN-3021 0.1 mile south of the NW corner of section 15-83-11 (Union Township) on 19th Avenue between 70th Street and 71st Street.

Signed this 13th day of October 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To enter into closed session at 9:50 a.m. pursuant to Iowa code 21.5(1)c and 21.5(1)k.

Seeman moved/Bierschenk seconded: To exit closed session at 10:27 a.m. Motion carried.

Seeman moved/Bierschenk seconded: To authorize the county attorney to speak to the organization that was discussed in closed session and will report back to the board. Motion carried.

The County Attorney discussed outside legal counsel regarding labor negotiations and human resources management. He would like more information from the Auditor on what all the office is wanting before a law firm is hired. Thompson said he will handle the negotiations. No action was taken.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

October 27, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve hiring of Joseph Wehage, part-time transportation driver at a starting rate of \$12.36 an hour pending pre-employment approval. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday, October 20, 2020. Motion carried.

Julie Hessenius, Benton County Clerk of Court presented some documents from the Iowa Judicial Branch informing Benton County that the state has approved funding through the CARES Act to fund a full courtroom system package. They apologized for the short notice and especially after the Supervisors already previously approved an agreement with RC Tech.

Bierschenk moved/Seeman seconded: To approve and authorize signature on the Iowa Judicial Branch system installation sign off. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk seconded: Approve payroll checks numbered 141487 through 141504, ACH deposits numbered 43411 through 43547, handwrites 236777, claims numbered 236778 through 236907 vendor checks 236908 through 236914. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-74, Wage and Classification change in the Sheriff’s office. Motion carried.

RESOLUTION #20-74
EMPLOYMENT STATUS CHANGE FOR CATHY CLOSE

WHEREAS, the Benton County Sheriff has a need for full-time cook; and

WHEREAS, Cathy Clouse has been employed by Benton County as part-time since June 29, 2017;

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

WHEREAS, the Sheriff recommended that Clouse 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 Cathy Clouse be changed to a full-time cook in the Sheriff’s office, effective October, 27th at the hourly rate of \$19.11 an hour.

Dated 27th day of October 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To authorize purchasing a vehicle for Foundation 2 Rural Access Point. Motion carried.

Bierschenk moved/Seeman seconded: To approve the sale of the rescue equipment inside Rescue 1 to Blairstown Fire. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk seconded: To approve Resolution #20-75, Abatement of Taxes. Motion carried.

RESOLUTION #20-75

WHEREAS, United States of America has acquired property used for right of way 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 2019 tax assessed against parcels listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63:

Parcel #	Taxes Due:	Penalty	Total
040-00350	\$1262.00	\$9.00	\$1271.00
040-00250	\$842.00	\$6.00	\$848.00
660-06050	\$2284.00	\$17.00	\$2301.00

The treasurer is directed to strike the amount listed due from the county system.

Dated this 27th day of October 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve and authorize chairman's signature on the 2020 Annual Weed Commissioner's Report. Motion carried.

Kate Robertson and members of the Benton Development Group Commission were present to share the results from a survey that was sent to landowners along the HWY 30 corridor in Benton County. The intent was to gauge their knowledge of the county's policy and determine if they had any development interest. They had 51.6% responses to the survey. Robertson stressed that the survey was not meant to create controversy. As of right now, there is nothing along HWY 30 that is available for development.

The Board heard a request for a ground penetrating radar survey for the Benton County Pioneer Cemetery Commission for Stringtown Cemetery. This concerns an old cemetery that could be affected when the county widens the right of way near the cemetery. Engineer Myron Parizek felt that the survey expenses may be able to be covered by secondary roads, but fencing would not be.

Bierschenk moved/Seeman seconded: To Accept Bids received from the bid letting of October 20, 220 on Proposal: 001—06-CO06-114. Motion carried.

Bids received were as follows:

Taylor Construction	\$1,808,794.70
Peterson Contractors Inc.	\$1,873,642.58
Iowa Bridge & Culvert, L.C.	\$1,969,181.60
Godbersen-Smith Construction Co & Subsid	\$2,130,193.90

Seeman moved/Bierschenk seconded: To award bride replacement project BRS-SWAP-CO06(114)—FF-06 to Taylor Construction. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk Seconded: To approve Resolution #20-76, Contract Designee. Motion carried.

RESOLUTION #20-76

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the BRS-SWAP-C006(114)--FF-06, hereafter referred to as “the project” is in the best interest of Benton County, Iowa, and the residents thereof. The project is defined as Bridge Replacement-PPCB on Hwy V37 over Wolf Creek; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Benton County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Taylor Construction, Inc. in the amount of \$1,808,794.70 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Benton County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor’s bond and certificate of insurance, Myron L Parizek, the County Engineer for Benton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Benton County, Iowa, this 27th day of October, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

November 3, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county’s YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of Tuesday, October 27, 2020. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To approve Resolution #20-77, Abatement of Taxes. Motion carried.

RESOLUTION #20-77

WHEREAS, the State of Iowa has acquired property used for right of way 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 2019 tax assessed against parcels listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63: the treasurer is directed to strike the amount listed due from the county system.

Parcel #	Taxes Due:	Penalty & Interest	Total
700-00311	\$152.00	\$5.00	\$157.00
700-00561	\$200.00	\$6.00	\$206.00
700-00811	\$8.00	\$1.00	\$9.00
700-01291	\$62.00	\$2.00	\$64.00
700-01811	\$14.00	\$1.00	\$15.00
700-02361	\$74.00	\$2.00	\$76.00
710-00041	\$7.00	\$1.00	\$8.00
710-00111	\$60.00	\$2.00	\$62.00
710-00371	\$1.00	\$1.00	\$2.00
710-00461	\$231.00	\$7.00	\$238.00
720-00371	\$25.00	\$1.00	\$26.00
740-04081	\$31.00	\$1.00	\$32.00
740-04091	\$41.00	\$1.00	\$42.00
740-04111	\$25.00	\$1.00	\$26.00
740-04121	\$63.00	\$2.00	\$65.00
740-13261	\$62.00	\$2.00	\$64.00
740-13321	\$74.00	\$2.00	\$76.00
740-13331	\$7.00	\$1.00	\$8.00
740-13441	\$254.00	\$8.00	\$262.00
740-13611	\$81.00	\$2.00	\$83.00
740-14761	\$2.00	\$1.00	\$3.00
740-14881	\$7.00	\$1.00	\$8.00
740-20811	\$161.00	\$5.00	\$166.00
740-23861	\$96.00	\$3.00	\$99.00
740-24911	\$15.00	\$1.00	\$16.00
880-01361	\$175.00	\$5.00	\$180.00
880-01411	\$104.00	\$3.00	\$107.00
890-01681	\$1.00	\$1.00	\$2.00
890-01711	\$2.00	\$1.00	\$3.00
890-03861	\$204.00	\$6.00	\$210.00
890-07511	\$2.00	\$1.00	\$3.00
890-07681	\$11.00	\$1.00	\$12.00
890-07691	\$10.00	\$1.00	\$11.00
890-11211	\$2.00	\$1.00	\$3.00
890-13711	\$6.00	\$1.00	\$7.00
890-13761	\$1.56	\$1.00	\$2.56
890-18371	\$15.00	\$1.00	\$16.00
900-00211	\$170.00	\$5.00	\$175.00
900-00261	\$10.00	\$1.00	\$11.00
900-02861	\$176.00	\$5.00	\$181.00
900-02950	\$323.00	\$10.00	\$333.00
900-04561	\$2.00	\$1.00	\$3.00

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Dated this 3rd day of November 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To set FY 21 Budget Amendment for Tuesday December 1, 2020 at 9:30 a.m. Motion carried.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

November 10, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday, November 3, 2020. Motion carried.

Bierschenk moved/Seeman seconded: Approve payroll checks numbered 141505 through 141628, ACH deposits numbered 43548 through 43683, claims numbered 236915 through 237130 vendor checks 237131 through 237137 and claims 237138 and 237139. Motion carried.

Seeman moved/Bierschenk seconded: To approve 75 hours of vacation carry over for Ben Turnis to be used by April 30, 2021. Motion carried.

Bierschenk moved/Seeman seconded: To set land use hearing date for Brent and Amy Allee for Tuesday December 8, 2020 at 9:15 a.m. for a part of NW ¼ NE ¼ of 15-85-9. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing date for Kevin Gilbreath for Tuesday December 8, 2020 at 9:30 a.m. for a part of Parcel A in the SW ¼ SW ¼ of 29-83-10. Motion carried.

Bierschenk moved/Seeman seconded: To approve utility permit for T.I.P. REC in Leroy Township to bore underground in the county's right of way. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Bierschenk seconded: Approve Resolution #20-78, 28E Project Agreement along Linn-Benton Road with Linn County. Motion carried.

RESOLUTION #20-78

28E PROJECT AGREEMENT FOR LINN AND BENTON COUNTY

WHEREAS, Benton County and Linn County would like to share a project; and

WHEREAS, it is understood that this Agreement is between two public agencies and is entered into pursuant to the provisions of Iowa Code Chapter 28E and shall be electronically filed with the Iowa Secretary of State's Office upon execution, as required by law.

Signed this 10th day of November, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

**BENTON COUNTY AND LINN COUNTY
28E PROJECT AGREEMENT**

This agreement entered into this 10th day of November, by and between Linn County, Iowa, hereinafter referred to as Linn County, and Benton County, Iowa hereinafter referred to as Benton County.

WHEREAS, both Linn County and Benton County are a public agency as is defined by Section 28E.2 of the Code of Iowa, and

WHEREAS, Section 28E.3 of the Code of Iowa provides that any power or powers, privileges or authority exercised or capable of exercise by a public agency of the State of Iowa may be exercised and enjoyed jointly by a public agency of the State of Iowa having such power or powers, and

WHEREAS, it is proposed, that Linn County plan, design and let for bidding a construction project to regrade shared portions of Linn-Benton Road, and

WHEREAS, the Linn County Board of Supervisors and the Benton County Board of Supervisors have informed themselves as to the proposed improvement.

IT IS NOW AGREED that Benton County and Linn County enter into an agreement pursuant to Chapter 28E of the Code of Iowa providing for cooperative action pursuant to the proposed roadway construction project and, said cooperative actions include the following:

- 1) SCOPE OF WORK - Design, let and construct improvements to Linn-Benton Road per plans and specifications produced by the Linn County Engineer. Work is to include culvert replacements, widen the roadtop, flatten the foreslopes, rock surfacing, staking, inspection, and other items to complete the project.
- 2) DURATION - This Agreement shall commence on the date that both parties sign this agreement and shall continue thereafter until the final completion of the project and settlement of the financial conditions of this agreement.
- 3) PURPOSE - The purpose of this Agreement is to accomplish the proposed project as described herein in accordance with the aforesaid scope of work and in agreement with conditions specified in this Agreement.
- 4) ADMINISTRATION – Linn County shall be responsible for the administration of this project.
- 5) Benton County and Linn County agree to save and indemnify and keep harmless, each other against all liabilities, judgments, costs, and expenses which may in any way come against Linn County or Benton County or which in any way result from carelessness or neglect of either party or its agents, employees, or workmen in any respect whatsoever.
- 6) Benton County and Linn County agree to indemnify and hold each other, their employees and agents, wholly harmless from any damages, claims, demands, or suits by any person or persons arising out of any acts or omissions by Benton County or Linn County, its agents, servants or employees in the course of any work done in connection with any of the matters set forth in this agreement.
- 7) FINANCING - Linn County shall initially finance the cost of the project. Benton County shall reimburse Linn County for the actual cost of construction plus 7.5% administration fees (design, inspection, plan preparation, etc.) based on proposed plans and attached project estimate for the portion of the project within their corporate limits as they exist at the time the project is complete. Payment shall be made within 30 days of receipt of detailed invoice.
- 8) TERMINATION: -
 - a) This Agreement shall be considered binding upon Benton County and Linn County and shall not be terminated until provisions of paragraph 8b are met after actual work has begun on the project.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

- b) This agreement will be terminated upon final acceptance of the work by Benton County and final settlement of the financial conditions set forth in paragraph 7 thereof.

Executed in triplicate, each of which shall constitute as original, by Linn County on the _____ day of _____, _____, _____, and by Benton County on the 10th day of November, 2020.

The Engineer discussed job position openings with secondary roads and the need for office help. Which led to discussion on an employee, the Engineer and Auditor have been sharing over the past few weeks. Rippel would like formal approval from the Board, but the official effective date is yet to be determined due to finding the replacement in the Engineer's office.

Seeman moved/Bierschenk seconded: To approve Resolution #20-79 Hiring in the Auditor's office. Motion carried.

RESOLUTION #20-79

APPROVE HIRE OF AUDITOR CLERK

WHEREAS, the Benton County Auditor requested and was granted approval to hire another employee in the office performing various 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 Alisha Burmeister be hired to fill the position, said hire being done through a transfer as Burmeister is a current employee of Benton County Secondary Roads department;

WHEREAS, the Engineer will need to find a replacement for Burmeister's vacancy;

THEREFORE, Burmeister will continue doing needed duties and assist training the future new hire who will fill her vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hire/transfer of Alisha Burmeister as clerk in the auditor's office, at an annual salary of \$45,000.00 which is effective November 10, 2020, is hereby approved. The Engineer and Auditor will continue to share Burmeister until her replacement is hired at the Engineer's office.

Dated this 10th day of November, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Gina Edler, Deputy Canvass

Seeman moved/Bierschenk seconded: To declare the canvass of the election to be complete and the votes cast to be official. The official results are to be recorded in the office of the County Auditor. Motion carried.

The results of the General Election held on November 3, 2020, for local candidates as canvassed and approved by the Benton County Board of Supervisors are as follows:

- County Supervisor District II – Rick Primmer
County Supervisor District III – Gary Bierschenk
County Auditor – Hayley Rippel

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

County Sheriff – Ronald J. Tippet
 County Treasurer-to fill a Vacancy – Melinda Schoettmer

The following **township trustees** were elected:

Benton – Steve Cronk and Vernon McClintock
 Benton to fill vacancy – Joshua Svoboda (Write-in)
 Big Grove – Craig Selk and John Ritscher
 Bruce – Kenneth Lassen and Steven Vaughn
 Bruce to fill vacancy – Robert Zeien
 Canton – Scott DeKlotz and Kirk Tumilty
 Eden – Everett Heitshusen and Ben Olson
 Eldorado – Trevor Seeman and Scott Thompson
 Florence – James Hemesath Roy L. Schulze
 Harrison – Walter Bauer and Bryon Geater
 Iowa – Dean Jensen and Gene J. Upah
 Jackson – John Buhr and James A. Fleming
 Leroy – Helen T. Grunewald and Barry Werner (Write-in)
 Polk – Scott Hepker and Bill Kester
 St. Clair – Bryce Brecht and Edwin L. Wendel
 Taylor – Kirk Appleby and Charles Yedlik

The following persons were elected to the **Benton County Agricultural Extension**:

Greg Svoboda, Duane M. Fisher, Shannon Feuerbach and Marleen Patterson

The following persons were elected to the **Soil and Water Conservation**:

Mark Happel, Robert Ritscher and Mark Pingnot

The following **township clerks** were elected:

Canton to fill vacancy – Michael A. Jambois

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

 Rick Primmer, Chairman

ATTEST:

 Hayley Rippel, Benton County Auditor

November 17, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of Tuesday, November 10, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve law enforcement contract with City of Garrison for a total yearly sum of \$3,900.00 to be paid quarterly. Motion carried.

Seeman moved/Bierschenk seconded: To approve the purchase of a used 2014 Dodge Journey in the amount of \$9,977.00 from Thys Motor Company for the Rural Access Point. Motion carried.

Tracy Seeman provided an update on the progress of the new transportation garage.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Robert and Christina Maynard in part of NW ¼ NE ¼ 27-85-9. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Maynard's would like to build a new single-family dwelling on one acre of land that they own at this location. There is an existing home and buildings on property, and the new proposed building site is south of existing home. The land under review has been in production, with a CSR of the land 68. A new proposed driveway has been reviewed and compliant. The sight will need a new septic and well. The proper notice was given to 8 adjacent land owners and heard from no one in regards. No other comments were heard, and the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use hearing for Robert and Christina Maynard in part of NW ¼ NE ¼ 27-85-9. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for RJ Meyers in a part of the SW ¼ SE ¼ 36-86-11. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Meyers would like to create new living quarters next to the pond on his land. There is a well at the site, but a new septic will be required. The CSR is an average of 61. Surrounding land uses are residences and the Coots Quarry site now owned by Wendling Quarries. The proper notice was given to four adjacent land owners and only hearing back from one, but no concerns since it is the same owner. No other comments were heard, and the public hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use hearing for RJ Meyers in a part of the SW ¼ SE ¼ 36-86-11. Motion carried.

Benton County Public Health Director Katie Cox met with the board to go over the new guidelines provided by the governor and also sharing how the numbers have kept increasing since they met last time. Cox continued to explain

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

distancing and other restrictions for bars and restaurants, fitness centers, and guidelines for hospitals. Cox urged the use of masks, distancing, hand washing and quarantining. Anytime in public places, people need to be masking. The discussion continued on quarantining and whom are considered critical employees and criteria for when to come back to work. Officials reviewed the policy for Virginia Gay Hospital and will hopefully adopt their own in the near future. County attorney David Thompson recommended keeping the current courthouse policy the same, and also recommended moving the supervisors' meeting to a larger area.

Bierschenk moved/Seeman seconded: To continue with the current courthouse policy through February 2, 2021 and that all people entering the county facilities wear a mask. Motion carried.

The Board also discussed some CARES Act funding for local public health. The Auditor reported the amount of \$24,384 has been received. It can go towards emergency medical response, emergency transportation, employee public safety measurers and expenses for quarantining individuals. This money must be used by December 31, or will need to be sent back.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

November 24, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m at the Benton County Service Center's conference room. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of Tuesday, November 17, 2020. Motion carried.

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

Seeman moved/Bierschenk seconded: To approve the Treasurer's Deputy Appointments, Rose Sackett, Joy McGowan and Jodi Bonar. Motion carried.

Seeman moved/Bierschenk seconded: To set land use hearing for Billy and Dawn Phillips in a part of Parcel B in the NE ¼ NW ¼ and the NW ¼ NE ¼ 33-86-10. Motion carried.

Bierschenk moved/Seeman seconded: Approve claims numbered 237140 through 237271, payroll checks numbered 141629 through 141646, ACH deposits numbered 43684 through 43820, vendor checks 237272 through 237279. Motion carried.

Seeman moved/Bierschenk seconded: To acknowledge resignation of Tim Rathje, driver in the Transportation department effective November 2, 2020.

Marc Greenlee discussed office space in the courthouse to allow for another hire in his department. The Basement has a small room adjoining the land use office. The Auditor's office uses that room for election training and equipment storage. So there was talk of moving juvenile probation over to the Service Center, and that could free up that big area in the courthouse. There was also discussion on janitor office space, they are in a very small area. The Board agreed to move forward with pursuing these changes.

Seeman moved/Bierschenk seconded: To give the employees Christmas Eve day off as a paid holiday. Motion carried.

The Board would like to look at the county's holiday hours after the first of the year and try to coordinate with the state offices.

Adam Rodenberg came to discuss an opportunity for an NRCS Grant application, broad proposal for another nature conservancy watershed project. The county would be the fiscal agent for this five-year program. Rodenberg was seeking a letter of support from Benton County. Auditor Hayley Rippel asked about grant administration assistance or any sort of compensation since this is time consuming on her part. Rodenberg was going to find out more information.

Bierschenk moved/Seeman seconded: To authorize signature on letter of support for being in favor of applying for another NRCS Grant application pending the answers to mentioned questions. Motion carried.

Seeman moved/Bierschenk seconded: To approve utility permit for Black Hills Energy in Bruce Township. Motion carried.

Ben Bonar, Weed Commissioner and Myron Parizek, Engineer discussed current budget regarding the road side management and weed eradication. Things are currently all under secondary roads and Bonar has asked how things could get moved back into a separate service area. The Board asked the two department heads to sit down and come up with a logical plan and bring it back to the Supervisor and Auditor to look over.

The County Attorney tabled his agenda items until next week. But there was more talk on the temporary policy that had been drafted and if the Families First Coronavirus Response Act could be included in more detail regarding details for the employer paid leave.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

December 1, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. at the Benton County Service Center's conference room. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday, November 24, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve 10 days vacation carryover for Marc Greenlee to be used by June 30, 2020. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #20-80, Wage and Classification change for Karsyn Semelroth. Motion carried.

RESOLUTION #20-80
EMPLOYMENT STATUS CHANGE FOR KARSYN SEMELROTH

WHEREAS, the Benton County Sheriff has a need for full-time correctional officer; and

WHEREAS, Karsyn Semelroth has been employed by Benton County as part-time since June 2, 2020;

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

WHEREAS, the Sheriff recommended that Semelroth 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 Karsyn Semelroth be changed to a full-time correctional officer in the Sheriff's office, effective December 5, 2020 at the hourly rate of \$16.39 an hour until all her requirements are met, then it will go up to \$17.39 an hour.

Dated 1st day of December, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST: _____
Hayley Rippel, Benton County Auditor

Katie Cox, Benton County Public Health Director spoke with the board about using the grant money that was received from the state for public health use. Cos spoke of the need for contact tracing for Covid cases. Out of the 1,726 Benton County cases, there is still at least 641 that need to be contacted. Any leftover funds could also go to vaccine supplies or health care packages. With these funds, she feels they could get caught up and also educate the public more.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Bierschenk moved/Seeman seconded: To approve Resolution #20-81, Amending FY 20 Budget. Motion carried.

RESOLUTION #20-81

BE IT REMEMBERED on this, the 1st day of December, 2020, 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 19, 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	\$+46,785
Roads & Transportation	\$ 0
Government Services to Residents	\$ +75,000
Administration	\$ 0
Non-Program	\$ 0
Debt Service	\$ 0
Capital Projects	\$ 0
Operating Transfers Out	\$ 0

<u>REVENUES</u>	<u>Amount</u>
Intergovernmental	\$+371,513
Licenses & Permits	\$ 0
Charges for Services	\$ 0
Use of Money & Property	\$ 0
Miscellaneous	\$ +7,928
General Long Term Debt Proceeds	\$ 0
Operating Transfers – In	\$ 0
Proceeds of Fixed Assets	\$ 0

Dated this 1st of December, 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve retaining Laura Folkerts of Dutton, Daniels. Hines, Kalkhoff, Cook and Swanson, P.L. C. for labor negotiations and other matters stemming from union contracts at the rate of \$175 an hour. Motion carried.

Supervisor Seeman questioned County Attorney, David Thompson, if this law firm would be the same law firm he would recommend if they outsourced Human Resources (HR). Thompson stated he is not ready to outsource the HR at this time, he has “very specific reasons” for not wanting to outsource HR. Although if they would outsource HR this would be the law firm he would recommend.

Further discussion regarding the temporary Covid-19 policy that the county attorney had presented. Thompson said the policy is almost entirely drawn from the Iowa Department of Public Health’s website, and he worked with Katie Cox also.

Seeman moved/Bierschenk seconded: To approve the policy with a few wording changes, and allowing for this to be in effect until it is rescinded, and can be tweaked as health recommendations change.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

December 8, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present, Supervisor Primmer met via phone. The meeting was called to order at 9:00 a.m. at the Benton County Service Center's conference room. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Primmer seconded: To approve the minutes of Tuesday, December 1, 2020. Motion carried.

Primmer moved/Seeman seconded: Approve claims numbered 237280 through 237408, payroll checks numbered 141647 through 141663, ACH deposits numbered 43821 through 43954, vendor checks 237409 through 237416. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Seeman moved/Primmer seconded: To adopt Resolution 20-82, 2021 Benton County Multi-Jurisdictional Local Hazard Mitigation Plan. Motion carried.

**RESOLUTION #20-82
2021 BENTON COUNTY MULTI-JURISDICTIONAL
LOCAL HAZARD MITIGATION PLAN**

WHEREAS, the County of Benton recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, the U.S Congress passed the Disaster Mitigation Act of 2000 ("Disaster Mitigation Act") emphasizing the need for pre-disaster mitigation of potential hazards;

WHEREAS, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments; and

WHEREAS, an adopted Local Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

WHEREAS, the County of Benton fully participated in the hazard mitigation planning process to prepare this Multi-Jurisdictional Local Hazard Mitigation Plan; and

WHEREAS, the County of Benton desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Benton County. Multi-Jurisdictional Local Hazard Mitigation Plan; and

WHEREAS, adoption by the governing body for the County of Benton demonstrates the jurisdictions' commitment to fulfilling the mitigation goals outlined in this Multi-Jurisdictional Local Hazard Mitigation Plan; and

WHEREAS, adoption of this legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan.

NOW, THEREFORE, BE IT RESOLVED, that the County of Benton adopts the Benton County Multi-Jurisdictional Local Hazard Mitigation Plan" as an official plan; and

BE IT FURTHER RESOLVED, that the County of Benton will submit this Adoption Resolution to the Iowa Homeland Security and Emergency Management Division and Federal Emergency Management Agency Region VII officials to enable the plan's final approval.

Signed this 8th day of December 2020.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Deputy Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “Q-Q”

Board discussed moving the meeting on December 29th. Board decided to postpone it if there was nothing pressing on the agenda.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Brent & Amy Allee a part of the NW1/4 of the NE1/4, Sec 15 T85N R9W. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Allee's would like to build a new single-family dwelling on one acre of land that they own at this location. The proposed building site is south of 58th Street. The land under review is grass, with a CSR of 21. A new proposed driveway has been reviewed and compliant. The sight will need a new septic and well. The proper notice was given to 6 adjacent land owners and heard from one regarding hunting. Greenlee question Pat Jorgensen with Iowa Department Natural Resources regarding the concerns to the 200 yards of an inhabited dwelling and no shoot rules. Jorgensen informed that Iowa Code Chapter 481A.123 subsection 5, addresses this issue. "This section does not apply to the discharge of a firearm on a farm unit by the owner or tenant of the farm unit or by a family member of the owner or tenant of the farm unit." Seeman questioned if Allee's were notified of the questions and concerns regarding hunting, Greenlee stated they were notified and understood the Code Section. No other comments were heard, and the public hearing was closed.

Primmer moved/Seeman seconded: To approve the land use hearing for Brent & Amy Allee a part of the NW1/4 of the NE1/4, Sec 15 T85N R9W. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Kevin Gilbreath a part of Parcel A, in the SW1/4 or the SW1/4, Sec 29, T83N, R10W. Gilbreath has a truck repair business that he has been doing from this location in an existing building that has not been approved previously. One of the buildings on his property, the one to the north end of the acreage, was destroyed in the derecho, and the house was severely damaged, and that will be rebuilt. Gilbreath needs to temporarily move the residence into the shop building. This is where he was conducting his business. In the process of changing things around on his property he needed to install a new septic system for the building they were going to occupy. There is no land in production. As the building is going to be back where an original building was, on the original farmstead, CSR is not relevant. No other comments were heard, and the public hearing was closed.

Seeman moved/Primmer seconded: To approve the land use hearing for Kevin Gilbreath a part of Parcel A, in the SW1/4 or the SW1/4, Sec 29, T83N, R10W. Gilbreath. Motion carried.

City of Shellsburg Mayor, Lonnie Speckner met with the board regarding abating taxes on a property the city owns. The city bought the property on July 11, 2018 with the intent of tearing the house down and using the property for a parking lot. The house was taken down within the last month. There is a garage still on the property that the city is using for storage. The city assumed that since they took over the property that they didn't have to pay taxes. Speckner contacted the County Assessor office and they stated the city would have to go thru the Board of Supervisors to abate the taxes. Seeman stated he would like to table the decision until the County Assessor is contacted so that the board don't set a precedence. Item is to be placed on December 15, 2020's agenda.

Primmer moved/Seeman seconded: to accept bids from IDOT November letting for Bridge Replacement Bundle Projects [BROSCHBP-C006(110)--GA-06 and BROSCHBP-C006(117)—NC-06 and BRS-CHBP-C006(115)—GB-06 and BROSCHBP-C006(116)—GA-06 and BROSCHBP-C052(123)—NC-52]. Motion carried.

Seeman moved/Primmer seconded: to award bridge replacement project bundle to Taylor Construction, Inc. in the amount of \$2,531,704.50. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Primmer moved/Seeman seconded: to adopt Resolution #20-83 Designate County Engineer to execute contract for Bridge Replacement Bundle Projects. Motion carried.

RESOLUTION #20-83

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as "the Board", believes the Proposal 06-C006-110 [BROSCHBP-C006(110)--GA-06 and BRS-CHBP-C006(115)--GB-06 and BROSCHBP-C006(116)--GA-06 and BROSCHBP-C006(117)--NC-06 and BROSCHBP-C052(123)--NC-52], hereafter referred to as "the project" is in the best interest of Benton and Johnson County, Iowa, and the residents thereof. The project is defined as Bridge Replacement-CCS on 24th Ave Dr over Bear Creek, RCB Culvert Replacement-Twin Box on 16th Ave over Prairie Creek, Bridge Replacement-CCS on 22nd Ave over Pratt Creek, Bridge Replacement-CCS on 30th Ave Dr over Br Opposum Creek, Bridge & Approaches-CCS on Black Hawk Ave over Br Clear Creek; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Benton County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Taylor Construction, Inc. in the amount of \$2,531,704.50 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Benton County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Myron L Parizek, the County Engineer for Benton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Benton County, Iowa, this 8th day of December, 2020.

Board of Supervisors of Benton County, Iowa

ATTEST:

SEAL

By _____
County Auditor - Deputy

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

Rick Primmer, Chairman

ATTEST: _____
Gina Edler, Benton County Deputy Auditor

December 15, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. at the Benton County Service Center's conference room.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday, December 8, 2020. Motion carried.

Mona Krugger, Utilization Review Coordinator for the MH/DS asked about the county vehicle. It is normally parked in Independence. With the cold and snow, Krugger wanted to inform the board she would be driving the vehicle periodically to Vinton so that the battery doesn't die. The Board agreed this was a good idea.

Laurie Worden, Kirkwood Workplace Learning Connection, provided an overview on the various activities throughout the year. Despite Covid-19 concerns, job shadowing had increased. Grades 6-12th students are exposed to work-based learning through a variety of activities. FY 22 budget request of \$2566.00, based on the per-capita is the same as last year. Worden also announced her retirement in August, and will be getting in touch with officials to introduce her replacement.

Seeman moved/Bierschenk seconded: To approve Utility permit for Interstate Power & Light in Leroy/St. Clair Township along 22nd Ave. Motion carried.

Seeman moved/Bierschenk seconded: To approve Utility permit for East Central Iowa REC in Homer/Big Grove Townships. Motion carried.

Wayne Siela, discussed the dirt road for 61st Street between 24th Ave. on East of Hwy 218. Siela and others would like to see a farm to market road be put there. He said it would be safer than the county home road for hauling grain and moving farm equipment. This would also reduce heavy ag traffic off the road next to the schools. Siela presented letters of support from representatives from the local school, Farm Bureau, Farm Service, Tame-Benton Coop. The Iowa Corn Growers Association, local banks, township trustees and other area farmers. The Board agreed, something needs to be done, and estimates would be needed to keep this in motion.

Supervisor Primmer said the board understands this is something that needs attention, but the city of Vinton may need involved also. The Engineer Myron Parizek was also present for the conversation. He explained how the farm to market system is identified and financed. They all agreed this is a need, but will need to be researched and get estimates before moving forward.

Tracey Achenbach, East Central Iowa Housing presented the FY 22 request for funding commitment of \$3,850. This is a slight increase from last year. Achenbach shared, that since the program has started, it has benefited 103 houses.

Ryan Bervin, Group Benefit Partners presented the Iowa State Association of Counties (ISAC) renewal rates effective July 1, 2021. Group Benefit Partners, took over ISAC partnership with Kingston Life. The County didn't have good wellness participation this year, therefore rates did increase 12% if staying with the same plan. Bervin presented the Board a couple options that they have time to look over and decide. ISAC also transitioned current Voluntary Accidental Death and Dismemberment benefits from Chubb to Reliance Standard. Group Benefit Partners will also be the benefits consultant for this. Employees will need this information turned back in ASAP.

The Board discussed tax abatement for the City of Shellsburg. Larry Andreesen, Assessor was also present for the discussion. The action was tabled until next week and a resolution will be prepared.

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

Rick Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

December 22, 2020

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. The meeting was called to order at 9:00 a.m. at the Benton County Service Center's conference room. Members of the public were provided the zoom access capability to join in during open session and watch live at the county's YouTube channel. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Seeman seconded: To approve the minutes of Tuesday, December 15, 2020. Motion carried.

Seeman moved/Bierschenk seconded: To approve the appointments of Gina Edler, Nancy Jorgensen and Courtney Long as deputy auditors, effective January 4, 2021. Further, to approve the following salaries in the Auditor's office effective January 4, 2021:

Gina Edler –85% of the elected official's wage

Nancy Jorgensen –67% of the elected official's wage

Courtney Long –64% of the elected official's wage

FY 22 Benton County Volunteer Program Budget request of \$20,000, reduced by \$5,000 from last year.

Belle Plaine Community Center FY 22 Budget Request in the amount of \$7600, same as last year.

Seeman moved/Bierschenk seconded: To adopt Resolution #20-84, Abatement of Taxes on Parcel # 190-04100 in the amount of \$859.00 with taxes and penalty. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "Q-Q"

Seeman moved/Bierschenk seconded: To Approve Resolution #20-85, Changing status of Clerks to Deputies in the Treasurer Office. Current deputies: Rose Sackett-80%, Joy McGowan-72% and Jodi Bonar-60%. Clerks: Ann Stephens, Alex Maynard and Beth Geater will all be at 48% of the elected official effective January 4, 2020. Motion carried.

Bierschenk moved/Seeman seconded: Approve claims numbered 237417 through 237542, payroll checks numbered 141664 through 141679, ACH deposits numbered 43955 through 44092, vendor checks 237543 through 237550. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Billy and Dawn Phillips a part of Parcel B in the NE ¼ NW ¼ & NW ¼ NE ¼ Sec 33 T86N R10W. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Phillips are requesting to change land use for the purpose of building a new residence. A 50X100 shed, and utilizing some existing buildings on the property for storage trucks and equipment associated with their garbage business-EZ Trash. Part of this acreage has existing buildings, and part is currently hay ground. The CSR is 25, and the soil is a loamy fine sand. Randy Sherwood has submitted his report and visited about the driveway situation out there. There are (2) existing driveways now, one would definitely need replaced or removed since it does not meet sight distance. The sight will need a new septic and well. The proper notice was given to 8 adjacent land owners and heard from one by a call inquiring on the plans for the property. Greenlee would like to see some TLC on some of the existing buildings and if this is approved that the appearance of the property would improve as well. No other comments were heard, and the public hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use hearing for Billy and Dawn Phillips in a part of Parcel B in the NE1/4 of the NW1/4, and the NW ¼ NE ¼ of Sec 33 T86N R10W with the stipulation that the driveway to east will be removed and the utilize the one that is west of 24th Ave. Drive on 55th Street. Motion carried.

Mike Day, True North, provided a presentation on radio communication system. Benton County is currently in the VHF band, and all the newer systems are migrating out of VHF with a new frequency. Talk about how things could be financed if the county does it as a whole, or passes some on to the cities, area police, ambulance and fire departments. The system won't be completed until the end of 2022. This is just a start to get things moving and thinking about budgeting, or if general obligation bonds would be needed.

Seeman moved/Bierschenk seconded: Accept resignation of Lindsey Upas as Manager of Benton County Rural Access Point effective, Motion carried.

Bierschenk moved/Seeman seconded: To acknowledge resignation of Michelle Thoma from the Sheriff's Department effective December 23, 2020. Motion carried.

Bierschenk moved/Seeman seconded: Approve hiring of Steven Fish as a reserve deputy sheriff effective, at a rate of \$22.13 an hour, after completion of the 120 days probation, wage will be increased to \$23.13. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #20-86, Employee Status Change for Adreonna Hennings, from part-time to full-time Rural Access Center Manager effective December 22, 2020 at \$20.60 an hour. Motion carried.

Seeman moved/Bierschenk seconded: To approve Utility permit for East Central Iowa REC in Taylor Township. Motion carried.

Bierschenk moved/Seeman seconded: To accept bids from IDOT December letting for Bridge Deck Replacement Bundle Project BHS-SWAP-C006(118)--FC-06 as follows: Motion carried.

Jasper Construction Services, Inc.-\$635,596.50

Peterson Contractors, Inc.-\$897,957.50.

Bierschenk moved/Seeman seconded: To award bridge replacement project bundle to Jasper Construction Services Inc. in the amount of \$635,596.50. Motion carried.

Seeman moved/Bierschenk seconded: To adopt Resolution #20-87 Designate County Engineer to execute contract for Bridge Replacement Bundle Projects BRS-SWAP-CO06(119)—FC-06. Motion carried.

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

Rick Primmer, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor