

January 5, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk 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

(<https://www.youtube.com/bentoncountyiowa>)

The Board started out with the Treasurer presenting her FY 23 Budget request, along with Veterans Affairs and Transportation Department throughout the meeting.

Primmer moved/Bierschenk seconded: To approve handwrite for \$850 to St. Louis University CME office for Braxton Morrison to attend medical examiner investigation training. Motion carried.

Primmer moved/Bierschenk seconded: To approve Auditor's Quarterly Report ending December 31, 2021. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for the third consideration on Ordinance #76, An Ordinance Establishing the County Supervisor Districts and Election Precincts. The board took up the matter. There were no members of the public present but one media member. Notice of the hearing had been published in accordance with the law and copies were available on the county's website and in person. There was no other comments or questions in regards, so the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the third reading of the Ordinance and adopt Resolution #22-5, Adopting Ordinance #76, An Ordinance establishing the county supervisor districts and election precincts and amending Chapter 3 of the Benton County Code of Ordinances. Motion carried.

RESOLUTION #22-5

ADOPTING ORDINANCE #76, AN ORDINANCE ESTABLISHING THE COUNTY SUPERVISOR DISTRICTS AND ELECTION PRECINCTS AND AMENDING CHAPTER 3 OF THE BENTON COUNTY CODE OF ORDINANCES

WHEREAS, the Benton County Board of Supervisors desires to establish new county supervisor districts and election precincts in accordance with Iowa law and the 2020 census; and

WHEREAS, three considerations of Ordinance #76 were held on January 3, 2022, January 4, 2022, and January 5, 2022; and

WHEREAS, publication of the considerations were made according to Iowa Code; and

WHEREAS, a copy of said Ordinance #76 has been available to the public in the Benton County Auditor's office;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that ORDINANCE #76, AN ORDINANCE ESTABLISHING THE COUNTY SUPERVISOR DISTRICTS AND ELECTION PRECINCTS is fully with an effective date of January 15, 2022, and

FURTHER IT IS RESOLVED THAT CHAPTER 3 OF THE BENTON COUNTY CODE OF ORDINANCES is hereby amended to include said Ordinance 76, and remove Ordinance #64, which is repealed through Ordinance #76, effective January 15, 2022. The Benton County Auditor is directed to publish Ordinance #76 in its entirety in the official newspapers of Benton County.

See Published and Recorded Ordinance

Signed this 5th day of January 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Richard Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

ORDINANCE #76

AN ORDINANCE ESTABLISHING THE COUNTY SUPERVISOR DISTRICTS AND ELECTION PRECINCTS

BE IT ENACTED by the Board of Supervisors of Benton County, Iowa:

Section 1. Purpose: The purpose of this ordinance is to establish election precincts and county supervisor districts as the result of the population changes reflected by the 2020 federal decennial census, and in accordance with Iowa Code Sections 331.210A and 49.7.

Section 2. Boundaries of Election precincts

A. The boundaries of election precincts containing unincorporated areas of Benton County and cities with populations of less than 2010 shall be as follows:

BENTON-CANTON-SHELLSBURG: All of Benton Township, all of Canton Township, and all of the City of Shellsburg

BRUCE-CEDAR-MT AUBURN: All of Bruce Township, all of Cedar Township, and all of the City of Mt. Auburn

BIG GROVE-UNION-VAN HORNE: All of Big Grove Township, all of Union Township, and all of the City of Van Horne

EDEN-HARRISON-TAYLOR: All of Eden Township, all of Harrison Township, and all of Taylor Township

ELDORADO-NEWHALL: All of Eldorado Township and all of the City of Newhall

FLORENCE-ST CLAIR-NORWAY: All of Florence Township, all of St Clair Township, and all of the City of Norway

FREMONT-ATKINS: All of Fremont Township and all of the City of Atkins

HOMER-MONROE-JACKSON-GARRISON: All of Homer Township, All of Monroe Township, all of Jackson Township, and all of the City of Garrison

IOWA-LEROY-LUZERNE-BLAIRSTOWN: All of Iowa Township, all of Leroy Township, all of the City of Luzerne, and all of the City of Blirstown

KANE-KEYSTONE: All of Kane Township and all of the City of Keystone

POLK-URBANA: All of Polk Township and all of the City of Urbana

B. Additional Election Precincts: The city councils of Belle Plaine, Vinton, and Walford have established their own election precinct plans.

