

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Bierschenk present, Primmer called in. 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.bentoncountiavla.gov](http://www.bentoncountiavla.gov) ( <https://www.youtube.com/bentoncountyiowa>)*

**Bierschenk moved/Primmer seconded:** To approve the minutes of Tuesday May 17, 2022. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve payroll checks numbered 142261 through 142278, ACH Deposits 49270 through 49416, handwrite claim 242512, claims numbered 242513 through 242655 and vendor checks 242656 through 242662. Motion carried

**Bierschenk moved/Primmer seconded:** To approve claim for True North in the amount of \$2,952.00 paid for out of the ARPA fund for the radio project. Motion carried.

**Primmer moved/Bierschenk seconded:** To appoint Amanda Seiler as a Medical Examiner Investigator. Motion carried.

**Bierschenk moved/Primmer seconded:** To approve use of the courthouse lawn for Vinton Parks and Recreation Department to use the courthouse lawn on June 16, 2022 and October 29, 2022. Motion carried.

Katie Cox, Benton County Public Health Director provided a COVID-19 update to the Board. After reviewing data from the week before, there were 40 new cases in Benton County. The vaccination status is looking good, with approximately 58% of the population is fully vaccinated. There have been 77 deaths in Benton County from Covid-19. There are still ongoing walk-in clinics throughout the county as well that are being helped by area pharmacies too. Cox wanted to discuss ways to work on communicating with the public and looking at a few options such as an app or web page. The Auditor will get in touch with Cox to see about integrating public health into the county's current updated website. Cox said she would be back at a later date after fiscal year end and give an outlook for the future year.

David Thompson provided an update on the courthouse clock. It has been removed and currently is in the Twin Cities for the needed repairs and might not be back until next spring.

**Bierschenk moved/Primmer seconded:** To approve and authorize signature for the Sixth Amendment to the Community Partnership for Protecting Children (CPPC) and Decategorization Services (DECAT) contract from July 1, 2022 through June 30, 2023 in an amount not to exceed \$42,206.64. Motion carried.

10:00 was the date and time set for a public Hearing for road classification change for 11<sup>th</sup> Ave. between 72<sup>nd</sup> Street and 72<sup>nd</sup> Street Drive. (HWY 30) No media was present. Terry Schwab and Doug Kozik, residents of the area were present. The Engineer presented the technical information such as those property owners and utility companies that were given notice. Parizek talked to Terry Ulch on the phone, but heard no opposition to the change. Schwab was concerned about a bridge in his area, and along with Kozik discussed their concern with traffic and asked that the sheriff be informed to keep a watch in this area. After hearing no other comments. The public hearing was closed.

**Bierschenk moved/Primmer seconded:** To approve Resolution #22-42, Road Classification Change. Motion carried.

RESOLUTION #22-42

WHEREAS: Benton County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier, and

WHEREAS: The County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "C" roads, pursuant to Iowa Code section 309.57, and

WHEREAS: The County is requesting that the following road be classified as an Area Service "C" road:

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All of the road (11<sup>th</sup> Avenue) commencing at a point approximately 100 feet north of the SW ¼

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corner of Sec. 29, T83N, R12W of the Public Roadway (73<sup>rd</sup> Street); thence north to a point 50 feet south of the W ¼ corner of Sec. 29, T83N, R12W of the Public Roadway (72<sup>nd</sup> Street Dr).

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Total road length of approximately 0.5 miles. and

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All of the road (11<sup>th</sup> Avenue) commencing at a point 50 feet north of the W ¼ corner of Sec. 29, T83N, R12W of the Public Roadway (72<sup>nd</sup> Street Dr); thence north to a point 50 feet south of the

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NW ¼ corner of Sec. 29, T83N, R12W of the Public Roadway (72<sup>nd</sup> Street).

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Total road length of approximately 0.5 miles.

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WHEREAS: The maintenance on all Area Service "C" roads will be as follows:

1. Blading. Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal. Snow and ice removal will not be performed on a regular basis. Sanding and salting will not be performed.
3. Bridges. Bridges on Area Service "C" roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations.
4. Weeds, Brush and Trees. Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained as on a regular road.
5. Structures. Bridges and culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structure will be for the traffic thereon.
6. Road Surfacing. There will be no surfacing materials applied to Area Service "C" roads.
7. Shoulders. Shoulders will not be maintained.
8. Crown. A crown will not be maintained.
9. Repairs. There will be no road repairs on a regular basis.
10. Uniform Width. Uniform width for the traveled portion of the road will not be maintained.
11. Inspections. Regular inspection will not be conducted.
12. The gate shall be purchased and installed by the County and maintained by the adjoining landowners. If not so maintained, the County may remove the gate.

WHEREAS: The only persons who will have access right to the road shall be:

1. The Owner, lessee, or person in lawful possession of any adjoining land.
2. The agent or employee of the owner, lessee or person in lawful possession of any adjoining land.
3. Any peace officer.
4. Any magistrate.
5. Any public employee whose duty it is to supervise the use or perform maintenance of the road.
6. Any agent or employee of any utility located upon the road.

THEREFORE BE IT RESOLVED By The Board of Supervisors of Benton County that this County does hereby establish the road described above as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Date this 24th day of May, 2022.

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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

**Bierschenk moved/Primmer seconded:** To approve Resolution #22-43, Wage and classification change for Grant Vesely. Motion carried.

RESOLUTION #22-43

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

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

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that the hourly wage for Grant Vesely be set at \$23.72 per hour effective May 24, 2022. This position (mechanic) carries a Labor Grade classification VD.

Signed this 24<sup>th</sup> day of May, 2022.

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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

Andy Jones was present and presented some pictures to discuss road conditions on 61<sup>st</sup> St. Lane (near Oak Grove Church). Jones has erosion concerns. Engineer Parizek explained options for reshaping the road and wants to improve that bank and get it done no later than August.

Jennifer Fencil, Director of Environmental Services Department at East Central Iowa Council of Government (ECICOG) discussed in further regarding the tabled action from last week for a change order for the Middle Cedar Watershed Project No. 8600, Fleming property. James Fleming and son Scott were both present along with contractor Louis Guynn owner of Laser Precision who has done some of the work in regards to the change order request. Chairman Seeman interrupted some of the conversation being had and reminded those present, that we were only taking action on the change order, the other discussion was a civil matter to be handled outside of the board room.

**Bierschenk moved/Seeman seconded:** To approve and authorize signature on Change Order No. 1 Project No. 8600 for Middle Cedar Watershed Bid Package 7, Schedule 3 for Laser Precision, LLC in the amount of \$5,349. Motion carried.

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

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Tracy Seeman, Chairman

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

Hayley, Benton County Auditor