

August 23, 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.bentoncountya.gov (<https://www.youtube.com/bentoncountyiowa>)*

- Bierschenk moved/Primmer seconded:** To approve the minutes of Tuesday, August 16, 2022. Motion carried.
- Primmer moved/Bierschenk seconded:** To approve ARPA Funds to pay claims for Elert & Associates for the radio project in the amount of \$4,428.00 and McDowell's \$1,909.00 for conservation parking lot project. Motion carried.
- Primmer moved/Bierschenk seconded:** To approve payroll checks numbered 142419 through 142434, ACH Deposits 50171 through 50322, vendor checks 243491 through 243498 and claims numbered 243499 through 243635. Motion carried.
- Primmer moved/Bierschenk seconded:** To set land use hearing date of Tuesday, September 20, 2022 at 9:15 a.m. for Korinda Eastwood in a part of SW ¼ NW ¼ of Sec 29-85-9. Motion carried.
- Primmer moved/Bierschenk seconded:** To set dates for considerations on Adopting an ordinance re-adopting the existing Benton County code of ordinances. The first reading on Tuesday September 13, 2022 at 9:05 a.m. Waive the second hearing and set the third and final reading for September 20, 2022 at 9:30 a.m. Motion carried.
- Primmer moved/Bierschenk seconded:** To approve law enforcement contracts for City of Shellsburg for a total yearly sum of \$33,800.00 with an average of 1040 hours a year. The City of Van Horne for a total yearly sum of \$25,350.00 with an average of 780 hours a year. And City of Atkins for a total yearly sum of \$30,420.00 with an average of 936 hours in a year. Motion carried.
- Primmer moved/Bierschenk seconded:** To approve Class B Liquor License for Blairstown Sauerkraut Days Beer Tent on August 31, 2022 through September 13, 2022. Motion carried.
- Primmer moved/Bierschenk seconded:** To approve Class C Liquor License for Bar Candy effective September 24, 2022 through September 28, 2022. Motion carried.
- Primmer moved/Bierschenk seconded:** To approve Resolution #22-71, LOSST GIFT to Atkins Fire Department. Motion carried.

RESOLUTION #22-71

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 City of Atkins on behalf of the Fire Department has requested a gift of funds; and

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

WHEREAS, the Atkins Fire Department has provided invoices totaling \$543,391.00 for the purchase of an emergency response truck and pumper; and

WHEREAS, the City of Atkins 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 Atkins Fire Department in the amount of \$54,339.10 which represents ten percent of the total purchase price for equipment.

Adopted this 23rd day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-72, Abatement of Taxes for City of Vinton. Motion carried.

RESOLUTION #22-72

WHEREAS, the City of Vinton has acquired 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 2021 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:
240-86150	\$458.00

Dated this 23rd day of August, 2022

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Resolution #22-73, Abatement of Taxes for Benton County. Motion carried.

RESOLUTION #22-73

WHEREAS, the County of Benton, Conservation Department has acquired property for public purposes 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 2022 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:
390-08050	\$5,366.00

Dated this 23rd day of August, 2022

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To accept resignation from Ben Bonar, Weed Commissioner and agreed to having a hiring committee. Voting aye were Primmer and Bierschenk, Seeman Nay. Motion carried.

Bierschenk moved/Primmer seconded: To approve Resolution #22-74, Hiring Sheriff Deputy. Motion carried.

RESOLUTION #22-74

APPROVE HIRE IN SHERIFF'S DEPARTMENT

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

WHEREAS the Benton County Civil Service Commission was convened and conducted required testing on July 16, 2022; and

WHEREAS, Victor Rohrbach is an Iowa Certified Officer with over 7 years of service and has completed all required testing, meets and exceeds all required qualifications for this position,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Victor Rohrbach be hired as a full-time Deputy in the Sheriff's Department, effective September 5, 2022 with a starting wage at \$32.44 an hour, per union contract.

Dated this 23rd day of August 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-75, Hiring Sheriff Deputy. Motion carried.

RESOLUTION #22-75

APPROVE HIRE IN SHERIFF'S DEPARTMENT

WHEREAS: Benton County Sheriff's Office currently has two Deputy Sheriff Position's to fill;
WHEREAS the Benton County Civil Service Commission was convened and conducted required testing on July 16, 2022; and
WHEREAS, Dmitry Nikolaev is an Iowa Certified Officer with over 2 years of service and has completed all required testing, meets and exceeds all required qualifications for this position,
NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Dmitry Nikolaev be hired as a full-time Deputy in the Sheriff's Department, effective September 6, 2022 with a starting wage at \$30.77 an hour, per union contract.

Dated this 23rd day of August 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Jennifer Fencil, East Central Iowa Council of Government presented a change order for the middle cedar watershed bid package Number 7, Schedule 3 for work done by Laser Precision, LLC. There were two different amounts listed on different documentation, so Jennifer called WHKS and got clarification of the correct amount to issue payment.

Bierschenk moved/Primmer seconded: To approve and authorize signature on the WMA change order for the amount of \$28,030.00. Motion carried.

Bierschenk moved/Primmer seconded: To approve Resolution #22-76, Temporary Speed Limit. Motion carried.

RESOLUTION #22-76

Temporary Speed Limit Change

WHEREAS: Characteristics of 24th Avenue from the intersection of US Hwy 30 south 4 miles to the intersection of 77th Street warrants a temporary change of speed limit, and

WHEREAS: The traffic on these Benton County Secondary Roads have increased due to the closure of County Route V66/US Hwy 30 intersection, and

WHEREAS: A speed limit on these secondary roads will greatly increase the safety for the traveling public.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the temporary speed limit on these roads be set as follows:

“40 mph on 24th Avenue from US Hwy 30 south 4 miles to the intersection of 77th Street,” and

BE IT FURTHER RESOLVED that upon reopening of County Route V66/US Hwy 30 intersection, the temporary speed limit be removed.

Signed this 23rd day of August 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Resolution #22-77, Temporary Speed Limit. Motion carried.

RESOLUTION #22-77

Temporary Speed Limit Change

WHEREAS: Characteristics of 24th Avenue from the intersection of US Hwy 30 south 4 miles to the intersection of 77th Street

WHEREAS: Characteristics of 74th Street from the intersection of 21st Avenue east 3 miles to the intersection of 24th Avenue warrants a temporary change of speed limit, and

WHEREAS: The traffic on these Benton County Secondary Roads have increased due to the closure of County Route V66/US Hwy 30 intersection, and

WHEREAS: A speed limit on these secondary roads will greatly increase the safety for the traveling public.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the temporary speed limit on these roads be set as follows:

“35 mph on 74th Street from the intersection of 21st Avenue east 3 miles to the intersection of 24th Avenue,” and

BE IT FURTHER RESOLVED that upon reopening of County Route V66/US Hwy 30 intersection, the temporary speed limit be removed.

Signed this 23rd day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Sheriff bids were received for new vehicles as follows:

Thys Automotive, Blairstown- 2023 Chevy Silverado 1500 4WD \$48,535

Thys Automotive, Belle Plaine-2023 Dodge Ram 1500 4WD-\$38,820

Belle Plaine Chevrolet Buick-Sold out of 2023 Chevy Silverado but can offer \$1,000 off of 2024 Model.

No action was taken on the bids received, it will be put on next week's agenda.

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

Primmer moved/Bierschenk seconded: To exit closed session at 10:15 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To approve employee contract and Resolution #22-78, Hiring Transportation scheduler/Assistant. Motion carried.

RESOLUTION #22-78

APPROVE HIRE TRANSPORTATION SCHEDULER/ASSISTANT

WHEREAS, the Benton County Transportation Department has a vacancy to fill; and

WHEREAS, the Transportation Department has advertised and conducted interviews for said full-time position, including all veterans who applied; and

WHEREAS, after careful consideration, the Transportation Director has recommended that Jessica Meyer be hired to fill the position.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Jessica Meyer be hired as scheduler/assistant in the Transportation Department at the hourly wage of \$21. Meyer will be awarded with two weeks paid vacation (80hrs) after October 1, 2022 and one week of paid sick (40hrs) effective today per employee contract. Meyer's employment is governed by all other applicable parts of the Benton County Handbook as well.

Dated 23rd day of August, 2022.

Tracy Seeman Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor