

October 12, 2021

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Bierschenk, and Primmer present. The meeting was called to order at 9:00 a.m. at the conference room at the Benton County Service Center. Members of the public were provided the zoom access capability to join in during open session and livestream at <https://www.youtube.com/bentoncountyiowa>. Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: [www.bentoncountyiowa.gov](http://www.bentoncountyiowa.gov) (<https://www.youtube.com/bentoncountyiowa>)

**Bierschenk moved/Primmer seconded:** To approve the minutes of October 5, 2021. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve payroll checks numbered 141994 through 142007, and 142008 through 142017, ACH deposits numbered 46839 through 46985, ACH Deposits 46986 through 47128, vendor checks 240231 through 240237, handwrite 240238, claims numbered 240239 through 240444 and vendor checks 240445 through 240451. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve farm exemption for Matt and Johnna Rathje, in part of the SW of NW of 35-83-10. Motion carried.

**Primmer moved/Bierschenk seconded:** To acknowledge resignation of Alex Maynard in the Treasurer's office effective October 27, 2021. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the Recorder's Quarterly Report ending September 30, 2021. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Chuck Yedlik at Taylor Township Clerk to fill the vacancy. Motion carried.

**Bierschenk moved/Primmer seconded:** To appoint Matt Garbers as Union Township trustee. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the purchase of a 2020 Jeep Renegade for Mental Health's Behavioral Specialist from Thys Automotive for \$24,999. Motion carried.

Tom Boeckmann, Vinton, started the discussion for the resolution that was addressed a few weeks earlier regarding the second amendment. Since the posting of the previous meeting, Boeckmann said it has caught the attention of national headquarters of the National Rifle Association. Also describing the outburst from that meeting as an embarrassment to the taxpayers and government of Benton County. Boeckmann stressed that the Second Amendment is different from the other amendments by stating it "shall not be infringed." He felt it was important that county boards take this seriously and understand the will of the people. It is the right thing to do, and make a stand and have the constituents in Benton County's best interest and why the constitution is important. He urged the board to pass the resolution.

Bill Keller, local firearms instructor also from Vinton was present. Keller stressed possessing a weapon is a natural right. He appreciates the efforts of the board and felt it has become political.

Primmer said he would second the motion that Bierschenk made at the previous meeting. County Attorney asked if there was more discussion and proceeded to talk about the misinterpretation on why he objected at that previous meeting. Supervisor Seeman said his concern was that people might think this will allow them to come into the county buildings with a weapon. Thompson pointed to Chapter 331 of the Iowa Code on the role of the county board. The second Amendment is alive and well.

Mary Coots, another Vinton resident present for the discussion spoke next. "I see our Constitution being shredded every day. I see our rights being trampled on every day. I think it is time we bring attention to it and stop it." Attorney Thompson agreed he understood what Coots was saying, but questioned if we were going to do a resolution for every right in the constitution. Coots replied, if we have to, then I think we should. After some further discussion, **Bierschenk moved/Primmer seconded:** To approve Resolution #21-89, Declaring Benton County, Iowa to be a second amendment sanctuary county. Motion carried.

#### RESOLUTION 21-89

### A RESOLUTION DECLARING BENTON COUNTY, IOWA, TO BE A SECOND AMENDMENT SANCTUARY COUNTY

**WHEREAS**, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution; "A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed," and

**WHEREAS**, the right of the people to keep and bear arms for the defense of life, liberty and property is regarded as an inalienable right by the people of Benton County, Iowa; and

**WHEREAS**, the people of Benton County, Iowa derive economic benefit from all safe forms of firearms recreation, hunting and shooting conducted with Benton County using all types of firearms allowable under the United States Constitution and the laws of the State of Iowa; and

**WHEREAS**, the Benton County Board of Supervisors was elected to represent the citizens of Benton County, and have sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and

**WHEREAS**, Iowa State Senators and State Representatives have also sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and

**WHEREAS**, legislation is currently being considered and expected to be proposed by both the Iowa State Legislature and the Federal Legislature the potentially seeks to infringe on the constitutionally protected right of citizens to keep and bear arms; and

**WHEREAS**, it is desirable to declare that Benton County is a Second Amendment Sanctuary County, as Benton County opposes the enactment of any legislation that would infringe upon the constitutional right of the people of Benton County to keep and bear arms; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Benton County Board of Supervisors hereby declares Benton County, Iowa, to be a Second Amendment Sanctuary County, and hereby states its opposition to the enactment of any legislation that would infringe upon the constitutionally right of the people of Benton County, Iowa to keep and bear arms.

Dated this 12th day of October, 2021.

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Tracy Seeman, Chairman

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Gary Bierschenk

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Rick Primmer

ATTEST:

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Hayley Rippel, Benton County Auditor

**Primmer moved/Bierschenk seconded:** To approve Resolution #21-90, Approve Hiring Equipment Operator in Benton County Secondary Roads Department. Motion carried.

RESOLUTION #21-90

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 James Kane be hired to fill one position of Equipment Operator at a starting wage of \$21.35 per hour starting October 22, 2021. This is an Equipment Operator II classification with a Labor Grade IVA.

Dated this 12th day of October, 2021.

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Tracy Seeman, Chairman

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Gary Bierschenk

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Rick Primmer

ATTEST:

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Hayley Rippel, Benton County Auditor

Engineer Myron Parizek gave an update on the bridge and culver repair near Blairstown and hoping it would be finished by the end of this week. The culvert north of Luzerne could take four to five weeks.

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

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Tracy Seeman, Chairman

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

Hayley Rippel, Benton County Auditor