Section 3. Boundaries of Supervisor Districts.

A. Supervisor District #1

Supervisor District #1 is made up of all of the following townships and cities in Benton County, Iowa:

Harrison Township, Polk Township, Taylor Township, and the cities of Urbana and Vinton.

The total population of Supervisor District #1 according to the 2020 federal decennial census is 8,541.

B. Supervisor District #2

Supervisor District #2 is made up of all of the following townships and cities in Benton County, Iowa:

Bruce Township, Cedar Township, Jackson Township, Big Grove Township, Eden Township, Benton Township, Canton Township, Eldorado Township, Fremont Township and the cities of Mt Auburn, Garrison, Shellsburg, Atkins and Newhall.

The total population of Supervisor District #2 according to the 2020 federal decennial census is 8,582.

C. Supervisor District #3

Supervisor District #3 is made up of the following townships and cities in Benton County, Iowa:

Florence Township, St Clair Township, Leroy Township, Iowa Township, Union Township, Kane Township, Homer Township, Monroe Township and the cities of Norway, Blirstown, Luzerne, Belle Plaine, Keystone, Van Horne and the portion of Walford lying in Benton County.

The total population of Supervisor District #3 according to the 2020 federal decennial census is 8,452.

Section 4. Effective Date.

This ordinance shall be effective on January 15, 2022, after its final passage, approval, and publication as provided by law.

Section 5. Repealer.

All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. Severability Clause.

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Passed and adopted by the Benton County Board of Supervisors on this 5th day of January, 2022.

Signed this 5th day of January, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

ATTEST:

Rick Primmer

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To re-appoint Roy Schulz to the Pioneer Cemetery Commission. Motion carried.
Bierschenk moved/Primmer seconded: To rescind action on the motion on January 3, 2022 appointing Connie Barnes and Dan Lagrange to the Public Health Board and re-appoint Wendy Michel and appoint Braxton Morrison. Motion carried.
Bierschenk moved/Primmer seconded: Myron Parizek and Doug Kearns as the Heartland Safety Coordinators. Motion carried.
Bierschenk moved/Primmer seconded: To appoint Myron Parizek and Randy Sherwood to act as alternate until another assistant engineer is hired to the ECICOG Region 10 Transportation Technical Advisory committee. Motion carried.
Bierschenk moved/Primmer seconded: To re-appoint Nancy Jensen, Denise Schwab, Jon Kaestner, Amy Boddicker, Terry Hertle and Jennifer Zahradnik to members at large to the Solid Waste Commission. Motion carried.
Primmer moved/Bierschenk seconded: to appoint Connie Barnes to the Eminent Domain for agricultural property category. Motion carried.
Primmer moved/Bierschenk seconded: To approve Resolution #22-6, Guidelines for Care of Veterans Graves and setting the Veterans Affairs Guidelines. Motion carried.

RESOLUTION #22-6

Care of Veterans Graves

WHEREAS, the Benton County Board of Supervisors has adopted the Benton County Veteran Affairs Ordinance and Manual, and,
WHEREAS, the Veteran Affairs Ordinance or Manual does not provide a policy on maintenance of graves (Iowa Code 35B.17), and,
WHEREAS, the following policy should be added to the Veteran Affairs Ordinance and Manual:

1. Benton County will not reimburse to any public or private entity the cost of maintenance of veteran's graves if:
 - a. The cemetery is owned by or the responsibility of another taxing body such as a city or township; or
 - b. the cemetery has perpetual care.

The effective date of this policy is January 5, 2022.

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors adopt, as part of the Veteran Affairs Ordinance and Manual, the above policy on the non-reimbursement for maintenance of veteran's graves, and enter it in the manual.

Signed this 5th day of January, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

ATTEST:

Rick Primmer

Hayley Rippel, Benton County Auditor

Cara Martin, Veterans Affairs Director and Dean Vrba, Transportation director asked for guidance regarding obtaining Veterans affairs drivers and allowing them access to the Transportation building where the VA van has recently been stored and will continue to do so. The drivers currently have had background checks and will obtain new ones from the VA. The Board were all in agreement with allowing the current three drivers access with Martin and Vrba's approval.

Bierschenk moved/Primmer seconded: To approve Sheriff's Quarterly Report ending December 31, 2021. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor