

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

January 3, 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 8:30 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>)

Bierschenk moved/ Primmer seconded: To approve minutes from December 28, 2021. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Tray Seeman as chairman for 2022. Motion carried.

Primmer moved/Seeman seconded: To appoint Gary Bierschenk as co-chairman for 2022. Motion carried.

The Board discussed the Construction Evaluation Resolution, but wanted to talk to the land use department. So no action was taken.

Primmer moved/Bierschenk 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.

Primmer moved/Bierschenk seconded: To approve Resolution #22-1, Authorize Auditor to issue Warrants per Iowa Code 331.506 and execute ACH and financial agreements for 2022.

RESOLUTION #22-1**AUTHORIZING THE BENTON COUNTY AUDITOR TO ISSUE CHECKS AND SIGN ACH AGREEMENTS FOR 2022**

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 3rd day of January, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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Primmer moved/Bierschenk seconded: To approve Resolution #22-2, Authorize Treasurer to sign ACH Agreements for 2022. Motion carried.

RESOLUTION #22-2

AUTHORIZING THE BENTON COUNTY TREASURER TO SIGN ACH AGREEMENTS FOR 2022

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 3rd day of January, 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

Attest:

 Hayley Rippel, Benton County Auditor

Primmer moved/Seeman seconded: To designate the official newspapers for Benton County for 2022 as The Cedar Valley Times, The Vinton Eagle and The Gazette. Motion carried.

Bierschenk moved/Primmer seconded: To appoint the following members to the respective boards for 2022. 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

Gina Edler, Deputy Auditor, presented the Supervisors Redistricting Plan. The plan was drawn and approved earlier by the redistricting commission, who also held a public hearing on the new plan. After the 2020 census data was official, this is a requirement and needs to be submitted to the Secretary of State by January 15.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To adopt Resolution #22-3, Establishing Supervisors Districts after the 2020 Census. Motion carried.

RESOLUTION #22-3

RESOLUTION ESTABLISHING SUPERVISOR DISTRICTS

WHEREAS, a Benton County Redistricting Commission (the “commission”) was established in accordance with Iowa law; and

WHEREAS, the commission reviewed the 2020 census data and developed a plan for supervisor districts in accordance with Iowa law; and

WHEREAS, the commission published and held a public hearing on a new Supervisor District Plan; and

WHEREAS, the commission subsequently approved the Supervisor District Plan and has presented it to the Board of Supervisors for approval; and

WHEREAS, the 2020 census shows the population of Benton County is 25,575; and

WHEREAS, the ideal population of each supervisor district is 8,525; and

WHEREAS, the proposed plan meets and complies with the population distribution between districts; and

WHEREAS, the Board of Supervisors believes the plan is well developed,

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the new supervisor district plan is hereby approved and adopted. The plan is as follows:

SUPERVISOR DISTRICT PLAN

District 1	Harrison Township	385	
	Polk Township	807	
	Taylor Township	890	
	City of Urbana	1,554	
	City of Vinton	4,950	Total 8,541
District 2	Bruce Township	268	
	Cedar Township	368	
	Jackson Township	255	
	Benton Township	926	
	Big Grove Township	215	
	Eden Township	290	
	Canton Township	843	
	Eldorado Township	276	
	Fremont Township	697	
	City of Mt Auburn	162	
	City of Garrison	344	
	City of Shellsburg	961	
	City of Newhall	876	
	City of Atkins	2,056	Total 8,582
District 3	Monroe Township	239	
	Homer Township	186	
	Kane Township	240	
	Union Township	241	
	Iowa Township	405	
	Leroy Township	373	
	St Clair Township	366	
	Florence Township	504	
	City of Keystone	599	
	City of Van Horne	774	
	City of Belle Plaine	2,330	
	City of Luzerne	112	
	City of Blairstown	713	
	City of Norway	466	
	City of Walford	904	Total 8,452

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SUPERVISOR DISTRICTS

DISTRICT I

All of the following townships and cities in Benton County, Iowa:
Harrison, Polk-Urbana, and Taylor-Vinton

DISTRICT II

All of the following townships and cities in Benton County, Iowa:
Bruce, Cedar-Mt. Auburn, Jackson-Garrison, Benton, Big Grove, Eden, Canton-Shellsburg, Eldorado-Newhall, and Fremont-Atkins

DISTRICT III

All of the following townships and cities in Benton County, Iowa:
Monroe, Homer, Kane-Keystone, Union-Van Horne, Iowa-Belle Plaine, Luzerne, Leroy-Blairstown, St. Clair, Florence-Norway, and Walford

Signed this 3rd day of January, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

ATTEST:

Rick Primmer

Hayley Rippel, Benton County Auditor

Primmer 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

Dean Vrba and Terry Andorf as alternate

REGION 10 REGIONAL TRAILS ADVISORY COMMITTEE

Randy Scheel and Mark Pingnot

REGION 10 TRANSPORTATION POLICY COMMITTEE

Tracy Seeman, Rick Primmer (alternate)

Mitch McDonough

Bierschenk moved/Seeman seconded: To re-appoint Becky VanWey to the Conservation Board. Primmer abstained due to conflict of interest. Voting aye were Bierschenk and Seeman. Motion carried.

Primmer moved/Bierschenk seconded: To authorize chairman to sign new statement of non-issuance of certificate of occupancy for 2022. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Dan Lagrange, Pat Jorgensen and Connie Barnes to the Public Health Board. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Jerry Michael as the Civil Rights Coordinator for 2022. Motion carried.

Bierschenk moved/Primmer seconded: To appoint the following persons to the Benton County Eminent Domain for 2022. Motion carried.

Licensed Real Estate Sales Person or Real Estate Broker

Danny Kaestner

Tami Timm

Shannon Feuerbach

Alan Michael

Dave Wessling

Scott Scharbaum

Melissa Lennie

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Persons Having Knowledge of Property Values by Reason of Occupation

Brian Bierschenk
 Dave Coulter
 Melissa McBride
 Denise Weeda
 David Redlinger
 Gary McKenna

Owner-Operator Agricultural Property

Elaine Harrington
 John David Rhinehart
 John Elwick
 Todd Hennings
 Brenda Schanbacher
 Wayne Seila

Owners of City or Town Property

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

Primmer moved/Bierschenk seconded: To re-appoint Greg Walston, Jay Herman, Marlyn Jorgensen, Janelle Jack and Heather Rinderknecht to the Benton Development Group Board. Motion carried.

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

Discussion on the Heartland Safety Coordinator(s) was had. With Assistant Engineer Ben Vierling gone, the board will need to talk to the Engineer or a replacement. No action.

Primmer moved/Bierschenk seconded: To re-appoint the following persons to the Benefited Fire Districts for three-year terms. Motion carried.

Van Horne Benefited #1 – Ronald Bossler
 Keystone Benefited #2 –Dale Seeck
 Newhall Benefited #4 –Timothy Rathje
 Ben-Linn Benefited #3-#5 – James Keiper

Primmer moved/Bierschenk seconded: To re-appoint Allison Hicks and Phil Borleske to the Historic Preservation Commission. Motion carried.

Primmer moved/Bierschenk seconded: To re-appoint Karen Peterson to the Land Use Adjustment Board. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Myron Parizek as the County Engineer pursuant to Iowa Code 309.17. Motion carried.

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

The time of 9:30 a.m. having arrived, and this being the time and date for the first 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 media or public present. Notice of the hearing had been published in accordance with the law and copies were available on the county's website and in person. The county attorney was present to answer questions in regards to how changing the district names affects 2 of the supervisors. There was no other comments or questions in regards, so the public hearing was closed.

Primmer moved/Bierschenk seconded: to approve the first consideration of Ordinance #76, An Ordinance Establishing the County Supervisor Districts and Election Precincts. All members voting aye thereon. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:
 Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

January 4, 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>)

Primmer moved/Bierschenk seconded: To appoint Mindy Icenbice as a medical examiner investigator. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Mark Happel; Elaine Harrington, Mark Kotouc, Deb Christianson and Connie Barnes to the Zoning Commission. Motion carried.

Kirsten Nelson, Human Resource Director for the county wanted to discuss how officials are awaiting a supreme court ruling on how it will handle the vaccination and testing mandates of its employees, as required by Occupational Safety and Health Administration (OSHA). If the mandate is upheld, the county will need to collect vaccination status and provide to OSHA if they request it. Nelson just stressed these were possibilities she was the messenger to put on the radar. Nelson also updated the board regarding the Wellness program and how the county qualified for 2% discount per participation in the last year. There is a possibility to obtain 5% if all criteria is met. Hopefully this upcoming program will make it easier for qualifying. There will be more on this sent out to employees at a later time.

Primmer moved/Bierschenk seconded: To approve the mental health fund balance project in the amount of \$16,911.06 to create office area for Abbe Center in the Service Center. Motion carried.

Discussion regarding rent amount for the Abbe Center was also had. No further action in regards. The Region Mental Health Board will also have to approve the fund balance project.

The time of 9:30 a.m. having arrived, and this being the time and date for the second consideration on Ordinance #76, An Ordinance Establishing the County Supervisor Districts and Election Precincts. The board took up the matter. There was a member of the media present. 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 second consideration of Ordinance #76, An Ordinance Establishing the County Supervisor Districts and Election Precincts. All members voting aye thereon. Motion carried.

The Board discussed the Hawkeye Area Community Action Program (HACAP) FY 23 budget request. They kept it the same as last year-\$47,087 local service operations. \$21,689 for Belle Plaine Housing Program and \$10,000 for Belle Plaine Senior Meal Program and is paid quarterly.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

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.

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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

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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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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

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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

January 18, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Primmer were present, Bierschenk 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.bentoncountytia.gov

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

Throughout the meeting at various times, there was FY 23 Budget presentations with Sanitarian/Land Use, Relief, Sheriff, Auditor, Elections and Engineer.

Primmer moved/Bierschenk seconded: To approve the minutes of January 12, 2022. Motion carried.

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

Lindsey Upah discussed the Abbe Center and what they were willing to pay for rent to have office space within the County Service Center.

Primmer moved/Bierschenk seconded: To set the rental rate for Abbe Center to lease space in the service center at \$750 a month plus the costs of internet and phone. Motion carried.

Primmer moved/Bierschenk seconded: To approve new printer contract with Access systems with allowing the county attorney time to look over before making the final change. Motion carried.

Kristine Bullock, Kirkwood Workplace presented their FY 23 Budget Request. Bullock also gave a presentation over how the funding is utilized throughout the year. With using the 2020 Census data, and .10 per capita, FY 23 request is \$2,575.

Primmer moved/Bierschenk seconded: To approve handwritten claim for \$300 for 2 sheriff employees to attend the Iowa Sex Crimes Investigators Conference, Motion carried.

Jennifer FencI, East Central Iowa Council of Governments (ECICOG) presented the FY23 watershed budget. FencI reported that all construction should be done by June 30, 2022 but with the realization the costs could possibly still roll into FY 23 Budget. So approximately \$104,000. There may need to be a contract amended at a later date with this reflected. The Middle Cedar Watershed is also requesting for financial support for FY 23. The asking amount of \$8,360 is based on area participation, per capita. This would help cover admin costs for continuing watershed projects and obtaining grants in the future.

Brandi Lewin, Sexual Assault Response Team Coordinator for Benton and Buchanan County. Currently we are entered into a 28E agreement between and the amount they are requesting is going to stay the same at \$6,500 a year.

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

Primmer moved/Bierschenk seconded: To approve Resolution #22-8, Amending Resolution #21-6, Updating Relief Cremation Rates. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

RESOLUTION #22-7
AMENDING RESOLUTION #21-6
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 January 4, 2021;

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 #22-7 *Benton County General Assistance Establishing Cremation Service Rates*, are HEREBY REPEALED in its entirety, January 18, 2022.

BE IT FURTHER RESOLVED that the following cremation service rates are HEREBY ADOPTED January 18, 2022.

<u>Cremation Service</u>	
Crematory Expense	\$300.00
Cremation Tray	40.00
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 \$300.00)	300.00
Minister Stipend (if used)	25.00

Signed this 18th day of January, 2022

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

John Lindaman, Deputy Sheriff presented old dispatch contracts with the cities who utilize Benton County 911. The rates haven't changed in over 30 years and with inflation, this is the time to adjust to help recoup costs. They agreed it was necessary, and to get some figures calculated and set up a meeting with the cities of Vinton, Belle Plaine and Urbana. A meeting also for the other cities that utilize law enforcement contracts with Benton County will be in the works.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Seeman seconded: To approve Resolution #22-8, Employment status change in Sheriff's office. Motion carried.

RESOLUTION # 22-8

WHEREAS, the Benton County Sheriff has a need for full-time correctional officer, and;
 WHEREAS, Brandi Tickle has been employed by Benton County as part-time since July 1, 2021 a;
 WHEREAS, Tickle has been currently performing the duties of the above mentioned position; and
 WHEREAS, the Sheriff recommended that Tickle 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 Brandi Tickle be changed to a full-time correctional officer in the sheriff's office, effective January 18, 2022 at the hourly rate of \$17.91 an hour.
 Signed this 18th day of January 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve changing sheriff employee Garrison Reeker's employment status from full-time to part-time effective immediately. Motion carried.

Primmer moved/Bierschenk seconded: To recess for lunch break. Motion carried.

Primmer moved/Bierschenk seconded: To approve IDOT agreement and authorize signature for County Bridge Federal Aid SWAP funding of \$400,000 for bridge replacement on 75th Street in Florence Township. Motion carried.

Bierschenk moved/Primmer seconded: To approve the REGION 10(ECICOG) Surface Transportation Block Grant (STBG) SWAP funds of \$600,000 for the City of Shellsburg to add a new bridge across Bear Creek. Motion carried.

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

 Tracy Seeman, Chairman

ATTEST:

 Hayley Rippel, Benton County Auditor

January 25, 2022

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

Bierschenk moved/Primmer seconded: To approve Treasurer's Semi-Annual Report ending December 31, 2021. Motion carried.

Bierschenk moved/Primmer seconded: To approve Joe Wehage pay increase for obtaining his class CDL with passenger endorsement. The new hourly wage will be \$15.40 an hour effective January 24, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes of January 18, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142125 through 142132, ACH Deposits 48000 through 48142, handwrite 241332, vendor checks 241333 through 241340 and claims numbered 241341 through 241460. Motion carried.

Discussion regarding the Mental Health's budget was had. Due to the passage of SF 619, eliminating the MHDS funding to be done by property taxes at the county level will start being state appropriated in FY 23. Any leftover fund balance in the current fiscal year budget has to be paid out to the mental health region.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-9, Creating new Sub-Fund for Mental Health Administration. Motion carried.

**RESOLUTION #22-9
Establishment of New Sub Fund for
Mental Health Administration**

WHEREAS, the passage of SF 619, movement of MHDS funding from property tax to State appropriation goes into effect for FY 23;

WHEREAS, Benton County, Iowa will no longer be able to levy taxes under the Mental Health Fund (0010); and

WHEREAS, Benton County needs to create a secure manner in which to track all revenues and expenditures associated with the MHDS services between county and our mental health region;

NOW, THEREFORE BE IT RESOLVED, by the Benton County Board of Supervisors that a sub-fund of the General Basic Fund (0001) shall be created as the Mental Health Administration (0006). All interest earned on monies within said sub-fund shall be accounted for within the General Fund (0001) of the County and not allocated to said sub-fund balance.

Adopted this 25th day of January 25, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Jeremy Sills, representing Benton County Soil and Water District came to ask the board to continue funding for watershed purposes. Currently the county is fiscal agent for the middle cedar watershed which will be ending within the current year. ECICOG is willing to continue looking for grants available to continue working towards future watershed projects in our area. They have asked other entities to fund according to the participation amount.

Primmer moved/Bierschenk seconded: To approve funding to East Central Iowa Council of Governments (ECICOG) for FY 23 in the amount of \$8,360 for watershed allocation for future projects and grant searching.

Ben Bonar and Wes Haefner, Weed Department presented a slide show in regards to a new track loader/sprayer. Bonar also mentioned a need for another full-time employee.

Historic Preservation was unable to attend the meeting today, so it will be rescheduled until next week.

Nathan Summers, D.A. Davison & Co. called in to the meeting to help answer questions and go over the required paperwork to get moving with the tax-exempt bonds for the Racom Radio Project.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Seeman seconded: To approve Resolution #22-10, Authorizing the use of a preliminary official statement for entering into General Obligation Emergency Communications Loan Agreement. Motion carried.

RESOLUTION #22-10

Resolution authorizing the use of a preliminary official statement

WHEREAS, the Board of Supervisors (the "Board") of Benton County, Iowa (the "County"), heretofore proposed to enter into a General Obligation Emergency Communications Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$8,250,000 pursuant to the provisions of Sections 331.402 and 331.441 of the Code of Iowa for the purpose of paying the cost, to that extent, of improving and equipping emergency communications systems, and pursuant to law and duly published notice of the proposed action, has held a hearing thereon on October 19, 2021; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of \$5,200,000 General Obligation Emergency Communications Bonds, Series 2022 (the "Bonds") in evidence of the obligation of the County under the Loan Agreement, and it is now necessary to make provision for the approval of the P.O.S. and to authorize its use by D.A. Davidson & Co. (the "Underwriter");

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. The County Auditor is hereby authorized to take such action as shall be deemed necessary and appropriate with the assistance of the Underwriter and Dorsey & Whitney LLP (the "Disclosure Counsel"), as the City's disclosure counsel, to prepare the P.O.S. describing the Bonds and providing for the terms and conditions of their sale, and all action heretofore taken in this regard is hereby ratified and approved.

Section 2. The use by the Underwriter of the P.O.S. relating to the Bonds in substantially the form as has been presented to and considered by the Board is hereby approved, and Disclosure Counsel and the Underwriter are hereby authorized to prepare and use a final Official Statement for the Bonds substantially in the form of the P.O.S. but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the sale and issuance of the Bonds, and the County Auditor is hereby authorized and directed to execute a final Official Statement for the Bonds, if requested. The P.O.S. as of its date is deemed final by the County within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission.

Section 3. Further action with respect to the Loan Agreement is hereby adjourned to the Board meeting on February 8, 2022.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Adopted this 25th day of January 25, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Seeman seconded: To approve Resolution #22-11, Adopting and approving tax compliance procedures relating to Tax-Exempt Bonds. Motion carried.

RESOLUTION #22-11**Resolution Adopting and Approving Tax Compliance Procedures Relating to Tax-Exempt Bonds**

WHEREAS, pursuant to the laws of the State of Iowa and Section 103 of the Internal Revenue Code, Benton County, Iowa (the "County"), acting by and through the authority of its Board of Supervisors, has issued, and likely will issue in the future, tax exempt municipal bonds, notes or other obligations (the "Tax Exempt Bonds"); and

WHEREAS, the County deems it necessary and desirable to adopt certain procedures and practices to be followed by the County in connection with the issuance of Tax-Exempt Bonds; and

WHEREAS, proposed tax compliance procedures are attached hereto as Exhibit A (the "Compliance Procedures");

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. The Compliance Procedures attached hereto as Exhibit A are hereby adopted and shall be dated as of the date hereof.

Section 2. The County Auditor is hereby authorized and directed to periodically update the Compliance Procedures in accordance with the Internal Revenue Code and supporting Internal Revenue Service Rulings and Regulations, with advice from bond counsel.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved January 25, 2022.

Adopted this 25th day of January 25, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve dissemination agent agreement with D.A. Davidson and authorize chairman's signature. Motion carried.

Primmer moved/Bierschenk seconded: To approve obtaining a bond rating and decided on final net amount of \$5,200,000. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve and increase to Option B on the flood insurance renewal notices from AJ Gallagher Risk Management Services Inc. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-12, Elected Officials Salary for FY23. Motion carried.

RESOLUTION #22-12 ELECTED OFFICIALS' SALARIES

WHEREAS, the Benton County Compensation Board met on January 5, 2022, 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 FY23</u>
Auditor (10%)	\$81,201.56.	\$89,321.71
Treasurer (10%)	\$76,793.12	\$84,472.43
Recorder (10%)	\$76,793.12	\$84,472.43
Attorney (10%)	\$115,922.92	\$127,515.21
Sheriff (28.5%)	\$96,236.74	\$123,664.21
Supervisor (10%)	\$43,895.16	\$48,284.68
Chairman	\$44,895.16	\$49,284.68

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, 2022, as recommended by the Benton County Compensation Board.

Dated this 25th day of January, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve 10% increases for the non-elected, non-union, non-commissioned employees for FY 23, except for the Mental Health Regions recommendation for Mona Onkken, Veterans Affairs Director Cara Martin will get a \$10,000 increase, Justin Birker, assistant Maintenance director will be paid at 85% of the director's salary, and Human Resource Director Kirsten Nelson will get 10% instead of the 5% listed in her contract. Motion carried. Continued discussion regarding the parking lot for the service center was had. Still would like to obtain quotes for concrete compared to asphalt, so no action was taken.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

January 28, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Bierschenk and Primmer were present. The meeting was called to order at 2:00 p.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>)

Primmer moved/Bierschenk seconded: To approve and adjust the salary of Mona Onkken to reflect the 10% increase instead of the \$80,000 salary in a previous motion. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on the FY23 Iowa State Association of Counties (ISAC) Wellness Agreement. Motion carried.

Kirsten Nelson, Human Resource Director presented the renewal rates and different scenarios regarding the county's partial-self funded health plan. It was also noted that with the wellness participation the county did obtain a 2% savings out of the 5% potential. The Board has not raised the employee's share for a few years, and with some slight deficit in the Health Fund Balance, it is time to do some adjustments to help increase the reserve again. ISAC sends out the renewal rates in December, but when the county is partially self-funded, the buy down to help cover the out of pocket maximum deductibles is always a risk based on how many employees meet that deductible. Nelson provided a handout with a few options. There was also discussion for ways to help get more participation in the wellness to get a better savings in future years. There will be payroll stuffers created to help inform employees of the rate changes and how to participate.

Primmer Moved/Bierschenk seconded: To increase the county employee's share by 2 ½ % for the health insurance which amounts to: \$371.00 month for family and \$94.70 a month for single. Dental will be \$48.65/month for family and \$20.84 single, eye stayed the same at \$7.85 a month for family and \$2.97 single. Motion carried.

The Board also discussed the parking lot for the Service Center and with rough estimates, there will be a need for accepting bids. They helped create a notice and set some dates as well as upcoming future budget meetings.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

January 31, 2022

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 6:00 P.M. Supervisors Seeman, Primmer and Bierschenk were also present. *Unless otherwise noted, all actions were approved unanimously.*

The Supervisors and Sheriff's staff had asked to meet with City officials regarding the dispatch services provided by Benton County. The last time there was a contract or 28/E with City of Vinton was in 1991. The county is proposing the contract dispatch rates to be based off employing 1 full time dispatcher at their employment cost including benefits to be about \$91,661. Suggesting that it be split amongst the 3 city police departments and base it on the percentage of calls taken. Annual adjustments would be made based on employee raises and numbers of calls using same formula. Bud Maynard, Vinton Mayor explained how this was too late to ask for an increase due to the budget process already in the works. Most cities have published their maximum levy notices in the paper. Other discussion was had regarding the topic, but no action was taken, but it was agreed this will need to be addressed.

The purpose of the 2nd part of tonight's meeting was to be present during the public hearing on the FY23 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.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

February 1, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Bierschenk and Primmer were present. The meeting was called to order at 2:00 p.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>)

Bierschenk moved/Primmer seconded: To approve the minutes of January 25, 2022 and January 28, 2022. Motion carried.

Primmer moved/Bierschenk seconded: to set land use hearing date of Tuesday March 1, 2022 at 9:15 a.m. for HGP LLC in part of SE ¼ NE ¼ of 34-85-9. Motion carried.

Bierschenk moved/Primmer seconded: To approve farm exemption application for Brad Hackett in Section 36-86-9. Motion carried.

Melissa Abel-Croy and Wayne Parizek, presented the Benton County Volunteer Program Budget. They also provided an overview of the services and how the non profit organization provides services including free medical transportation to residents.

Kate Robertson, Benton Development Group and Dave Fish, President of the BDG Board came to provide an update and how productive the year 2021 was. They have received (2) \$100,000 catalyst grants for businesses in Belle Plaine and Atkins and a \$75,000 Brownfield/Grayfield award for the redevelopment of the barn building on the braille school property in Vinton. 2022 will also show significant growth to the organization.

Benton and Iowa County Development Groups officially formed a two-year partnership to promote economic growth in both counties. Benton Development Group is asking for the same amount as FY 22.

The Engineer presented the Title IV Non-Discrimination Agreement between Iowa Department of Transportation and Benton County, Iowa. The last time it was done was in 2013, so the original resolution will need to be

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-13, Amending Resolution #13-74, Adopting the Title VI Non-Discrimination Agreement between Benton County and The Depart of Transportation, and authorizing the Engineer as the Title VI Coordinator. Motion carried.

RESOLUTION #22-13 Amending Resolution #13-74

- WHEREAS, Benton County has been a recipient of federal financial assistance from the U.S. Department of Transportation; and
 WHEREAS, in receiving such financial assistance Benton County is mandated to comply with the provisions of Title VI of the Civil Rights Act of 1964; and
 WHEREAS, the Iowa Department of Transportation has directed Benton County to adopt certain documents and put certain programs into place in order to comply with the Title VI of the Civil Rights Act of 1964; and
 WHEREAS, the Board of Supervisors adopted Resolution #13-41 Adoption of Title VI Non-Discrimination Agreement, Title VI Policy Statement and Appointment of Title VI Coordinator on May 28, 2013, and also adopted Resolution #13-74, Adoption of Title VI Assurances on August 6, 2013, it is hereby that both of these Resolutions be repealed; and
 WHEREAS, in order to continue receiving federal financial assistance from the U.S. Department of Transportation the adoption of certain documents and establishment of certain programs is necessary.
 NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that:
1. The County Engineer is hereby designated the Title VI Coordinator for Benton County.
 2. The Benton County TITLE VI Non-Discrimination Agreement is hereby adopted and that the Chairman of the Board of Supervisors is authorized to sign said documents where required.
 3. The Standard DOT Title VI Assurances are hereby adopted and the Board of Supervisors has authorized the Title VI Coordinator to sign said documents where required.
 4. The Title VI Notice to the Public is hereby adopted and shall be posted where other public notices are displayed in the Benton County Buildings and County Engineer's Office. Furthermore, said notice shall be placed on the County's official website.
 5. The Title VI Coordinator is authorized to take any other actions necessary and/or recommended by the Iowa Department of Transportation, or other designated authority to comply with the provisions of Title VI of the Civil Rights Act of 1964.

This Resolution signed on this 1st day of February, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Historic Preservation presented their FY 23 Budget Request. It was down \$3,200 from current year.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

February 8, 2022

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

Primmer moved/Bierschenk seconded: To approve the minutes of January 31, 2022 and February 7, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday March 8, 2022 at 9:15 a.m. Luke and Stephanie Cross in part of NE ¼ SE ¼ of 25-83-9. Motion carried.

Bierschenk moved/Primmer seconded: To approve payroll checks numbered 142133 through 142139, ACH Deposits 48143 through 48283, vendor checks 241461 through 241467 and claims numbered 241468 through 241600. Motion carried.

Primmer moved/Bierschenk seconded: To approve paying the RACOM bill in the amount of \$6,922.00 using the ARPA Fund for the installation of the phone integration between the courthouse and Sheriff's office. Motion carried.

Primmer moved/Bierschenk seconded: To set the maximum levy hearing for Tuesday March 1, 2022 at 9:30 a.m. and FY 23 Budget Hearing for Tuesday, March 15, 2022 at 9:30 a.m. Motion carried.

There was a discussion regarding what the county currently pays for medical examiner fees. Current rates are \$250 per case, \$500 an extreme case and \$100 for jurisdiction declined cases. The case fees have not been increased since 2013. This is one of those jobs, that has to be done, but these individuals are on call 24/7 to be able to get to scenes when needed asap. The Board didn't act on this, would like to compare to other counties and see what the Medical Examiner fees are.

Braxton Morrison, Critical Incidence Stress Management (CISM) President and Coordinator, presented a list of items for funding requests that would like the mental health fund dollars to help pay for. CISM is a non-profit organization, and can be utilized county side. The items purchased will help the team members be more utilized in the county for various groups, not just EMS. Mona Onken explained how these items would need to be purchased, or the training registration done before the end of June when the Region takes over. Items on the list would qualify for using fund balance and if the Board approves at the county level, then this would go to the Region for further approval as well.

Primmer moved/Bierschenk seconded: To use mental health fund balance for funding Benton County's CISM training and supplies not to exceed \$4,309.93. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-14, Hiring an Equipment Operator in secondary roads. Motion carried.

RESOLUTION #22-14

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 Rodney Schmuecker be hired to fill one position of Equipment Operator at a starting wage of \$21.25 per hour starting February 22, 2022. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 8th day of February 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

The Board discussed tree damage to a tree in a road right of way. According to Engineer Myron Parizek, trees were trimmed and being loaded onto a truck and they hit the branch of the said tree. The property owner is looking for restitution for the damage done. There are four other trees on this property that are also in the right of way. Primmer questioned compensating the owner if they were within the county's right of way. Parizek saw the tree as a possible hazard. Supervisor Seeman said he would talk with the property owner again, no action was taken.

Primmer moved/Bierschenk seconded: To approve purchase agreement(s) for the following permanent and temporary easements for box culver replacement project in Florence Township on 75th Street:

- 1) Marcel and Suzanne Sebetka - \$4,161.19
- 2) Robert - \$2,555.00
- 3) Russel and Kimberly Marcus-\$1,716.01
- 4) Victor Sebetka Trust-\$1,639.48

Motion carried.

Fairboard members: Nicole McKenna, Dale Seeck and Kirk Steinfeld came back to the supervisors for help with their renovation project for fairgrounds grandstands. The renovation includes new seating, replacing all the old wooden seats with aluminum. They presented their financial information and how they plan to get the project going. They are looking for \$120,000 and asking for a \$40,000 commitment spread out over 3 years from the Local Option Sales and Service Tax (LOSST) Fund. They are also working on fund-raising, and meeting with different people and companies throughout the county. They did check with City of Vinton's LOSST options, and looking for the Benton County Community Foundation for help there. Nicole McKenna reported they have already been pre-approved for a loan but were hoping to have the county's support and anything raised in fundraising would lessen that financial burden on the county. Discussion also led to the how members get on the fairboard and the areas the members represent. Benton County Attorney David Thompson suggested having the supervisors appoint three members to the fair board. Continued conversations back and forth regarding how to propose dollar matching with the LOSST, or having the Fairboard borrow from the county with intentions of paying back over a possible five-year loan. The fair officials and supervisors will meet again on Thursday, February 10.

Primmer moved/Bierschenk seconded: To approve moving forward with the clock repair from Mechanical Watch Supply LLC and if they need a deposit, to pay it out of the courthouse grounds budget. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 10, 2022

The Benton County Board of Supervisors met in special session at 6:00 p.m. at the Farm Bureau Office Building in Vinton. Supervisor Seeman called the meeting to order with Supervisor's Seeman, Primmer and Bierschenk present. Discussion was held on the FY23 county budget. Budget topics ranged from the upcoming 911 Radio system project, mental health, roads and other budget concerns, along with using ARPA funds for county projects.

Primmer moved/Bierschenk seconded: To adjourn at 7:10 p.m. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 10, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Bierschenk and Primmer were present. The meeting was called to order at 4:30 p.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 time of 4:30 p.m. was the time set for receiving and opening bids for the parking lot at the Service Center. There were no members of the public present. The Auditor informed the board that the notice did not get into the Vinton Newspapers, but only in the Gazette. The Board also noticed errors on both the bids and Supervisor Seeman called each of them for clarification. After further discussion, they decided it would be best to open it back up and re-publish.

Primmer moved/Bierschenk seconded: To reject the bids and set the new date of Tuesday, March 1, 2022 at 9:30 a.m. for opening and receiving bids for the Service Center parking lot. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve loaning the Fair Board up to \$120,000 from the Local Option Sales and Service Tax (LOSST) and spread it out over five years with a match from the county up to \$60,000. The paperwork will be worked out at a later date when both parties agrees to a percentage rate keeping it consistent with other loans made by the county. Motion carried.

The Sheriff had invited City officials to come discuss the need for increasing the law enforcement contract amounts. Realizing that it is probably too late for FY 23, but wanted to bring it up for discussion and allow time for planning for an increase in FY 24. The mayors from Shellsburg, Norway and Atkins were present. Sheriff Tippet will send information out on a considerable increase so that each council can go over what's been going on as well. Small cities have difficulty maintaining their own police departments, so the county provides protection by contracted hours. No action was taken.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 15, 2022

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

Primmer moved/Bierschenk seconded: To approve the minutes of February 8, 2022 and two from February 10, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, March 15, 2022 at 9:15 a.m. for Jill and Brian Kuhn for a part of the SW ¼ of the NW ¼ of 12-84-9. Motion carried.

Darrel Schulte, Norway resident was present for public input comments. He was questioning the ATV/UTV's driving in the city limits. The board explained how the county has an ordinance, but if individual cities do, that supersedes the rules. The Auditor was going to provide a copy of the ordinance and map to Schulte.

The Weed department revised their budget for equipment that won't be available in this current fiscal year, so Ben Bonar asked to have that spending authority carryover for FY 23.

Primmer moved/Bierschenk seconded: To approve the Conservations Board's revised budget recommendation regarding the wages. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-15, Approving Bond Purchase Agreement for the sale of General Obligation Emergency Communications Bonds, Series 2022 and authorize signatures for such. Motion carried.

RESOLUTION #22-15

Resolution approving a Bond Purchase Agreement for the sale of General Obligation Emergency Communications Bonds, Series 2022

WHEREAS, the Board of Supervisors (the "Board") of Benton County, Iowa (the "County"), heretofore proposed to enter into a General Obligation Emergency Communications Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$8,250,000 pursuant to the provisions of Sections 331.402 and 331.441 of the Code of Iowa for the purpose of paying the cost, to that extent, of improving and equipping emergency communications systems, and pursuant to law and duly published notice of the proposed action, has held a hearing thereon on October 19, 2021; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of General Obligation Emergency Communications Bonds, Series 2022 (the "Bonds") in evidence of the obligation of the County under the Loan Agreement, and the County has made provision for the approval of the P.O.S. and has authorized its use by D.A Davidson & Co. (the "Underwriter"); and

WHEREAS, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared to set forth the terms of the Bonds and the understanding between the County and the Underwriter, and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this Board of Supervisors. The Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter.

Section 2. Further action with respect to the issuance of the Bonds and the approval of the Loan Agreement is hereby adjourned to the Board of Supervisors meeting on March 1, 2022.

Section 3. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law. Signed this 15th day of February 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Richard Hoffman, representing Sheriff union, presented memorandum of understanding (MOU) for the wage pay scale according to current contract and a new proposed rate. Hoffman also prepared comparison charts with other counties in our district. The MOU will change the pay scale within the current contract. No action was taken today, but the county attorney advised the supervisors to talk to the labor attorney, Human Resource Director and Sheriff to discuss. Thompson also suggested reopening to deal with in mind the wellness incentives and encouraging employees to participate to keep the insurance rates down.

Robert Gilmore, Union Steward for Secondary Roads with PPME Local 2003 Union. He wanted to discuss the possibility of doing a letter of understanding for allowing a 10% increase in wages similar to all other employees. They are in the 3rd year of the current three-year contract, not necessarily wanting to open it up, but take suggestions. Attorney Thompson also stressed the importance of the employees participating in the county wellness, for obtaining discounts. Gilmore stressed the goal was for keeping things comparable and realizing the county's got ARPA funds to help offset other expenses.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

February 22, 2022

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.bentoncountyiowa.gov*

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

Primmer moved/Bierschenk seconded: To approve the minutes of February 15, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To amend the maximum levy hearing date from March 1, 2022 to March 4, 2022 at 9:30 a.m. due to publication error. Motion carried.

Mona Onken, came to discuss approving a vehicle for Foundation 2 to be paid with Mental Health fund balance spend down, along with some training costs for employees. Onken explained that once the vehicle is purchased, it would belong to Foundation 2 and they would hold title and cover insurance. Further discussion on the amount to spend for the vehicle was had. Onken will need boards approval and then will take it to the regional board meeting on Thursday the 24th for their approval as well.

Primmer moved/Bierschenk seconded: To approve spending authority of \$32,525 using the Mental Health's fund balance for purchasing of vehicle for Foundation 2 and employee training. Motion carried.

Bierschenk moved/ Primmer seconded: To approve claims out of the ARPA fund for 1) Neopolitan Labs-\$12,500 for the rest of the new website upgrade and 2) True North Company for the radio project consultation in the amount of \$2,952. Motion carried.

Bierschenk moved/Primmer seconded: To approve payroll checks numbered 142140 through 142159, ACH Deposits 48284 through 48422, vendor checks 241601 through 241608, handwrite 241609 and claims numbered 241610 through 241729. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-16, Employee Status Changes in the Sheriff's office. Motion carried.

RESOLUTION # 22-16

WHEREAS, the Benton County Sheriff has vacancies for full-time Communications Specialists; and
WHEREAS, The Sheriff currently has two part-time communication specialists: Sarah Siglin who has been employed by Benton County since September, 2021 and Alyssa McAtee has been employed since November 2021;
WHEREAS, Siglin and McAtee both have all the required qualifications and have currently been doing the job;
WHEREAS, the Sheriff recommended that Sarah Siglin and Alyssa McAtee have their employment status be changed from part-time to full-time Communications Specialists in the Sheriff's office, effective immediately at the hourly rate of \$17.91 that is set by the union contract.
Passed this 22nd day of February, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve the hire of Whiney Amos as a part-time communications specialist with lateral pay rate of \$22.25 an hour due to pervious employment, and all the required qualifications. Motion carried. Due to the weather conditions, the Historic Preservation members were not able to attend in person. One called in and told the Supervisors where to find the report that was to be presented for signature today.

Primmer moved/Bierschenk seconded: To authorize chairman to sign and certify the Historic Preservation Annual Report. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

March 1, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Primmer present, Bierschenk 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.bentoncountyiowa.gov*

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve the wage increase for Rodney Clark, Transportation driver who obtained his Class C License with passenger endorsement effective February 19, 2022 at the hourly rate of \$15.40. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes of February 22, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Liquor License for Terra Hills Country Club. Motion carried. Mona Onken, provided a brief update regarding the approval of the proposed fund balance projects that were addressed at the Mental Health Regional board meeting that was held on Thursday the 24th.

Discussion about the pay for township officials was had. The Auditor was recently approached in the regards that there hasn't been an increase since 2007. Currently they receive \$15 an hour, or a minimum of \$25 a meeting. No action was taken, but the board did throw out a few figures and will act on this at a future meeting.

Auditor Rippel also mentioned the need for an appointment for a Benton Township trustee due to vacancy.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for HGP LLC in part of SE1/4 NE1/4 of 34-85-9. Jim Hicks was present, along with some adjacent property owners, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance which included talk about the septic systems, wells, soil erosion and drainage control. HGP LLC would like to propose a change of the 17 acres and replat lots 8 through 13 from the Hidden Meadow Subdivision into 8 lots to be called the Sunset Estates. Hidden Meadow was previously approved in 2017 for 5 residential lots and 1 commercial. CSR average is 52. There will need to be new driveway. Adjacent land use is crop land and other subdivisions. Notice was sent to 12 adjacent owners and published in the newspapers. There was one inquiry prior to the meeting, not for or against, just asked the details. There were 3 adjoining neighbors present who all had a chance to voice their concerns. One questioned how the wells would be affected in the area, and two stated they liked their isolated homes and didn't like the idea of having more homes. A further concern was the view of sheds instead of nicer homes to match the ones that are currently in place. Another question that arose was the covenants and home owner association rules. Greenlee reported that covenants are required and that HGP Land had them prepared in preparation for final plat approval. The residents were reminded that originally this was platted for a commercial lot and residential prior to today's hearing, so the only thing that was changing was eliminating the commercial need. The public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change and preliminary plat of Sunset Estates Addition to Benton County, Iowa, A Replat of Lots 8 through 13, Hidden Meadows Third Addition. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-17, Variance to the Sub Division Ordinance. Motion carried.

RESOLUTION #22-17

Variance to the Benton County Subdivision Ordinance

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

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

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with the regards of the division of real property located in the SE ¼ NE 1/4, Section 34-T85N-R9W and owned by HGP 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 #72.

Signed this 1st day of March, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Seeman seconded: To approve Resolution #22-18, Authorizing and approving a certain Loan Agreement and providing for the issuance of \$5,025,000 General Obligation Emergency Communications Bonds, Series 2022 and providing for the levy of taxes to pay the same. Motion carried.

RESOLUTION #22-18

Resolution authorizing and approving a certain Loan Agreement and providing for the issuance of \$5,025,000 General Obligation Emergency Communications Bonds, Series 2022 and providing for the levy of taxes to pay the same

WHEREAS, the Board of Supervisors (the “Board”) of Benton County, Iowa (the “County”), heretofore proposed to enter into a General Obligation Emergency Communications Loan Agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$8,250,000 pursuant to the provisions of Sections 331.402 and 331.441 of the Code of Iowa for the purpose of paying the cost, to that extent, of improving and equipping emergency communications systems, and pursuant to law and duly published notice of the proposed action, has held a hearing thereon on October 19, 2021; and

WHEREAS, a Preliminary Official Statement (the “P.O.S.”) has been prepared to facilitate the sale of General Obligation Emergency Communications Bonds, Series 2022 (the “Bonds”) in evidence of the obligation of the County under the Loan Agreement, and the County has made provision for the approval of the P.O.S. and has authorized its use by D.A Davidson & Co. (the “Underwriter”); and

WHEREAS, a certain Bond Purchase Agreement (the “Bond Purchase Agreement”) has been prepared to set forth the terms of the Loan Agreement and the Bonds and the understanding between the County and the Underwriter, with respect to the purchase thereof and the Board of Supervisors has approved the Bond Purchase Agreement and made provision for its execution and delivery; and

WHEREAS, it is now necessary to make final provision for the approval of the Loan and authorize the issuance of the Bonds;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. The County shall enter into the Loan Agreement with the Underwriter, in substantially the form as has been placed on file with the Board, providing for a loan to the County in the principal amount of \$5,025,000, for the purpose or purposes set forth in the preamble hereof.

The Chairperson and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 2. The Bonds are hereby authorized to be issued in evidence of the obligation of the County under the Loan Agreement, in the total aggregate principal amount of \$5,025,000, to be dated March 15, 2022, in the denomination of \$5,000 each, or any integral multiple thereof, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

<u>Date</u>	<u>Principal</u>	<u>Interest Rate</u>	<u>Date</u>	<u>Principal</u>	<u>Interest Rate</u>
2023	\$630,000	3.00%	2027	\$740,000	3.00%
2024	\$680,000	3.00%	2028	\$765,000	3.00%
2025	\$700,000	3.00%	2029	\$790,000	3.00%
2026	\$720,000	3.00%			

BOKF, N.A., Lincoln, Nebraska, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent.” The County shall enter into an agreement (the “Registrar/Paying Agent Agreement”) with the Registrar, in substantially the form as has been placed on file with the Board; the Chairperson and County Auditor are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the County; and the Registrar/Paying Agent Agreement is hereby approved.

The Bonds are not subject to optional redemption prior to maturity.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2022. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson and attested with the official manual or facsimile signature of the County Auditor and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 3. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York (“DTC”). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the “Participants”). In the event that DTC determines not to continue to act as securities depository for the Bonds or the County determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the County will discontinue the book-entry system with DTC. If the County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the County will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interest in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant’s interest in the Bonds, which will be confirmed in accordance with DTC’s standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term “Beneficial Owner” shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 4. The Bonds shall be in substantially the following form:

**UNITED STATES OF AMERICA
STATE OF IOWA
BENTON COUNTY**

**GENERAL OBLIGATION EMERGENCY COMMUNICATIONS BOND,
SERIES 2022**

No. _____			\$ _____
RATE	MATURITY DATE	BOND DATE	CUSIP
_____ %	June 1, 20__	March 15, 2022	082774 ____

Benton County (the "County"), Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.

New York, NY

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of BOKF, N.A., Lincoln, Nebraska, Iowa, (hereinafter referred to as the "Registrar" or the "Paying Agent"), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2022, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Emergency Communications Bonds, Series 2022 (the "Bonds") issued by the County, pursuant to a resolution adopted on March 1, 2022 (the "Resolution") to evidence its obligation under a certain loan agreement, dated as of March 15, 2022 (the "Loan Agreement"), entered into by the County for the purpose of paying the costs, to that extent, of improving and equipping emergency communications systems.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 331 of the Code of Iowa, 2021, and all other laws amendatory thereof and supplemental thereto, and in conformity with the Resolution authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds, and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The Bonds are not subject to optional redemption prior to maturity.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Registrar, after which no transfer shall be valid unless made on said books

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Benton County, Iowa, by its Board of Supervisors, has caused this Bond to be executed with the duly authorized facsimile signature of its Chairperson and attested with the duly authorized facsimile signature of its County Auditor, all as of March 15, 2022.

BENTON COUNTY, IOWA

By (DO NOT SIGN)

Chairperson, Board of Supervisors

Attest:

(DO NOT SIGN)

County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Registration Date: March 15, 2022

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

BOKF, N.A.
Lincoln, Nebraska, Iowa
RegistrarBy (Authorized Signature)
Authorized Officer

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	-	as tenants in common	UTMA	_____
TEN ENT	-	as tenants by the entirety		(Custodian)
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	As Custodian for	_____
				(Minor)
			under Uniform Transfers to Minors Act	_____
				(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)_____
PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 5. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for registration, authentication and delivery to or on behalf of the Underwriter, upon receipt of the loan proceeds (\$5,314,104.10), including original issue premium (the "Loan Proceeds"), and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

A portion of the Loan Proceeds (\$67,837.50) shall be retained by the Underwriter as the underwriter's discount.

A portion of the Loan Proceeds (\$5,200,000) received from the sale of the Bonds, plus the additional proceeds (\$1,016.60) (the "Project Proceeds"), shall be deposited in a dedicated fund (the "Project Fund"), which is hereby created, to be used for the payment of costs of the Projects and to the extent that Project Proceeds remain after the full payment of the costs of the Projects, such proceeds, shall be transferred to the Debt Service Fund for the payment of interest on the Bonds.

The remainder of the Loan Proceeds (\$45,250) (the "Cost of Issuance Proceeds"), received from the sale of the Bonds shall be deposited in the Project Fund, and shall be used for the payment of costs of issuance of the Bonds, and to the extent that Cost of Issuance Proceeds remain after the full payment of the costs of issuance of the Bonds, such Cost of Issuance Proceeds shall be transferred to the Debt Service Fund for the payment of interest on the Bonds.

The County shall keep a detailed and segregated accounting of the expenditure of, and investment earnings on, the Loan Proceeds to ensure compliance with the requirements of the Internal Revenue Code, as hereinafter defined.

Section 6. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the County in each of the years while the Bonds are outstanding, the following direct annual tax:

For collection in the fiscal year beginning July 1, 2022, sufficient to produce the net annual sum of \$812,575;

For collection in the fiscal year beginning July 1, 2023, sufficient to produce the net annual sum of \$811,850;

For collection in the fiscal year beginning July 1, 2024, sufficient to produce the net annual sum of \$811,450;

For collection in the fiscal year beginning July 1, 2025, sufficient to produce the net annual sum of \$810,450;

For collection in the fiscal year beginning July 1, 2026, sufficient to produce the net annual sum of \$808,850;

For collection in the fiscal year beginning July 1, 2027, sufficient to produce the net annual sum of \$811,650; and

For collection in the fiscal year beginning July 1, 2028, sufficient to produce the net annual sum of \$813,700.

Section 7. A certified copy of this resolution shall be filed with the County Auditor, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the County as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the County which may lawfully be applied for such purpose may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

appropriated, the taxes for any given fiscal year as provided for in Section 6 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the County's budget.

Section 8. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 9. It is the intention of the County that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 10. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for the bonds, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the bondholders to provide certain disclosure information to prescribed information repositories on a continuing basis or unless and to the extent the offering is exempt from the requirements of the Rule.

On the date of issuance and delivery of the Bonds, the County will execute and deliver a Continuing Disclosure Certificate pursuant to which the County will undertake to comply with the Rule. The County covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 11. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 12. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved on March 1, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Greg Walston was unable to attend for the Old School Produce discussion, so it will be rescheduled.

Bierschenk moved/Seeman seconded: To approve pay increase for George Haefner per employment agreement, he obtained his Class A CDL license along with his pesticide license. His pay will be \$21.64 an hour effective March 1, 2022. Voting aye were Seeman and Bierschenk. Primmer abstained. Motion carried.

Primmer moved/Seeman seconded: To approve advertisement for seasonal hiring for the weed department for the intern position in the range of \$15-\$18 an hour and for seasonal truck drivers for \$19-21 an hour. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To Approve Resolution #22-19, Destruction of noxious weeds for 2022. Motion carried.

**Resolution #22-19
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 **May 1st, 2022** and as often thereafter as is necessary to prevent seed production:

Primary Noxious Weeds: Destroy by: May 1, 2022	Secondary Noxious Weeds: Destroy By: May 1, 2022
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.

Dated this 1st day of March 2022.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bids were received as follows for a track loader for the weed department:

Case-\$57,200

CAT-\$76,987

Kaboda-\$54,400

Primmer moved/Bierschenk seconded: To approve the purchase for the weed department's track loader from Case, TR310B Track loader with high case at the cost of \$57,200. Motion carried.

Chairman Seeman made a phone call regarding bids received for the parking lot for clarification. City Wide had an error on the dimensions, but they honored the price and corrected the dimension. The Department of Human Services will pay a portion of this and amortize it over 10 years, and the Mental Health Fund is also able to pay a portion of

Bids were received as follows:

Wirtanen Concrete-\$175,250

City Wide Construction-\$171,593.12

Primmer moved/Bierschenk seconded: To award the bid for concrete project at the Benton County Service Center to City Wide Construction in the amount of \$171,593.12. Motion carried.

Committee Reports were had.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 4, 2022

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

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

Discussion continued regarding the pay for Township officials. Currently it is \$15 an hour or \$25 minimum for meetings.

Chuck Yedlik and Kirk Appleby, Taylor Township officials were present to weigh in on the discussion.

Primmer moved/Bierschenk seconded: To set the township officials wage at \$20 per hour, with a minimum of \$40.00 per meeting effective July 1, 2022. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-19, Approval of FY 23 Maximum Property Tax Dollars. Motion carried.

Resolution #22-19

Approval of FY 2023 Maximum Property Tax Dollars

WHEREAS, the Benton County Board of Supervisors have considered the proposed FY 2023 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 March 4, 2022.

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 2022 shall not exceed the following:

General County Services - \$9,859,422

Rural County Services - \$4,291,599

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY 2023 does represent an increase of 11.24% from the Maximum Property Tax dollars requested for FY 2022.

By Roll Call Vote:

Ayes: Primmer

Nays:

Seeman

Bierschenk

Passed and adopted the 4th day of March, 2022.

Attest: Hayley Rippel, Benton County Auditor

Tracy Seeman, Chairman Benton County Supervisors

Greg Walston, representing Old School Produce Partners provided an update to the Board along with a handout sharing the poundage of food that was shared throughout the community with food pantries and other organizations. Supervisor Primmer added how this was recently brought up at a HACAP Board meeting he attended. They came up with a formula of meals per lb it produced last year. They estimated 72,243 meals were provided from the produce distributed using 6 meals per pound. He commended them for such a good outcome. Walston brought up the need for the fence and how important it will be to keep animals and such out of the garden area but to be able to mow around it. Old School Produce Partners mows the area themselves with a donated mower by Koop's Automotive. Grants are also obtained to pay for seeds and other expenses.

Primmer moved/Bierschenk seconded: To approve and authorize signatures on a year lease for 2022 between Benton County, Iowa and Old School Produce Partners to be drafted by the county attorney. Motion carried.

Melody Snow, Vinton Unlimited and Matt Boggess, VPRD presented the Board with an idea for Christmas lighting, not only on the courthouse building but on the lawn. The Board previous approved the purchase of lights for the courthouse building which will become a thing this upcoming holiday season. Snow stated how they are forming a committee to help plan this out, and asked one of the supervisors to be a part of the process but wanted to get the go ahead before pursuing it further. With the Kersten light display north of town dissolving, the goal is to rejuvenate the title of "City of Lights". It was agreed this was a thing to continue planning for, but keeping in mind the separation of State and Church on county property.

Bierschenk moved/Primmer seconded: To acknowledge and authorize chairman's signature for FY 21 Audit Final. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

March 8, 2022

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*

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday, March 1, 2022 and Friday, March 4, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To approve the canvass of the March 1, 2022 Special School Election for Center Point-Urbana Schools as read and declare the public measure in Benton County as passing with 90 yes votes and 28 no votes. Linn County is the control county for Center Point-Urbana Schools, so they will have a 2nd tier canvass to declare the final results. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, April 5, 2022 at 9:20 a.m. for Ronald and Tamara Wagner in part of the NE ¼ of the NE ¼ of Section 23, T84N, R10W. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142160 through 142176, ACH Deposits 48423 through 48561, vendor checks 241730 through 241736 and claims numbered 241737 through 241873. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Luke and Stephanie Cross in part of NE 1/4 SE 1/4 of 25-83-9. Cross' were both present, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Cross's would like to propose a change of the 2.5 acres and build a new home. CSR average is between 30-72, but irrelevant since the ground is not in production. There is an existing driveway that meets the requirements. This site will be able to hook up to Poweshiek Water. Notice was sent to the adjacent owners and published in the newspapers. There were no comments in regards ahead of the meeting. Greenlee pointed out there is some solid waste on the site location and he has received a signed written statement that the owners will get it cleaned up. After hearing no further comments, the public hearing was closed.

Bierschenk moved/Primmer seconded: To approve the land use change Luke and Stephanie Cross in part of NE 1/4 SE 1/4 of 25-83-9. Motion carried.

Tyler Henkle and Braxton Morrison, Medical Examiner Investigators came to the board to provide an update and how the process works. Dr. Meeker is the County Medical Examiner and can appoint investigators to do the investigations in his absence. There hasn't been an increase in their pay since 2013. They proposed some figures in comparison to other counties similar in size. Discussion also led to if and when Dr. Meeker retires, who will take on the role, or if the county would have to contract the services.

Primmer moved/Bierschenk seconded: To approve the following requested increases for the medical examiner fees: Standard case -(no more than 3 hours of investigation) \$375.00 with \$250 of that going to the investigator and the remainder to the medical examiner.

Extreme case-(more than 3 hours of investigation) \$625 with \$500 to go to the investigator and remainder to the examiner. Also approving mileage reimbursement for those cases that require long distance travel to be paid at the federal rate, effective July 1, 2022. Motion carried.

The Engineer brought a copy of the Title VI Non-Discrimination Policy Statement along with Title VI, Civil Rights complaint form. The updated policy was approved a few weeks ago, and Parizek gave a brief summary of the effects this could have and advised to get it posted on the county's website and bulletin boards.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 15, 2022

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.bentoncountyia.gov

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

Primmer moved/Bierschenk seconded: To set Tuesday April 12, 2022 at 9:15 a.m. for a land use hearing for Ryan and Karlee Kasal in part of the SW 1/4 SW 1/4 of 30-84-11. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday, March 8, 2022. Motion carried.

The time of 9:05 Election Deputy Gina Edler and the board proceeded with canvassing the March 8, 2022, Special City of Atkins Election. Rick Stoltfus of City of Atkins was declared the winner.

Bierschenk moved/Primmer seconded: To approve the canvass of the March 8, 2022 Special City Election for Atkins 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.

Discussion regarding notice of tax penalty and interest on parcel #280-03900 due to them not receiving the tax statement. Pursuant to Iowa Code 331.301(13) gives the Board of Supervisors power to waive the fees if they felt it was a clerical error. There was a document provided showing why the tax record was changed to how it was mailed. At this time, the board tabled action for further research.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-20, Adoption of the FY 23 County Budget. Motion carried.

RESOLUTION #22-20 ADOPTION OF THE FY23 COUNTY BUDGET

BE IT REMEMBERED that on this, the 15th day of March 2022, 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 2022-23 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 Gazette, 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 FY23 salaries for elected officials and as set forth and adopted in Resolution #22-12 is included in the FY23 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-\$596,000 equipment/vehicle replacement, Emergency response, infrastructure
Rural Services Fund - \$16,000 land use administrator vehicle replacement
EMS Revolving Loan Fund – \$125,000 for emergency services loans
LOSST Fund - \$125,000 for technology upgrades and GIS re-flight

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 appropriable resources of Benton County.

The budget as adopted will approve the following property taxes for fiscal year 2022-23 (without gas and electric):

General Basic	\$5,865,661
General Supplemental	\$3,838,639
Mental Health Services	\$ 0
Rural Services Basic	\$4,208,181
Debt Service	\$800,101

IT IS THEREFORE RESOLVED, by the Benton County Board of Supervisors that the FY23 budget is hereby adopted.

Dated this 15th day of March 2021.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Auditor

Primmer moved/Bierschenk seconded: To set first reading for Ordinance #77, Repealing #76, County Precincts as March 29, 2022 at 9:15 a.m. and second reading for March 30, 2022 at 9:15 a.m. and waiving the third reading. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jill and Brian Kuhn in part of SW1/4 NW1/4 of 12-84-9. Brian Kuhn and his father in law Rex Miller were both present, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Kuhns would like to propose a change of the 2 acres and build a new home. CSR is irrelevant since the ground is not in production. The site will need a new driveway that has been reviewed and meets the requirements. This site will need a new septic and well. Notice was sent to 4 adjacent owners and published in the newspapers. There were no comments in regards ahead of the meeting. After hearing no further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change for Jill and Brian Kuhn in part of SW1/4 NW1/4 of 12-84-9. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-21, Authorizing Adoption of Policies and Procedures regarding Municipalities Securities. Motion carried.

RESOLUTION #22-21

WHEREAS, pursuant to the laws of the State of Iowa, Benton County, Iowa (the "County") has publicly offered, and likely will issue and publicly offer in the future, its notes, bonds or other obligations (the "Bonds"); and
WHEREAS, the County deems it necessary and desirable to adopt certain Policies and Procedures Regarding Municipal Securities Disclosure to be followed in connection with the issuance and on-going administration of publicly offered Bonds; and

WHEREAS, the proposed Policies and Procedures Regarding Municipal Securities Disclosure are attached hereto as Exhibit A (the "Disclosure Policies and Procedures");

NOW, THEREFORE, Be it Resolved by the Board of Supervisors of the Benton County, Iowa, as follows:

Section 1. The Disclosure Policies and Procedures attached hereto as Exhibit A are hereby adopted and shall be dated as of the date hereof.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved March 15, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

SEE EXHIBIT "A"

Bierschenk moved/Primmer seconded: To approve Resolution #22-22, Approving new hire in the Sheriff's Department. Motion carried.

RESOLUTION #22-22

APPROVING HIRE IN SHERIFF'S DEPARTMENT

IT IS HEREBY RESOLVED that the Civil Service Commission was convened and conducted required testing on February 2, 2022 and compiled a list for consideration for hiring;

WHEREAS, Hunter Mast is hereby approved as a Full-time Deputy Officer, fulfilling a void in the department;

WHEREAS, Mast has completed all the requirements and testing and is on the Civil Service List;

WHEREAS, Brandt has signed a conditional job offer with the Benton County Sheriff's Office;

IT IS FURTHER RESOLVED that the starting wage of Hunter Mast is as follows:

Deputy Sheriff - \$24.85 per hour per union contract effective March 21, 2022.

Date this 15th day of March, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Wayne Siela met with the board regarding the status on the 61st Street Project. Siela has headed this conversation in the past and initiated the joint meeting that was had with the City of Vinton and Vinton-Shellsburg School officials. This is a dirt road south of Vinton that farmers would like to use to bypass going by the busy schools during busy harvest times. Supervisor Seeman agreed this was a good idea, but Vinton said they didn't have the funds to help with the project. Supervisor Primmer's concern was the cost to county taxpayers and the possibility this could annexed into the City. Seila stressed the responsibility of the county is to maintain their roads. He urged them to have another sit down with the City and work it out since they could afford to spend \$800,000 on a walking trail in that area that is covered with mud and water. County Engineer Myron Parizek was also present, and commented in the past how those people who have asked for improvements to benefit them they participate in the costs. Parizek also said it was his understanding that the cost of the survey for this to even get an estimate of what such a project would cost was also to be split with the City. Seila also brought up a concern on a road south of Mt. Auburn and how moving a utility pole to make it easier coming from the west would also be a benefit to those in that area.

Siela also mentioned his concern with the Integrated Roadside Vegetation Management Committee (IRVM). What is the point of this committee if members aren't involved with budgeting or performance reviews of the department.

Ben Bonar, Weed Commissioner presented the chemical bids for the 2022 spray season as follows:

Nutrien-\$39.20 per gallon

VanDiest-\$49.04 per gallon

Primmer moved/Bierschenk seconded: To accept chemical bid from Nutrien for \$39.20 a gallon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

March 22, 2022

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*

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

Primmer moved/Bierschenk seconded: To approve the minutes of March 15, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142177 through 142215, ACH Deposits 48562 through 48700, vendor checks 241874 through 241881 and claims numbered 241882 through 242018. Motion carried

Bierschenk moved/Primmer seconded: To appoint Russ Glime as Benton Township trustee. Motion carried.

Primmer moved/Bierschenk seconded: To rescind action on the public hearing dates for the first and second readings of Ordinance #77 so that we can wait until its officially approved from the state. Motion carried.

Primmer moved/Bierschenk seconded: To approve fireworks permit for Chuck Yedlik for April 22, 2022 from 4-5 p.m. and 7-11:30 p.m. May 28 and 29th between 4-5 p.m. and 7-11:30 p.m. and October 29, 2022 between 5-6 p.m. and 7-11:30 p.m. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, April 19, 2022 at 9:15 a.m. for Richard and Marcia Morio, in part of the SW ¼ of 27-86-10. Motion carried.

Bierschenk moved/Primmer seconded: To approve Resolution #22-23, Approving Final Plat of Sunset Estates Addition to Benton County, being a replat of Lots 8-13 of Hidden Meadow Third Addition. Motion carried.

**BENTON COUNTY, IOWA
RESOLUTION APPROVING PLAT
RESOLUTION NO. 22-23**

WHEREAS, A PLAT OF SUNSET ESTATES ADDITION BENTON COUNTY, IOWA containing eight (8) numbered lots, numbered Lots 1 through 8, has been presented to the Benton County, Iowa, Supervisors consisting of the following described real estate: A part of the SE ¼ NE ¼ of Section 34, Township 85 North, Range 9 West of the 5th PM, Benton County, Iowa described as follows:

Lots 8, 9, 10, 11, 12, and 13, Hidden Meadow Third Addition, Benton County, Iowa

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 a 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 Sunset Estates 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:

Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981.

1. Any new private water supply will be constructed with the approval of the Benton County Department of Health.
2. Any private on-site sewage treatments 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 Plat as provided by law.

Date this 15th day of March, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve and authorize chairman's signature on the Memorandum of Understanding regarding reimbursement from the MH/DS of the East Central Region for county employees effective July 1, 2022 through June 30, 2023. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Melinda Schoettmer, Treasurer was asked to waive the 2019 taxes on Parcel #240-90425. Larry Andreesen, County Assessor explained about the assessment error that was made in his software, and that it had been classified as exempt in error. The current owners are in the closing process to sell and that is why it was brought to the county's attention. The Assessor requested an Auditors correction for the 2020 taxes that the owner is willing to pay, but they requested to waive the 2019 taxes due to the assessment error.

Primmer moved/Bierschenk seconded: To waive the 2019 taxes due on Parcel #240-90425 due to assessment error. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge successful post-elections audits for the Special School Election for Center Point Urbana Schools on March 1, 2022 and Special City of Atkins Election on March 8, 2022 Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

March 29, 2022

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

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

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

Primmer moved/Bierschenk seconded: To approve the minutes of March 22, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To set public hearing date for FY 22 Budget Amendment for Tuesday, May 3, 2022 at 9:30 a.m. Motion carried.

Bierschenk moved/Primmer seconded: To approve hiring of Jovis Shoemaker in the Weed Department for the Iowa Roadside Management Intern position at \$17.00 an hour effective March 29, 2022. Motion carried.

Gina Edler, Elections Deputy, explained the reprecinct plan was not approved by the Secretary of State's office since the Legislative Districts split up a precinct in Benton County and a census block doesn't allow the Walford precinct to be continuous. Redistricting/Represincing is done every 10 years. The Redistricting committee approved a new plan that would reduce the number of precincts from 19 to 17 in Benton County. After further comments from the public and seeing how many voters one of those changes would affect, she recommended the board not approve that plan. Edler explained a different option that would only affect one census block of Florence Township to be merged into Walford precinct. The other changes affected by the legislative districting splitting up a precinct would remain the same.

Primmer moved/Bierschenk seconded: To approve the alternate reprecincting plan suggested by Election Deputy Gina Edler to combine the census block in Florence township into Walford, and move Monroe Township into Bruce-Cedar-Mt. Auburn and move Homer Township into Kane-Keystone and move Jackson Township and City of Garrison to Eden-Harrison-Taylor. Bringing the number of precincts in Benton County from 19 to 18. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signatures for the secondary roads Union Memorandum of Understanding to be effective July 1, 2022 through June 30, 2023. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bierschenk moved/Primmer seconded: To approve Resolution #22-24, Approving the ISAC Group Benefits Program 28E agreement. Motion carried.

Resolution #22-24
To Approve the ISAC Group Benefits Program 28E Agreement

WHEREAS, the Iowa State Association of Counties (ISAC) Group Benefits Program, a Chapter 28E organization, has adopted a 28E Agreement for its group health and related benefits program, for the purpose of providing group health and related benefits for employees of participating entities.

WHEREAS, the county of Benton desires to adopt the 28E Agreement for health and related benefits for eligible employees.

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that the County desires to adopt the 28E Agreement for the ISAC Group Benefits Program;

Date this 15th day of March, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Resolution #22-25, Adopting Policies and Procedures regarding employees donating leave to other employees. Motion carried.

RESOLUTION #22-25

WHEREAS, the County deems it necessary and desirable to adopt certain Policies and Procedures Regarding Employees; and

WHEREAS, the proposed Policies and Procedures Regarding Donated Leave are attached hereto as Exhibit A (the “Donated Leave 4.4”);

NOW, THEREFORE, Be it Resolved by the Board of Supervisors of the Benton County, Iowa, as follows:

Section 1. The Disclosure Policies and Procedures attached hereto as Exhibit A are hereby adopted and shall be dated as of the date hereof.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved March 29, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

EXHIBIT "A"

BENTON COUNTY, IOWA

POLICIES AND PROCEDURES RE: DONATED LEAVE 4.4

Primmer moved/Bierschenk seconded: To approve Resolution #22-26, Adopting policies and procedures regarding employees and paid holiday days off. Motion carried.

RESOLUTION #22-26

WHEREAS, the County deems it necessary and desirable to adopt certain Policies and Procedures Regarding Employees; and

WHEREAS, the proposed Policies and Procedures Regarding Paid Holidays are attached hereto as Exhibit A (the "Holidays 4.1");

NOW, THEREFORE, Be it Resolved by the Board of Supervisors of the Benton County, Iowa, as follows:

Section 1. The Disclosure Policies and Procedures attached hereto as Exhibit A are hereby adopted and shall be dated as of the date hereof.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved March 29, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

EXHIBIT "A"

BENTON COUNTY, IOWA

POLICIES AND PROCEDURES RE: HOLIDAYS 4.1

Primmer moved/Bierschenk seconded: To deny waiving the penalty and interest on parcel #380-03900. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on a lease agreement between Benton County and Benton County Agricultural Extension District d/b/a Old School Produce Partners effective April 1, 2022 through December 31, 2023. Motion carried.

David Thompson, County Attorney presented a rough draft for a loan agreement between Benton County and Benton County Fair Board. Thompson explained the wording in it, he did not like, explained how the fair board would receive \$120,000 in a so-called loan, but he might change it to a grant with 1.5 % interest. The first payment for the fair board to pay the county would be October 2023. The agreement proposes forgiving \$60,000 of this once they have the loan repaid to that amount remaining. No action was taken, it would be presented again next week after some changes could be made.

Bierschenk moved/Primmer seconded: To authorize payment from the ARPA fund to the True North Company in the amount of \$2,952.00 for analysis and report development work on the E911 Radio project. Motion carried.

Primmer moved/Bierschenk seconded: To authorize payment out of the ARPA fund to Mechanical Watch Supply, L.L.C. in the amount of \$19,500 for clocktower repairs. Motion carried.

Bierschenk moved/Primmer seconded: To approve and authorize signatures on the Iowa DOT preconstruction agreement for Primary Road Project #NHSX-030-6(183)—3H-06 for improvements to US Hwy 30 between 11th Ave. Dr and 16th Street. Motion carried.

Primmer moved/Seeman seconded: To authorize purchase of 2 John Deere motor graders from Martin Equipment in the amount of \$336,650 each. Motion carried.

Engineer Myron Parizek asked for guidance in regards to the proposed 61st Street project and how serious the board is to proceed moving forward. Parizek explained how he would be willing to help with obtaining the quote and design estimates with an outside firm. Depending on the impact of the City and Schools, and asking for some reimbursement from those

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

entities later. This step would need to be done regardless for us to understand what a project like this would cost and how to move forward to budget for it. Primmer recommended Seeman still get on an upcoming City of Vinton's council meeting agenda. No action was taken.

Bierschenk reported on the Regional Mental Health meeting and the amount of money leftover from the counties that are in the Region who have to surrender the remainder of their mental health's fund balance in June 2022.

Seeman reported on the EMA meeting held on March 28th. The Palo nuclear plant's sirens are still active.

Primmer reported on his Central Iowa Juvenile Detention, HACAP, and Heartland Insurance Risk Pool meetings he had. Cyber Security continues to be a big concern with entities such as the Landfill.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

April 5, 2022

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.bentoncountya.gov

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

Bierschenk moved/Primmer seconded: To approve the minutes of March 29, 2022. Motion carried.

Armin Martin, Urbana resident who volunteers for the Meals on Wheels program inquired on the need for possibly funding for mileage with the rising fuel costs. Rick Primmer services on the HACAP Board and would check with them and see how that works since the county gives them an allocation already. Martin also shared a cemetery in another county and how they display a directory of the gravesites. He is working along with boy scouts for this to possibly be a project they could work on and make happen in cemeteries near Urbana.

Primmer moved/Bierschenk seconded: To approve Class C Liquor license for Bloomsbury Farm, Inc. Motion carried.

Emily Parker and Alyx Nugent, Riverview center read a proclamation for sexual assault awareness and also explained how the program provides services in Benton County.

Bierschenk moved/Primmer seconded: To approve Resolution #22-27, Proclaiming April as Sexual Awareness Month. Motion carried.

RESOLUTION # 22-27 PROCLAMATION OF SEXUAL ASSAULT AWARENESS MONTH

WHEREAS, sexual assault affects women, children and men of all racial, cultural and 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, and community 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 2022 is hereby proclaimed as:
"SEXUAL ASSAULT AWARENESS MONTH"

Signed this 5th day of April, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST: _____
Hayley Rippel, Benton County Auditor

The time of 9:20 a.m. having arrived, and this being the time and date for a land use hearing for Ronald and Tamara Wagner in part of NE 1/4 NE 1/4 of 23-84-10. Wagners were both present along with their neighbors George and Pauline

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Grovert, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Wagners would like to propose a change of approximately 2 acres and build a new home. CSR is irrelevant since the land is not in production. There is an existing driveway that meets the requirements currently but if anything is widened in the future they will need to follow the guidelines. This site will need a new well and septic. Notices were sent to 2 adjoining owners and published in the required papers. There were no comments in regards ahead of the meeting, George Grovert spoke up and said he had no objection as long as it's a structurally built home and not a trailer. After hearing no further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change for Ronald and Tamara Wagner in part of NE1/4 NE1/4 of 23-84-10. Motion carried.

Bierschenk moved/Primmer seconded: To approve Resolution #22-28, Variance to the Sub Division. Motion carried.

RESOLUTION #22-28

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 Casey Bowman 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 the creation of one new parcel to be created within the SE ¼ SW 1/4, Section 1-T82N-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 SW1/4, Section 1-T82N-R9W.

Signed this 5th day of April 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Auditor's Quarterly Report ending March 31, 2022. Motion carried. Auditor Rippel handed out a budget report broken down by departments and explained to the Board they will continue to receive this same report quarterly from now on. They need to be able to see if a department goes into the negative they can be aware of and be cautious of department purchases or wage changes if they don't have the proper spending authority.

Shelby Williams, Conservation Director explained her need for FY 22 Budget Amendment due to the FEMA reimbursement and the need to spend that under grounds and maintenance due to the derecho damage. Her request amount is \$35,959.91.

Melinda Schoettmer, Treasurer requested a budget amendment in the amount of \$11,200 due to staff changes and insurance plan needs for a family coverage instead of single.

Lexa Speidel came to discuss flower pots for the courthouse lawn. In the past different offices have taken turn spending their own money to pay, and the Cottage Society charges \$40 per pot, The supervisors agreed they would take their turn this year and each of the three will pay for a pot to be displayed at the courthouse entrances.

Kirsten Nelson, Human Resource Director asked for a budget amendment in the amount of \$4,000 for office furniture.

Bierschenk moved/Primmer seconded: To approve Sheriff's Quarterly Report ending March 31, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To set public hearing dates for repealing Ordinance #76, Adopting Ordinance #77 as follows: To waive the third reading, first reading on Tuesday, April 12, 2022 at 9:30 a.m. the second and final reading on Tuesday April 19, 2022 at 9:30 a.m. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

The County Attorney presented another draft of the Benton county Fair Board Loan. The terms of repayment were discussed and the board recommended Thompson share a draft with the Fair Board's attorney before final approval. It will be brought back up at a later date.

Primmer moved/Bierschenk seconded: To set the 2022 MC-70 Dust Control fees. The first 400 feet is \$1,450.00 and \$2.35 per foot after that with a minimum of 50-foot increments. Motion carried.

Myron Parizek, Engineer presented an update on the HWY 30 Construction. The intersections of 16th Ave. and 19th Ave. and HWY 30 are closed. They are working on 21st Ave. next, and thru traffic at this intersection will probably be shut off for the duration of the project. Drivers can still travel on Highway 30, but won't be able to make a north or south turn. Also discussed the detour on old Highway 131 and speed limit.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

April 12, 2022

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

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

Bierschenk moved/Primmer seconded: To approve the minutes of April 5, 2022. Motion carried.

Mona Onken and Lindsay Upah discussed Upah's employee status with the Board. Upah has taken a position with Unity Point in Marshalltown. Upah is requesting her employee status be changed from full-time to part-time starting May 3rd. Upah will be working 16 hours a week. They will be discussing replacing Upah's full-time position with another full-time position in a future meeting.

Primmer moved/Bierschenk seconded: To approve employee status change for Lindsay Upah moving Upah from full-time employee status to part-time employee status starting May 3, 2022. Motion carried.

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

Sarah Wagner discussed her FY22 budget amendments with the Board. EFSP Fund 0070 was discussed, Wagner received more grant money than anticipated for FY22 budget so she went over spending authority and will need that to be amended. General Assistance side is over due to the mid-year raise that she received and didn't get amended prior.

Primmer moved/Bierschenk seconded: To set land use hearing date for Casey Bowman for May 10, 2022 at 9:15 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date for Brock and Erin Munson for May 10, 2022 at 9:30 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142216 through 142232, ACH Deposits 48701 through 48842, vendor checks 242020 through 242026 and claims numbered 242027 through 242211 and payroll checks numbered 142233 through 142240, ACH Deposits 48843 through 48983, vendor checks 242212 through 242218. Motion carried

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Ryan and Karlee Kasal in part of SW ¼ SW ¼ of 30-84-11. Dennis Andreesen, adjoining neighbor was present, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. They will be using the existing driveway. New septic will need to be installed, not sure if the current well will be able to be used at this time. Andreesen adjoining neighbor, questioned if the existing trees on the edge of the property could be taken down and if they were to be replaced moved back 50 feet from the property line. Supervisor Seeman stated that the Board can't force the property owners to do anything to maintain or plant the trees back 50 feet from the property line. The public hearing was closed.

Bierschenk moved/Primmer seconded: To approve land use hearing for Ryan and Karlee Kasal for part of the SW ¼ SW ¼ of 30-84-11. Motion carried.

Primmer moved/Bierschenk seconded: To approve the first reading of Ordinance #77, Repealing Ordinance #76, Benton County Precincts. Motion carried.

Myron Parizek, Benton County Engineer, presented IDOT FY23-27 Secondary Road Construction Program and IDOT FY23 Secondary Road Budget. Board couldn't approve the program/budget at this time. No formal action was taken. Supervisor Seeman stated items 11-13 (Employee evaluations) on the agenda is tabled as he researches more information regarding the matter. Ben Turnis, IT Director, questioned if the evaluations were still going to be done since he hasn't received one since 2019. Seeman stated yes, he just has to do more research on what questions he can/cannot ask during the evaluations. Seeman asked fellow board members if he could do the employee evaluations by himself and not in a public meeting. Supervisor Primmer and Bierschenk agreed.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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

Tracy Seeman, Chairman

ATTEST:

Gina Edler, Benton County Deputy Auditor

April 19, 2022

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.bentoncountytia.gov*

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

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday May 17, 2022 at 9:15 a.m. for Amana Farms Inc. in part of the NW ¼ NW ¼ of section 26-84-9. Motion carried.

Bierschenk moved/Primmer seconded: To approve the minutes of April 12, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Recorder's Quarterly Report ending March 31, 2022. Motion carried.

Doug Kozik was at the meeting voicing concerns regarding how the detours in his area are affecting the area near HWY 21 and HWY 30. Kozik stressed people need to be aware of the detour and slow down. The Board told them they would check with the Engineer to see about reducing the speed limit and also letting the sheriff know too.

Auditor Hayley Rippel discussed various adjustments to the budget including Auditor and Elections for postage and training. The Middle Cedar Watershed needs more spending authority in anticipation for the grant amendment to cover the additional project incurred. Rippel also explained other areas where amendments were being made. The publication has already been in the paper, but wanted the Board to be aware.

The time of 9:15 being time and place set for a land use hearing for Richard and Marcia Mario for part of the SW of section 27-86-10. They have withdrawn their application and sold the property for other use. Marc Greenlee provided their letter of withdrawal. No action was necessary.

Primmer moved/Bierschenk seconded: To approve the second reading of Ordinance #77, Repealing Ordinance #76, Benton County Precincts. Motion carried.

Primmer moved/Bierschenk seconded: To waive the third reading of Ordinance #77, Repealing Ordinance #76, Benton County Precincts. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-29, Adopting Ordinance #77, Repealing Ordinance #76, Benton County Precincts. Motion carried.

RESOLUTION #22-29

ADOPTING ORDINANCE #77, 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, two considerations of Ordinance #77 where held on April 12, 2022 and April 19, 2022; and

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

WHEREAS, a copy of said Ordinance #77 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 #77, AN ORDINANCE ESTABLISHING THE COUNTY SUPERVISOR DISTRICTS AND ELECTION PRECINCTS is fully with an effective date of April 19, 2022, and

FURTHER IT IS RESOLVED THAT CHAPTER 3 OF THE BENTON COUNTY CODE OF ORDINANCES is hereby amended to include said Ordinance 77 and remove Ordinance #76, which is repealed through Ordinance #77, effective April 19, 2022. The Benton County Auditor is directed to publish Ordinance #77 in its entirety in the official newspapers of Benton County.

Signed this 19th day of April, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Richard Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

The Auditor pointed out the wording in the ordinance referring to the City of Vinton, Belle Plaine and Walford having their own Precinct Ordinances. She presented copies of said three ordinances and asked that the Board acknowledge them for record.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To acknowledge the Ordinances in place for precincts in the Cities of Vinton, Belle Plaine and Walford. Motion carried.

Mae Hintgen, Mental Health/Disability Services of the East Central Region, Mona Onken, Benton County and Lindsay Upah, representing the Rural Access Hub. The Hub has been in place for over 2 years and the Region is committed to the hub. Hintgen stressed the need for partnership with the county and that the program is a good resource. They wanted to clarify community perception of what the hub does and provided statistics on how many people have been served along with future direction of the Hub. It was agreed this was a good service offered for those in crisis and will continue in the future. Onken will come back at a later time when they can hire another full-time employee to replace Upah, who is going to part-time.

Sandie Degen came to discuss her concerns regarding fireworks permits in Benton County. Degen felt that allowing them until 11:30 p.m. when it isn't a holiday was far too late. She lives near the river and she was speaking on behalf of some of her neighbors as well. Chuck Yedlik was also present and stressed that at his last event a few weeks ago which he had a permit for, they were done around 9 p.m. There could be others out there shooting them off without permits. The next event Yedlik has a permit for is Memorial Day Weekend. Degen thanked everyone for their time explaining how things worked.

Conservation Board members Mike Lagrange and Randy Scheel were present along with Conservation Director Shelby Williams to present a list of county properties that Conservation maintains versus how they hold title. Their goal is to have the title to all the properties to be consistent. They reviewed each property and how they are maintained. Supervisor Primmer would like to have the County Attorney weigh in on the pros and cons to change titles or having management agreements and will set up a future meeting with everyone present.

Engineer Myron Parizek picked up where he left off in last weeks meeting discussing the IDOT budgets.

Primmer moved/Bierschenk seconded: To approve and authorize signatures on the Iowa Department of Transportation (IDOT) Five Year Secondary Road Construction Plan. (FY 23-FY 27) Motion carried.

The Board mentioned to Parizek about the earlier discussion regarding traffic near HWY 21/30 intersection and possibly lowering the speed limit temporarily.

Bierschenk moved/Primmer seconded: To approve and authorize signatures on the Iowa Department of Transportation (IDOT) FY23 Secondary Road Budget. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley, Benton County Auditor

April 26, 2022

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

Primmer moved/Bierschenk seconded: To approve the minutes of April 19, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142241 through 142251, ACH Deposits 48984 through 49127, claims numbered 242219 through 242356 and vendor checks 242357 through 242363. Motion carried

Bierschenk moved/Primmer seconded: To approve and authorize chairman's signature on the 2022 Tax Suspension List to the Department of Human Services. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-30, Variance to the Sub-Division Ordinance. Motion carried.

RESOLUTION #22-30

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 to vary the requirements of the ordinance to allow one additional division on a parcel located in the NW ¼ NE ¼ of 30-85-9.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied in its entirety for one additional division of real property located in the parcel located in NW ¼ NE ¼ of 30-85-9.

Adopted this 26th day of April, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: to approve and authorize signature on the FY 21 Cost Advisor Plan prepared by CASI. Motion carried.

Primmer moved/Bierschenk seconded: To approve the Sheriff's Union Contract Memorandum of Understanding and authorize signature. Motion carried.

Lisa Staude, DECAT Coordinator was at the meeting for a budget amendment and to update the board on some of the recent projects DECAT has been doing in the area such as helping out local seniors in need.

Primmer moved/Bierschenk seconded: To approve the DECAT Contract Budget amendment in the amount of \$5,000 and authorize chairman's signature. Motion carried.

The Engineer presented the bids from letting the IDOT Project #BROS-SWAP-CO06(119)—SE-06, RCB Culvert, New-Twin Box on 75th Street over Prairie Creek.

Bids were as follows:

Iowa Bridge & Culvert, L.C. -\$259,701.60

Taylor Constructions, Inc. -\$305,830.90

Progressive Structures, LLC-\$340,329.60

Peterson Contractors Inc.-\$356,204.20

Tschiggfrie Excavating Co. -\$358,849.00

WRH, Inc.- \$447,864.75

Primmer moved/Bierschenk seconded: To accept all the bids as read and award bid to the Engineer's recommendation of Iowa Bridge & Culvert, L.C. the bid for project #BROS-SWAP-CO06(119)—SE-06 in the amount of \$259,701.60. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bierschenk moved/Primmer seconded: To approve Resolution #22-31, Authorizing Engineer for signatures on documents pertaining to Project #BROS-SWAP-CO06(119)—SE-06. Motion carried.

RESOLUTION #22-31

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the BROS-SWAP-CO06(119)—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 New-Twin Box on 75th St over Br Prairie 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 Iowa Bridge & Culvert, L.C. in the amount of \$259,701.60 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 26th day of April, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Resolution #22-32, Temporary Speed limit reduction due to the temporary closure of HWY 21 intersection at US HWY 30. Motion carried.

RESOLUTION #22-32

WHEREAS: Characteristics of 72nd Street Drive from the intersection of Ia Hwy 21 east 1.5 miles to the intersection of 11th Avenue Drive and characteristics of 74th Street from the intersection of Ia Hwy 21 east 3 miles to the intersection of 13th Avenue and characteristics of 11th Avenue Drive from the intersection of 72nd Street Drive south 3.5 miles to the intersection of 76th Street warrants a temporary change of speed limit, and

WHEREAS: The traffic on these Benton County Secondary Roads have increased due to the temporary closure of Ia Hwy 21 intersection at US Hwy 30, 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 72nd Street Dr from Ia Hwy 21 east 1.5 miles to the intersection of 11th Avenue Dr and 35 mph on 74th Street from Ia Hwy 21 east 3 miles to the intersection of 13th Avenue and 35 mph on 11th Avenue Dr from 72nd Street Dr south 3.5 miles to the intersection of 76th Street,” and

BE IT FURTHER RESOLVED that upon opening of interchange of IA Hwy 21, the temporary speed limit be removed.

Signed this 26th day of April, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Conservation Board members Mike Lagrange and Randy Scheel were back for today's meeting, along with Shelby Williams, Conservation Director and David Thompson, County Attorney following up from last week's discussion. Scheel explained how the Conservation Board was requesting support from the Supervisors to have consistency in the way the various county owned properties are titled, specifically for those that the conservation department manages. The County Attorney referred to Chapter 350.4 of the Powers and Duties for Conservation board, they shall have custody, control and management of property acquired by the county, but they can not sell without the Board of Supervisors action. Thompson asked what public benefit this would serve and Scheel clarified that clarification why a title of property is held as such so that future boards would understand and why it was specific for conservation. Thompson explained his office was too busy to do this, but he would prepare a memo for everyone in regards to his recommendations. The Board agreed for no action at this time and looked forward to receiving that memo.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley, Benton County Auditor

May 3, 2022

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

Doug Kozik, rural Belle Plaine resident was present to thank the supervisors for putting up the reduced speed limit signs in his area. The highway work at HWY 21 and 30, is still having a lot of traffic on those roads and was asking for law enforcement in the area.

Primmer moved/Bierschenk seconded: To approve hiring of Luke Hennings, as a seasonal spray truck driver in the Weed department at the rate of \$23.00 an hour. Motion carried.

Bierschenk moved/Primmer seconded: To approve the minutes of April 26, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve 32 hours of vacation carryover for Cara Martin, Veterans Affairs Director to be used by July 29, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-33, Abatement of Taxes. Motion carried.

RESOLUTION #22-33

WHEREAS, Benton County Board of Supervisors has property they purchased from RACOM Corporation for tower sites;

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 #	Total Taxes Due (including penalty and interest)
691-34020	\$794.00
691-34030	\$309.00

Dated this 3rd day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST: _____
Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve consent order per County Attorney for the City of Garrison regarding parcel #070-02700, an abandoned home. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature for the five-year quote with Eide Bailly for audit services.

The time of 9:30 A. M. being time and date set for the public hearing for amending the FY 22 Budget. No public was present, nor were there any comments regarding the amendment.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bierschenk moved/Primmer seconded: To close the public hearing. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-34, Amending FY 22 Budget. Motion carried.

RESOLUTION #22-34

BE IT REMEMBERED on this, the 3rd day of May, 2022, 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 29, 2021. 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	\$ 78,000
Physical Health & Social Services	\$ 16,946
Mental Health	\$ 100,000
County Environment & Education	\$ 870,960
Roads & Transportation	\$ 0
Government Services to Residents	\$ 21,200
Administration	\$ 15,750
Non-Program	\$
Debt Service	\$ 0
Capital Projects	\$ 175,000
Operating Transfers Out	\$ 0
 <u>REVENUES</u>	 <u>Amount</u>
Intergovernmental	\$ 35,960
Licenses & Permits	\$ 0
Charges for Services	\$ 0
Use of Money & Property	\$ 0
Miscellaneous	\$ 0
General Long Term Debt Proceeds	\$ 5,201,017
Operating Transfers – In	\$ 0
Proceeds of Fixed Assets	\$ 0

Dated this 3rd day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: to approve and authorize signatures on a site access agreement between Benton County and Constance Barnes. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-35, Allocating ARPA funds. Motion carried.

RESOLUTION #22-35

RESOLUTION ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS

WHEREAS, in March 2021, the federal government established the American Rescue Plan Act of 2021 (ARPA) which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide state, local and Tribal governments with the resources needed to respond to the pandemic and its economic effects; and

WHEREAS, the U.S. Department of the Treasury issued an Interim Final Rule implementing the SLFRF program on May 10, 2021, which included replacing lost revenue to County governments, and

WHEREAS, on January 6, 2022, the Treasury issued final rules for the SLFRF program, including authorization for counties to allocate up to \$10,000,000 of their total SLFRF allocation as lost revenue to spend on government services.

NOW, THEREFORE, BE IT RESOLVED, that the Benton County Board of Supervisors approves allocating its total SLFRF allocation in the expected amount of \$4,981,241.00 as lost revenue to spend on government services.

HEREBY RESOLVED by the Benton County Board of Supervisors this 3rd day of May 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-35, Wage and Classification Change for James Kane. Motion carried.

Resolution #22-35A

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 that the Benton County Board of Supervisors that the hourly base wage of James Kane be set at \$22.42 an hour effective April 22, 2022. This position carries a Labor Grade IVB Classification.

Signed this 3rd day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To set public hearing date of Tuesday, May 24, 2022 at 10:00 A.M. for road classification change from Level B to Level C on 11th Ave. In Kane Township. Motion carried.

The Board had committee reports.

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

Tracy Seeman, Chairman

ATTEST:

Hayley, Benton County Auditor

May 10, 2022

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

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

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday May 3, 2022. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142252 through 142260, ACH Deposits 49128 through 49269, claims numbered 242364 through 242505 and vendor checks 242506 through 242511. Motion carried

Primmer moved/Bierschenk seconded: To approve Resolution #22-37, Variance to the Sub-Division Ordinance. Motion carried.

RESOLUTION #22-37

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 Ron Boyer, Boyer Farms, 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 NE ¼ of the NE ¼ Section 9-T84N-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 NE ¼ of the NE ¼ of Section 9-T84N-R9W.

Adopted this 10th day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

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 Casey Bowman in part of SE ¼ SW ¼ of 1-82-9. Casey Bowman was present, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. This site is not in production so the CSR of 87 is irrelevant, and this is part of an old homestead sight. They will be needing a new driveway that has met the requirements. New septic will need to be installed, but will be able to hook into the existing water. Three adjacent owners were notified, and no responses before this meeting, and Greenlee felt there was no negative effects for this new house to be built. The public hearing was closed.

Bierschenk moved/Primmer seconded: To approve land use hearing for Casey Bowman for part of the SE ¼ SW ¼ of 1-82-9. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Brock Munson in part of Parcel A in the SE ¼ of 16-85-9. Brock Mason was present; no media in attendance. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. This site is heavily forested and not in production. They will be utilizing an easement from the northern property and that driveway meets all requirements. This site will need a new well and septic. The septic could possibly need an alternative system. Nine adjacent owners have been notified, one neighbor called about previous dumping of solid waste in this area years ago before there was a county landfill. One other called to inquire about the easements, otherwise no other comments were heard for or against this new home. The public hearing was closed.

Primmer moved/Bierschenk seconded: To approve land use hearing for Brock Munson in part of Parcel A in the SE ¼ of 16-85-9. Motion carried.

Primmer reported on the Heartland Insurance Meeting and upcoming rate renewals and the cyber security coverage.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-38, Proclamation of May as Crisis Intervention Awareness Month. Motion carried.

**RESOLUTION #22-38
PROCLAMATION OF CRISIS INTERVENTION AWARENESS MONTH**

WHEREAS, traumatic and critical incidents have the ability to affect anyone of all racial, cultural and economic backgrounds; and

WHEREAS, in addition to the immediate physical and emotional costs, critical incidents may also have associated consequences of acute stress disorder, post-traumatic stress disorder, substance abuse, depression, homelessness, eating disorders and suicide; and

WHEREAS, critical incidents can be devastating not only to the survivor(s), but also for the family and friends, and community of the survivor(s); and

WHEREAS, since critical incidents are part of life and cannot be eliminated, we must work together to educate our entire population about what can be done to minimize the aftermath, support survivors and their agencies and/or families, and support those agencies providing services to 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 May 2022 is hereby proclaimed as:
“CRISIS INTERVENTION AWARENESS MONTH”

Signed this 10th day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve the hiring of William Hawk, Part-time Transportation driver starting pay at \$12.73 an hour effective May 23, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To Approve the FY 23 Purchase of Service contract renewal between Benton County and East Central Iowa Council of Government (ECICOG). Motion carried.

Primmer moved/Bierschenk seconded: To approve and get signatures on a plan set for project BROS-SWAP-CO06(120)—SE-06 Bridge Replacement on 55th Street in Cedar Township. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bierschenk moved/Primmer seconded: To approve Resolution #22-39, Temporary Speed Limit Reduction. Motion carried.

RESOLUTION #22-39

WHEREAS: Resolution #22-32 addressed the temporary speed limit on many Benton County Secondary Roads near the Iowa highway 21 closure project, and

WHEREAS: The traffic on this Benton County Secondary Road has also increased due to the temporary closure of IA HWY 21 intersection at US HWY 30, and

WHEREAS: A reduced speed limit on this secondary road 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 this road be set as follows:

"35 mph on 11th Avenue Dr from 76th Street south 1.0 mile to the intersection of 77th Street," and

BE IT FURTHER RESOLVED that upon opening of interchange of IA Hwy 21, the temporary speed limit be removed and the speed limit return to 45 mph.

Signed this 10th day of May, 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, Benton County Auditor

May 17, 2022

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

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

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday May 10, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To approve Class B Liquor License for Blairstown Sauerkraut Days beer tent pending insurance approval. Motion carried.

Bierschenk moved/Primmer seconded: To approve cigarette permit for Kimm's Mini Mart. Motion carried.

Primmer moved/Bierschenk seconded: To approve handwrite for \$147,570.00 for partial payment to City Wide Construction for the concrete work at the Service Center. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Amana Farms Inc. for part of the NW ¼ NW ¼ of 26-84-9. John McGrath representing Amana Farms was present, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. They would like to change use of 3-5 acres to put a commercial fertilizer storage bin up. This site is on a hard -surfaced road and has been in production with a complex of soils, and sandy with an average CSR of 35. There is an existing driveway on the south side that meets requirements. Possible 2nd driveway would be permissible if it meets the criteria. No need for well or septic. No comments were heard before today's meeting. After questions from the board, McGrath explained about the decomposing soybeans and the odor that could be let off.

Primmer moved/Bierschenk seconded: To table action for two weeks on the land use hearing for Amana Farms, Inc. Due to the potential odor and traffic concerns for neighboring residents, this would allow time for them to officially be served notice. Motion carried.

Primmer moved/Bierschenk seconded: To table action on approving the Change Order No. 1 for Middle Cedar Watershed bid package 7, and having the watershed authority discuss this further. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-40, Approving Hire in Sheriff's Department. Motion carried.

RESOLUTION #22-40
APPROVING HIRE IN SHERIFF'S DEPARTMENT

IT IS HEREBY RESOLVED that the Sheriff has a vacancy for the position of a full time Correctional Officer, and;
WHEREAS Jasira Prasadouk is certified as a correctional officer;
WHEREAS Deaton is an ILEA certified officer, and will come with 7 years of experience;
NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Jasira Prasadouk to be hired as a full-time Correctional Officer in the Sheriff's Department, effective May 30, 2022 with a starting wage at \$19.24 an hour, per union contract and a lateral transfer with current one year of service.
Date this 17th day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-41, Approving Hire in Sheriff's Department. Motion carried.

RESOLUTION #22-41
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 Eric Recker has been approved by the Civil Service Board and completed all the required testing;
NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Eric Recker be hired as a full-time Deputy in the Sheriff's Department, effective June 1, 2022 with a starting wage at \$24.85 an hour, per union contract.
Date this 17th day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Judi Haymaker along with Judy Funk, Heartland Insurance Risk Pool provided the Board of Supervisors the renewal illustrations For FY 23. They had time to review and ask questions. In addition to the renewal estimate, Haymaker informed the Board of a premium credit of \$41,156 that will be applied to the premium due. The mod factor increased slightly to 1.2 Benton County is in the same insurance pool along with 10 other counties and is self-funded.

Primmer moved/Bierschenk seconded: To bind coverage renewal with Heartland Insurance Risk pool and authorize chairman's signature. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley, Benton County Auditor

May 24, 2022

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.bentoncountytia.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, handwritten 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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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 11th Ave. between 72nd Street and 72nd 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:

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

corner of Sec. 29, T83N, R12W of the Public Roadway (73rd Street); thence north to a point 50

feet south of the W ¼ corner of Sec. 29, T83N, R12W of the Public Roadway (72nd Street Dr).

Total road length of approximately 0.5 miles. and

All of the road (11th Avenue) commencing at a point 50 feet north of the W ¼ corner of Sec. 29,

T83N, R12W of the Public Roadway (72nd Street Dr); thence north to a point 50 feet south of the

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

Total road length of approximately 0.5 miles.

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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

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 24th day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Andy Jones was present and presented some pictures to discuss road conditions on 61st 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.

Tracy Seeman, Chairman

ATTEST:

Hayley, Benton County Auditor

May 31, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and 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.bentoncountytia.gov (<https://www.youtube.com/bentoncountyiowa>)

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday May 24, 2022. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-44, Amending Service Area(s). Motion carried.
RESOLUTION #22-44

SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2022 budget on March 29, 2021; and amended on October 5, 2021 and May 2, 2022;

WHEREAS, the Board now desires to amend said budget within a service area to reallocate funds;

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the FY2022 county budget is hereby amended within the following service areas:

Service Area 1-\$16,000 from Function 1040

- \$5,000 from Function 1220

+ \$1,000 to Function 1410

+ \$16,000 to Function 1420

+ \$4,000 to Function 1620

Service Area 3 - \$12,500 from Function 3200

+ \$1,000 to Function 3020

+ \$1,500 to Function 3400

Service Area 8-\$16,300 from Function 8010

+ \$16,300 to Function 8000

+ \$10,000 to Function 8000 from Service Area 3 Function 3200

+ \$16,000 to Function 8000 from Service Area 9 Function 9000

Service Area 9- \$16,000 from Function 9000

Total Amount Moved between Area(s) and Functions \$65,800

IT IS FURTHER RESOLVED that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 31st day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve handwritten claim in the amount of \$62,294.00 to Gagne Ford Inc. using ARPA funds for purchasing a truck for the Benton County Emergency Management. Motion carried.

Bierschenk moved/Primmer seconded: To approve Resolution #22-45, Approving new hire for Rural Access Hub. Motion carried.

RESOLUTION #22-45

APPROVING HIRE FOR RURAL ACCESS HUB

IT IS HEREBY RESOLVED that the Benton County Rural Access Center, a part of the East Central Iowa Mental Health Region, has a vacancy for the position of a Manager, and;

WHEREAS Seven applicants applied and only 4 of those met the criteria;

WHEREAS Mona Onken recommended that Michelle Brown be hired to fill the opening, she has been interviewed and passed all the background check;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Michelle Brown be hired as a full-time Manager in the Rural Access Center, effective July 1, 2022 with a starting salary of \$52,000.

Date this 31st day of May, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

The Supervisors took up discussion from the tabled action two weeks ago from the land use change application for Amana Farms, Inc. to build a fertilizer storage facility in Section 26 of Canton Township. At the original hearing on May 17, 2022, concerns that they hadn't heard from adjacent property owners. Greenlee prepared a written notice and that Amana Farms paid to have the sheriff's office physically serve it to the residence. In attendance today are neighboring property owners Al and Kay Welch and Nathan and Corley Welch. A letter from John Welch, co-owner to a neighboring property was read during the meeting. Welch wrote how he fully objected to the land use change and stating concerns about the truck traffic and the smell and noise generated from the loading and unloading of these tanks and how they would have a negative impact on mental health. The Welch family had not received any notice before being served by the sheriff deputy. Questions regarding the location and finding a proper place with the low corn suitability rating (CSR) was

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

conductive to their operation. Board also discussed moving this location and Greenlee pointed out that it would cost another \$500 filing fee to reapply for the change.

Primmer moved/Bierschenk seconded: To deny the land use application for this spot. However, if the parties involved do come to a buy-sell agreement and Amana farms comes back to us for this location that any application fees would be waived. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley, Benton County Auditor

June 7, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and 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* (<https://www.youtube.com/bentoncountyiowa>)

Primmer moved/Bierschenk seconded: To approve hiring of Jennifer Mehlert, part-time driver for Transportation Department at \$15.40 an hour effective June 15, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday May 31, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To approve payroll checks numbered 142279 through 142296, ACH Deposits 49417 through 49562, handwrite claim 242663, claims numbered 242664 through 242795, Void check 242796 and vendor checks 242797 through 242802. Motion carried

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, July 5, 2022 at 9:15 a.m. for Steve and Emma Henry in a part of Parcel A in the E1/2 of the SE1/4 of Sec 24-86-11. Motion carried.

Bierschenk moved/Primmer seconded: To set land use hearing date of Tuesday, July 5, 2022 at 9:30 a.m. for Hensley Innovations, LLC., a part of the SW1/4 NW1/4 of Sec 6-83-12. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, July 5, 2022 at 9:45 a.m. for Amana Society, a part of SW1/4 of the SE 1/4 of Sec 30-83-10. Motion carried.

Bierschenk moved/Primmer seconded: To approve farm exemption application for Tess Kuhn in S ½ of the NE ¼ and the N1/2 of the SE1/4 plus the West 26 ½ Acres of the NW ¼ of the NE1/4 Sec 11-86-9.

Primmer moved/Bierschenk seconded: To approve service agreement with Nyhart for two years, to prepare a comprehensive annual report/actuarial valuation as required by GASB 75. Motion carried.

Primmer moved/Bierschenk seconded: To approve training in Indiana for Mona Onken. Motion carried.

Olivia Neter, Project Developer for Liberty Power presented a proposal to the board for a wind project in Benton County. Liberty Power is based out of Ontario, Canada and currently has 1,541 operating turbines and would like 1,000 more. There were numerous members of the public present to voice against such a project in Benton County. Marc Greenlee, Land Use Administrator explained how Benton County has an agricultural land preservation ordinance that would prohibit any new non-ag use changes on land with a CSR of 70 or above. Benton County is classified as an agricultural land use district, and any new non-ag use has to be reviewed and approved by the Supervisors. Benefits include tax revenues and employment. Also sharing the timeline that is included and support of local groups and businesses their company would provide. Al Schafbuch, one of the citizens in attendance voiced his opinion, stressing they do not want wind towers on ag land and they would not get public support. Another citizen, Lynn Rinderknecht asked why they don't go out to the desert in Arizona. Neter explained this area selected had the highest wind speeds. Neter thanked the room for their time and voiced how they still like to come present the information and feel out the counties to see who would have interest or not. Supervisor Primmer asked if the county needed a moratorium on wind and solar until they can get additional rules and regulations in place. County Attorney answered that under the current land use ordinance, they virtually don't have any place in the county that these would be allowed. Supervisor Seeman announced that's all we got, your game plan here is not favorable for you.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bierschenk moved/Primmer seconded: To approve Resolution #22-46, Wage and classification change for Taylor Pflughaupt. Motion carried.

RESOLUTION #22-46

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 Taylor Pflughaupt be set at \$23.72 per hour effective June 14, 2022. This position (mechanic) carries a Labor Grade classification VD.

Signed this 7th day of June, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve and authorize signature on a utility permit for ITC Midwest, LLC. In St. Clair and Eldorado Township. Motion carried.

Primmer moved/Bierschenk seconded: To set public hearing date of Tuesday July 12, 2022 at 10:00 A.M. for road right of way vacation of 33rd Ave. Dr/Section 24 of Benton Township. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-47, Approving hiring of Caleb Stewart, Correctional Officer for Sheriff's Office. Motion carried.

RESOLUTION #22-47

APPROVING HIRE IN SHERIFF'S DEPARTMENT

IT IS HEREBY RESOLVED that the Sheriff has a vacancy for the position of a correctional officer, and;

WHEREAS Caleb Stewart has applied, and is already a certified correctional officer, with over 7 years-experience;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Caleb Stewart be hired as a full-time Correction Officer in the Sheriff's Department, effective June 7, 2022 with a starting wage at \$22.25 an hour as a lateral transfer per union contract.

Date this 7th day of June, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Supervisor Bierschenk wanted to discuss speed limit on 11th Avenue with the Engineer. The Engineer explained how the speed limit signs will get posted. Motorists are using this road as a detour for road work at Highway 21 and Highway 30.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

June 14, 2022

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

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bierschenk moved/Primmer seconded: To Approve Resolution #22-48, Abatement of Taxes. Motion carried.
RESOLUTION #22-48

WHEREAS, Benton County Board of Supervisors has been notified by the Treasurer for Tax Held Certificate with the mobile home no longer being associated with it;

IT IS THEREFORE RESOLVED that the 2021 tax assessed and the 2017 Tax Sale Certificate CH00671 against parcel listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63: the treasurer is directed to strike the amounts listed due from the county system.

Parcel #	Total Taxes Due (including penalty and interest)
003-00346W	\$882.00

Dated this 14th day of June, 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

Melinda Schoettmer updated the board about closing the Treasurer's office on July 14, 2022 to attend training.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, July 12, 2022 at 9:15 a.m. for Amana Farms, Inc. a part of SE ¼ NE ¼ of Sec 31-83-10. Motion carried.

Primmer moved/Bierschenk seconded: To approve the hire of Hunter Jensen as Iowa Roadside Management Internship at hourly rate of \$17 effective June 27, 2022.

Bierschenk moved/Primmer seconded: To approve farm exemption application for Braxton and Alex Clubb, in a part of the SE ¼ NE ¼ and a part of the SW ¼ of the NE ¼ of Sec 3-85-10. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday June 7, 2022. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Nutrien Ag Solutions in part of the NW ¼ NW ¼ of 13-82-11. Nutrien had a representative present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Nutrien would like to build a dry fertilizer storage building and office. This site in review has not been in production since early 80s, so the CSR of 80 is irrelevant. The driveway will need widened, and rural water runs by this site so would make it easy to access it. There are no residential buildings near the site. Eight adjacent owners were notified, and one response before this meeting just inquiring on the plans. Greenlee said that this is an agriculturally based business and it supports the agriculture activities in the area. No further comments, public hearing was closed.

Primmer moved/Bierschenk seconded: To approve land use hearing for Nutrien Ag Solutions in part of the NW ¼ NW ¼ of 13-82-11. Motion carried.

Primmer moved/Bierschenk seconded: To approve and extend lease agreement between Benton County and Cedar Valley Ranch Inc, for a one-year term from July 1, 2022 through June 30, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve the use of the courthouse grounds for the Vinton Cruise committee for September 24, 2022. Motion carried.

David Frank, ARCA Search, gave a presentation for services they provide and explained the job he quoted to the Auditor and Recorder's office. The company scans old documents and records and puts them into a searchable data base. No action was taken, but just wanted to demonstrate the different capabilities to the board.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-49, Wage and classification change for Dennis Shea. Motion carried.

RESOLUTION #22-49

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 Dennis Shea
 be set at \$22.76 effective June 14, 2022. This position carries a Labor Grade IVB classification.
 Dated this 14th day of June, 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve the adopt a road application from Hooligans Car Club of Iowa. Motion carried.

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

 Tracy Seeman, Chairman

ATTEST:

 Hayley Rippel, Benton County Auditor

June 15, 2022

The Benton County Board of Supervisors met in special session with Supervisors Seeman and Primmer present, Bierschenk called in. The meeting was called to order at 4:15 p.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>)

Primmer moved/Bierschenk seconded: To order a recount of the ballots cast in the Primary Election held on June 7, 2022 pursuant to a request filed by Charlie McClintock. Motion carried.

Bierschenk moved/Primmer seconded: To acknowledge the successful post-election audit of the Vinton IV precinct in the Primary Election held on June 7, 2022. Motion carried.

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

 Tracy Seeman, Chairman

ATTEST:

 Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

June 21, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and 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 (<https://www.youtube.com/bentoncountyiowa>)

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday June 14, 2022 and Wednesday, June 15, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve fireworks permit for Chris Herr for July 9, 2022 Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature for fiscal audit agreement with Eide Bailly. Motion carried.

Primmer moved/Bierschenk seconded: To approve payment using ARPA funds to True North Company for the E911 project in the amount of \$2,952.00. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-50, Certification of Deputy Salaries for FY 23. Motion carried.

RESOLUTION #22-50

CERTIFICATION OF DEPUTY SALARIES FOR FY23

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 –68% of the principal officer
Courtney Long-67% of the principal officer
Alisha Burmeister-64% of the principal officer

Recorder's Office:

Marla Sutton-80% of the principal officer
Katelyn Welper-55% of the principal officer

Treasurer's Office:

Rose Sackett – 85% of the principal officer
Joy McGowan – 77% of the principal officer
Jodi Bonar– 65% of the principal officer
Beth Geater-55% of the principal officer
Ann Stephens-53% of the principal officer
Ariane Geiger-50% of the principal officer

Sheriff's Department:

Chief Deputy– John Lindaman-85% of the principal officer
Second Deputy-Josh Karsten-80% 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 – 90% of the principal officer
Megan M. Hall-\$82,500.00

Dated this 21st day of June 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142297 through 142372, ACH Deposits 49563 through 49714, claims numbered 242803 through 243023 and vendor checks 243024 through 243030. Motion carried.

Richard and Joyce Wyckoff, Ed and Glenda McKinley and a few other area residents met with the board to voice their concerns regarding the dust due to increased traffic because of the HWY 150 construction work and the roundabout West of Urbana. Drivers are using the road as a short cut to Urbana. They are asking for dust control for a three-mile stretch in their area. They also added how local people are not taking the state detour, but instead the quickest route which is why so much increased traffic in this particular area. Benton County Engineer stated that the Department of Transportation could participate in dust control costs. No action was taken, but residents were hoping the county officials would get through to the DOT to inform them of their safety and health concerns and hopefully get some proper signage in the area as well.

Bierschenk moved/Primmer seconded: To approve Resolution #22-51, Wage and Classification change for Shane Clark, secondary roads employee. Motion carried.

RESOLUTION #22-51

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 Shane Clark be set at \$22.82 effective June 27, 2022. This position carries a Labor Grade IVB classification.

Signed this 21st day of June, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve utility permit for City of Urbana in Polk Township on 31st Ave. Motion carried.

Discussion regarding a 28E agreement with the City of Norway was had relating to road use taxes and how it is based on population. No action was taken.

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

Tracy Seeman, Chairman

ATTEST:

Hayley, Benton County Auditor

June 24, 2022

The Benton County Board of Supervisors met in special session with Supervisors Seeman and Bierschenk present. The meeting was called to order at 2:35 p.m. at the Benton County Auditor's office. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyia.gov*

Deputy Auditor, Gina Edler, read the results of the canvass of the recount State Senator District 42 Republican race.

Bierschenk moved/Seeman seconded: to approve results of the canvass of recount race of State Senator District 42 Republican.

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

Tracy Seeman, Chairman

ATTEST:

Gina Edler, Benton County Deputy Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

June 28, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and 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 (<https://www.youtube.com/bentoncountyiowa>)*

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday June 21, 2022 and Friday, June 24, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To approve Class C Liquor License for Topsy Travelers LL for August 4, 2022 through August 8, 2022 at 2510 55th Street, Vinton. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-52, FY 23 Appropriations. Motion carried.

RESOLUTION # 22-52 APPROPRIATIONS

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2022, 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 2022/2023 on March 29, 2022, be and are itemized by service area to each department on the budgets filed in the office of the county auditor on July 1, 2022 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, 2022.

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 2022-2023 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 2021-2022 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 21, 2022, 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, 2023, for payroll expenses occurring after the date stated in Section 7, for the final processing of expenses submitted on or before June 14, 2023, and for any expenses approved by the Board of Supervisors subsequent to June 20, 2023. All appropriations will lapse at the close of business June 30, 2023.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 28, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bierschenk moved/Primmer seconded: To approve Resolution #22-53, FY 23 Bank Depositories. Motion carried.

RESOLUTION #22-53**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 2023.

Farmers Savings Bank & Trust	
Vinton/Traer	\$ 20,000,000
Midwest One Bank & Trust	
Belle Plaine	\$ 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
First Federal Credit Union	
Urbana/Independence	\$ 3,000,000

Signed this 28th day of June, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-54, Official Banks. Motion carried.

RESOLUTION #22-54

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 2023:

Lexa Speidel, Recorder	
Cedar Valley Bank and Trust	\$150,000
Ron Tippet, Sheriff	
Farmers Savings Bank & Trust – Vinton	\$ 500,000
Ron Tippet, Sheriff	
US Bank	\$ 1,000
Dean Vrba, Transportation Dept.	
Midwest One Bank	\$ 2,500

Signed this 28th day of June, 2022

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve handwrite for the remaining bills for the parking lot at the Service Center to City Wide Construction Corp in the amounts of \$957.50 and \$24,023.12. Motion carried.

Primmer moved/Bierschenk seconded: To approve handwrite for the mental health remaining fund balance after Thursday June 30, 2022 is surrendered to the Regional Mental Health Fiscal Agent. Motion carried.

Committee reports were had including Bierschenk reporting on the Regional Mental Health's recent meeting.

The time of 9:30 A.M. and the time set for receiving sealed bids for replacing the courthouse steam boiler. Rick Wood, Maintenance Director explained how there was only one bid received, but there were other inquiries wanting specs to come bid from or they wanted to act as contractors. One company came and looked but never submitted anything. The bid received was from All Temp Refrigeration in the amount of \$159,485.00. This includes removing and recycling the old boiler and installing the new boiler and the electrical controls and wiring also if needed.

Primmer moved/Bierschenk seconded: To accept bid from All Temp Refrigeration in the amount of \$159,485.00 to be paid out of the ARPA funds. Motion carried.

Primmer moved/Bierschenk seconded: To recess and go outside to look at the new concrete at 9:36 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To enter back into open session at 9:58 a.m. Motion carried.

Kevin Atkinson, resident on 61st street lane, near the Oak Grove Church. Atkinson said how traffic on his road has more than doubled. He and his neighbors are requesting reducing the speed limit down to 35 mph for a portion of the road. The Board will discuss with the Engineer and see if he would prepare a resolution to act on or discuss at next week's meeting.

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

Tracy Seeman, Chairman

ATTEST:

Hayley, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

July 5, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and 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 (<https://www.youtube.com/bentoncountyiowa>)

Seeman moved/ Primmer seconded: To approve the minutes of Tuesday, June 28, 2022. Motion carried.

Primmer moved/ Bierschenk seconded: To approve Resolution #22-55, Transfer of Funds. Motion carried.

RESOLUTION #22-55**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 - \$260,000.00

The auditor is authorized to make the necessary adjustments to the FY23 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on July 5, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Courtney Long, Deputy Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/ Bierschenk seconded: To approve Resolution #22-56, Interfund Transfers. Motion carried.

RESOLUTION #22-56 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 2022-2023 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, 2022, shall not exceed the amounts listed in the respective funds as follows:

FROM (Fund)	TO (Fund)	AMOUNT (max.)
General Basic	Secondary Road	\$ 273,992.00
Rural Services Basic	Secondary Road	\$ 3,100,753.00

Section 2. The auditor shall order a transfer each quarter of fiscal year 2022-2023. 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 29th, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Courtney Long, Deputy 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 Steve and Emma Henry Jr. within Parcel A in the E1/2 SE ¼ of 24-86-11. Steve and Emma Henry Jr. were present during this time. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. The Henry's would like to move a house onto the current parcel. Marc stated that it is currently not in production so the CSR is not relevant in this case. There is an existing driveway on the property that meets all current criteria. Three adjacent owners were notified, with zero responses. After no further discussion, the public hearing was closed.

Primmer moved/ Bierschenk seconded: To approve land use hearing for Steve and Emma Henry Jr. within Parcel A in the E1/2 SE ¼ of 24-86-11. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Hensley Innovations, LLC within Parcel A in the SW ¼ NW ¼ of 6-83-12. Ed and Jenny Hensley were present during this time. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Hensley Innovations, LLC would like to take an existing building and turn it into an auto repair shop. There is no issue with the CSR. The driveway is a newer driveway that was applied for and approved, meeting all criteria. Three adjacent owners were notified, with zero responses. After no further discussion, the public hearing was closed.

Bierschenk moved/ Primmer seconded: To approve land use hearing for Hensley Innovations, LLC within Parcel A in the SW ¼ NW ¼ of 6-83-12. Motion carried.

The time of 9:45 a.m. having arrived, and this being the time and date for a land use hearing for Amana Society in part of SW ¼ of SE ¼ of 30-83-10. Marc Greenlee explained that the Amana Society has withdrew their application, so the public hearing was closed.

Primmer moved/ Bierschenk seconded: To formally accept the Amana Society application withdraw. Motion carried. Angie Harbour, Prevention Specialist with ASAC met with the board via teleconference to discuss grants being used for tobacco and substance use prevention. ASAC goal is two work more with the youth to bring awareness through targeted programs and campaigns.

Primmer moved/ Bierschenk seconded: To approve IDOT Agreement for County Bridge Federal-Aid SWAP Funding for Project: BROS-SWAP-C006(120)—SE-06. Motion carried.

Primmer moved/ Bierschenk seconded: To approve utility permit for Farmers Cooperative Telephone Company in Bruce, Monroe and Homer Townships. Motion carried.

Bierschenk moved/ Primmer seconded: To approve utility permit for Northern Natural gas in Cedar Township. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/ Bierschenk seconded: To approve and authorize signatures for permanent and temporary easements for Bridge Project BROS-SWAP-C006(120)—SE-06 on 55th Street. Motion carried.

Discussion continued from last week's meeting regarding the request to reduce the speed limit near Oak Grove Church near 61st street. County Engineer discussed the uptick in traffic for this area due to road construction. He recommends posting 35mph until the construction of the round about in Urbana is finished.

Bierschenk moved/ Primmer seconded: To approve Resolution #22-57 Temporary Speed Limit. Motion carried.

RESOLUTION #22-57

WHEREAS: Characteristics of 61st Street Lane from the intersection of 32nd Avenue east approximately 0.5 mile warrants a temporary change of speed limit, and

WHEREAS: The traffic on this Benton County Secondary Road has increased due to the closure of Sunset Street (Urbana) and Iowa Highway 150, and

WHEREAS: A speed limit on this secondary road 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 this road be set as follows:

"35 mph on 61st Street Lane from 32nd Avenue east approximately 0.5 mile," and

BE IT FURTHER RESOLVED that upon reopening of Iowa Highway 150 with the roundabout, the temporary speed limit be removed.

Signed this 5th day of July, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Courtney Long, Deputy Benton County Auditor

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

Tracy Seeman, Chairman

ATTEST:

Courtney Long, Deputy Benton County Auditor

July 12, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present, Primmer was absent. 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>)*

Bierschenk moved/Seeman seconded: To approve the minutes of Tuesday, July 5, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To approve Auditor's Quarterly Report ending June 30, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To approve the following claims included in today's list using ARPA funds: RC Tech in the amount of \$40,810.30 and \$3,954.20 for wiring projects in courthouse and secondary roads, and Theisen's (John Deer Financial) for Conservation parking lot supplies. Motion carried.

Bierschenk moved/Seeman seconded: To approve payroll checks numbered 142373 through 142387, ACH Deposits 49715 through 49866, handwrites 243031 and 243032, vendor checks 243033 through 243039 and claims numbered 243040 through 243205. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Amana Farms, Inc. for a part of the SE ¼ of the NE ¼ 31-83-10. John McGrath, representing Amana Farms was present along with numerous area landowners. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Amana Farms, Inc. would like to build a commercial fertilizer storage facility on 3-5 acres of land now owned by Steve and Scott Thompson. The storage tanks could potentially store 1 ½ million gallons of fertilizer. The plant supplying the fertilizer is in operation year-round, so storage is needed during winter months. This land is now currently in production. The portion was a concrete plant and borrow plant for the Iowa DOT during construction of the HWY 30 and 218 interchange. The soils were disrupted in that process but were put back upon the completion of the project. The corn suitability rating of a 68. Surrounding land use is mainly row crop farming, with a few residences also in the area. There is no plan for water or sewer on the site. There is a current farm field entrance off a dirt road that meets requirements. Area landowners have contacted Greenlee with their opinions, and concerns of the business and also the road concerns and the materials in the tanks. Greenlee also read a report from the county engineer on expected truck traffic and maintenance of that Level B Road, particularly winter months. Most Benton County dirt roads have only minimal maintenance performed on them and ditches are very shallow and don't allow the moisture to drain out well. Engineer

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Myron Parizek was also present for the discussion and explained the impact of having the roadbed lower than the fields and tile lines. It would take a ballpark expense of \$100,000 to improve the road, and typically property owners would pick up half of the expense.

Board Chairman Seeman asked McGrath to explain to the crowd more in-depth what the plan was. McGrath explained how the fertilizer is made and stored. Its product is fairly well proven and in demand. They were looking for a place to expand and felt Benton County and along Highway 30 would be a good spot. Landowner Richard Less asked McGrath about the height of the structure and how he wouldn't like this view out his front door nor the odor it produces. Justin Nolan, another landowner asked the board why they previously denied a request on a different site and adding that he didn't feel we needed it in this area. McGrath was also asked about the track record and yield history using this product and the concerns of the unknowns what it could do to future production. What was the value their company could provide Benton County? Currently we have other companies in the area like Farm Service, Tama-Benton Coop and Nutrient that already employ Benton County residents. McGrath stressed how they wanted to provide a much more affordable fertilizer source and also addressed the odor concern and agreed there is an odor after application but how depending on the circumstances of weather and such it wouldn't be noticeable after 10-14 days.

Kate Robertson, Benton Development Group Director explained how Amana Farms, Inc. has been searching over a year and this is an investment into the county for growth and more job creation. Gary Bierschenk told Marc Greenlee he did a good job preparing for the hearing today. Supervisor Seeman addressed the room explaining how he would like to do some more research and table action and also allow a full vote from all three supervisors since Primmer was absent. **Seeman moved/Bierschenk seconded:** To table action on the land use hearing until Tuesday July 26, 2022 at 9:15 a.m. to allow time for all three Supervisors to be present and for Seeman to visit some other storage tank locations in Iowa County and see for himself. Motion carried.

10:00 a.m. was the time and date set for a public hearing for road right of way vacation along 33rd Avenue Dr. in Section 24 of Benton Township. The land owner, Justin Harberts, who originally approached the Engineer in regards to this was present. Harberts would like to obtain the .27 Acre of right of way that is a triangular shape in the southeast corner of his property that he has a current fence line. He asked that the county vacate this particular piece so that he can plant a tree line and let it be put back into taxation. Engineer Myron Parizek presented a packet with surveys and old road records of when the area was used and aerial imagery of the area being discussed. No comments were heard before or during the hearing. The public hearing was closed.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Seeman moved/Bierschenk seconded: To approve Resolution #22-58, Vacating part of County Road Right of Way. Motion carried.

RESOLUTION 22-58

Resolution to Vacate part of County Road Right of Way

WHEREAS, this being the date and time set for the hearing on the proposed vacation and closure of a portion of Benton County Secondary Road, described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southeast Quarter of Section 24, Township 85 North, Range 9 West of the Fifth Principal Meridian; thence N0°09'41"W along the west line of said Northwest Quarter of the Southeast Quarter, 51.29 feet to the centerline of 33rd Avenue Drive; thence N59°52'06"E along said centerline, 240.63 feet to the Southwest Corner of Parcel B; thence N29°54'35"W along the westerly boundary of said Parcel B, 33.00 feet; thence N09°49'35"W along said westerly boundary, 4.57 feet to the northwesterly right of way of 33rd Avenue Drive as established by acquisition document found at Book 13, page 3196, Office of the Recorder, Benton County, Iowa; thence northeasterly 38.10 feet along said right of way and the arc of a 597.50 foot radius curve, concave southeasterly, chord bears N66°27'04"E, 38.09 feet to the point of beginning; thence continuing northeasterly 277.31 feet along said right of way line and the arc of a 597.50 foot radius curve, concave southeasterly, chord bears N81°34'26"E, 274.83 feet; thence N9°26'35"W, 107.98 feet; thence S59°59'25"W, 293.49 feet to the point of beginning.

WHEREAS, No objections have been received, either in writing or by persons present.

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that the subject section of road be ordered vacated and closed.

Signed this 12th day of July, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve the service agreement renewal to participate in the Iowa State Association of Counties (ISAC) HIPAA program from July 1, 2022 through June 30, 2023. Motion carried.

Jean Ohlen, family peer support specialist from Chances and Consequences, Inc. in Van Horn, Iowa came to the board seeing funding to attend the Iowa State Association of Counties (ISAC) meeting in Des Moines in August. After some discussion regarding the cost, Auditor Rippel told Ohlen she would get in touch with a representative at ISAC and find out some options available for non-members. No action taken.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

July 19, 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>)*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday, July 12, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Recorder's Quarterly Report ending June 30, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve General Assistance Quarterly Report ending June 30, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To set public hearing date for Ron Boyer for a part of Parcel C in the NE ¼ of the NE ¼ of Sec 9-84-9 for Tuesday, August 16, 2022 at 9:15 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To set public hearing date for Don Foltz in a part of the SW ¼ of the SE ¼ of Sec 23-85-9 for Tuesday, August 16, 2022 at 9:35 a.m. Motion carried.

Bierschenk moved/Primmer seconded: To approve farm exemption application for Kim Dulin for part of the SW ¼ of the NE ¼ and the NW ¼ of the SE ¼ of Sec 22-85-10. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Liquor license for Hy-Vee, Inc. for September 15, 2022 through September 19, 2022. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-59, Variance to Sub-Division Ordinance. Motion carried.

RESOLUTION #22-59

Variance to the Benton County Subdivision Ordinance

WHEREAS, JGT Promotions, LLC has requested a variance to the Benton County Subdivision Ordinance #72; and

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

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with the regards of the division of real property located in the NW 1/4, Section 13-T82N-R11W.

In Article IV, Sections 4.01 through 4.05; Article V, 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 #72.

Signed this 18th day of July, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-60, Enter into a 28 E Agreement for Victim Witness Coordinator/Sexual Assault Response Team Assistant. Motion carried.

RESOLUTION #22-60

28E AGREEMENT FOR VICTIM WITNESS COORDINATOR/SEXUAL ASSAULT RESPONSE TEAM ASSISTANT

WHEREAS, Benton County has a mutual desire to share the services of a Victim Witness Coordinator/SART Assistant;
; and

WHEREAS, Benton County, Delaware County, Jones County, Buchanan County and Clayton County are all those sharing services; and

WHEREAS, it is understood that this Agreement is between five counties 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 19th day of July, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

28E AGREEMENT FOR VICTIM WITNESS COORDINATOR/SEXUAL ASSAULT RESPONSE TEAM ASSISTANT

This 28E Agreement is made on this 19th day of July, 2022, by and between Benton County, Iowa, Buchanan County, Iowa, Clayton County, Iowa, Delaware County, Iowa, and Jones County, Iowa (hereinafter the Counties).

WHEREAS, all parties to this Agreement are public agencies as defined by Sections 28E.2 of the Code of Iowa;
and

WHEREAS, Iowa Code Chapter 915 provides for victims' rights in criminal proceedings, including registration and notification; and

WHEREAS, the Counties understand the importance of ensuring the presentation of rights and services to crime victims; and

WHEREAS, the Counties are committed to improving the services and support available to crime victims and witnesses; and

WHEREAS, the Counties recognize the importance of their Sexual Assault Response Teams (SART) in providing a victim-centered response in sexual assault crimes; and

WHEREAS, the Counties will cooperate in contracting with a multi-county Victim Witness Coordinator/SART Assistant to meet these needs; and

WHEREAS, through the resolutions adopted by the parties hereto, the provisions of this agreement have been approved by the parties.

Therefore, the parties agree as follows:

1. **PURPOSE:** The purpose of this agreement is to allow the parties to share the services of a Victim Witness Coordinator/SART Assistant.
2. **TERM:** This agreement is expected to last from July 1, 2022 through June 30, 2023.
3. **ADMINISTRATOR:** No separate legal or administrative entity shall be established in order to administer this agreement. Clayton County is hereby designated as administrator for the joint or cooperative undertaking as required by Section 28E.6.
4. **FINANCING:** The manner of financing the joint or cooperative undertaking and establishing and maintaining a budget therefore, shall rest with Clayton County, Iowa.
 - a. Clayton County, Delaware County, and Jones County are utilizing the Victim Witness Coordinator and SART Assistant roles. Clayton County and Delaware County will each be responsible for \$13,000. Jones County will be responsible for \$13,780
 - b. Buchanan County and Benton County will be utilizing the SART Assistant and not the Victim Witness

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

- Coordinator services in their counties. These counties will each be responsible for \$6,500.
- c. Each county shall make payment in full to Clayton County Auditor by August 1, 2022.
 - d. The Counties shall cooperate in applying for and obtaining any federal, state, or other funds to meet the financial obligations under this agreement.
5. **SCOPE OF WORK:** The Victim Witness Coordinator/SART Assistant is an independent contractor. Each county will be responsible for determining the scope of work for the Victim Witness Coordinator/SART Assistant in its county. This work may include, but is not limited to, providing criminal justice services to crime victims and witnesses, and leading and coordinating the activities of a county's SART. Each county will determine if the Victim Witness Coordinator/SART Assistant is required to submit time management sheets.
 6. **TERMINATION:**
 - a. This agreement may be terminated at any time by a majority vote of the Counties. Any funds paid to the Clayton County Auditor that have not been earned by the VWC Coordinator/SART Assistant at the time of the termination of this agreement shall be returned to the Counties.
 - b. A county withdrawing with cause must serve written notice upon the Counties at least 30 days prior to its withdrawal date. Notice may be sent by regular or by certified mail, return receipt requested. The withdrawing county must fulfill its financial obligations up to the withdrawal date. "With cause" may include the material breach of the terms or obligations of this Agreement by another county, and/or the failure of the VWC Coordinator/SART Assistant to fulfill his/her duties as established by the Counties.
 - c. Any county may withdraw from this agreement without cause by serving written notice upon the Counties by April 1st. Notice may be sent by regular or by certified mail, return receipt requested. A party withdrawing under this subsection must fulfill its financial obligations under this agreement through the end of the fiscal year in which notice is provided.
 7. **AMENDMENTS:** Any amendments must be in writing and approved by all parties to this agreement.
 8. **SEVERABILITY:** If any one or more of the provisions of this agreement are declared unconstitutional or contrary to the law, the validity of the remainder thereof shall not be thereby affected.
- IN WITNESS THEREOF, the parties hereto have executed this agreement the day and year above written.

**APPROVED BY THE DELAWARE
COUNTY BOARD OF SUPERVISORS**

Shirley Helmrichs, Chairperson

ATTEST: _____
Auditor

**APPROVED BY THE CLAYTON
COUNTY BOARD OF SUPERVISORS**

Ray Peterson, Chairperson

ATTEST: _____
Auditor

**APPROVED BY THE BENTON
COUNTY BOARD OF SUPERVISORS**

Tracy Seeman, Chairperson

ATTEST: _____
Auditor

APPROVED BY THE JONES

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

COUNTY BOARD OF SUPERVISORS

Jon Zirkelbach, Chairperson

ATTEST: _____
Auditor

APPROVED BY BUCHANAN COUNTY

Don Shonka
Buchanan County Attorney

ATTEST: _____
Auditor

Bierschenk moved/Primmer seconded: To approve corrected Treasurer's Semi-Annual report ending December 31, 2021. Motion carried.

Primmer moved/Bierschenk seconded: To approve Treasurer's Semi-Annual report ending June 30, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To approve law enforcement contracts with the following cities: City of Garrison, \$5,070 to be paid quarterly and not to exceed 156 hours a year, City of Mt. Auburn and City of Luzerne, \$845.00 and not to exceed 26 hours a year. Motion carried.

Primmer moved/Bierschenk seconded: To approve Sheriff's Quarterly report ending June 30, 2022. Motion carried.

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

ATTEST: _____
Hayley Rippel, Benton County Auditor

Tracy Seeman, Chairman

July 20, 2022

The Benton County Board of Supervisors met in special session with Supervisors Seeman, Primmer and Bierschenk present, The meeting was called to order at 8:30 a.m. at the Amana Farms, Inc. office located in Homestead, IA.

The purpose of the meeting was to follow up from last week's land use hearing that was tabled for Amana Farms, Inc. John McGrath, Amana Farms, took the board on a tour of two different storage bin locations and also to a field where the fertilizer had recently been applied. After departing the Amana Farms locations, the board then proceeded to visit the site in Benton County where the proposed land use change is intended to take place. No action was taken, although the board will take up the matter again on Tuesday July 26, 2022 at 9:10 a.m.

Bierschenk moved/Primmer seconded: To adjourn at 10:40 a.m. Motion carried.

ATTEST: _____
Hayley Rippel, Benton County Auditor

Tracy Seeman, Chairman

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

July 26, 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>)

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday, July 19, 2022 and Wednesday, July 20, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve 27.5 hours of vacation carryover for Rick Wood to be used by November 1, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To approve claim to Ron Wagner Home Improvement in the amount of \$7,037.50 for gutters at the new transportation building to be paid out of ARPA Funds.

Primmer moved/Bierschenk seconded: To approve use of the courthouse grounds by Vinton Kiwanis for a 5K to be held on August 27, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-61, Amend Service Area 9. Motion carried.

RESOLUTION #22-61

SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2023 budget on March 15, 2022;

WHEREAS, the Board now desires to amend said budget within a service area to reallocate funds;

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the FY2023 county budget is hereby amended within the following service areas:

Service Area 9- \$91,227.39 moved from Fund 0002 to Fund 0006 (Function 9040)

IT IS FURTHER RESOLVED that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 26th day of July, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve farm exemption application for Joel Thys in a part of the SW ¼ NE ¼ of Section 26-82-11. Motion carried.

Bierschenk moved/Seeman seconded: To approve payroll checks numbered 142388 through 142404, ACH Deposits 49867 through 50016, vendor checks 243206 through 243213 and claims numbered 243214 through 243361. Motion carried.

Primmer moved/Bierschenk seconded: To approve law enforcement contracts with the City of Urbana, for a total yearly sum of \$4,225.00 to be paid quarterly and not to exceed 130 hours, and City of Newhall for a total of \$25,350.00 to be paid quarterly and not to exceed 780 hours a year. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for the continued land use hearing for Amana Farms, Inc. for a part of the SE ¼ of the NE ¼ 31-83-10. It was tabled from Tuesday, July 12, 2022. Marc Greenlee provided a recap of the technical information presented at that meeting along with the main concerns heard from the public. Since that meeting, the Supervisors did go on a tour with John McGrath of Amana to a few of their sites. Two of the storage bins and one field that had recently had the fertilizer applied. Amana Farms, Inc. would like to build a commercial fertilizer storage facility on 3-5 acres of land now owned by Steve and Scott Thompson. They haul away and land apply some of their effluent stream from that manufacturing process. The stream qualifies as a liquid fertilizer by the State of Iowa and is regulated by the state. This site has been used by the Iowa Department of Transportation for a concrete plant and borrow pit for the overpass project. The Corn Suitability Rating of the land is 68. Benton County works to protect farmland with a rating of 70 and higher. The county is required to notify anyone within 500 feet of a proposed land use change. Four adjacent property owners were previously notified. This land is next to a Level B Road, which would be difficult to maintain in winter months.

Supervisor Primmer thanked the board for tabling the July 12th agenda item so that he could be present. Seeman shared that yes, there is an odor, but it was not overpowering and also referring to a field they visited where the fertilizer was applied. Primmer added that he didn't find the odor "objectionable." Bierschenk was also impressed with the lack of smell and impressed with the condition of the sites, how they were all clean and well cared for.

Iowa House File 2512 and 2477 were passed around to be shared, and the board wondered if Benton County even has a say in the matter, or if they will be superseded by the State of Iowa. This raised some legal questions regarding agricultural or commercial uses.

The board turned it over to John McGrath to explain plans for the expanding operation. He shared how fertilizer needs to be stored in winter months, since it can't be applied to frozen ground. There will be an odor when the tank is filled or emptied. That could last 5 to 10 days. They have been handling this product since 2008 and the Amana area since 2016.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

They use it for 9,000 acres and they thought HWY 30 would be a good location to be off of. Brad Buchanan, Crop Tech Services, Inc gave some background and talked on the good quality of the fertilizer. They have been using the recycled product over 20 years in surrounding counties. Supervisor Primmer questioned Thompson about the price of fertilizer and how this will be divided out between them and the surrounding farmers. Landowner Steve Thompson also pointed out the economic benefit, with the cost and he felt his farms could use half and the rest available to others. The County Assessor was present to speak up on the value of these tanks if they are assessed as commercial or agricultural. Continued discussion was had back and forth with numerous residents who attended the meeting to voice their concerns. Concerns mainly being the odor, road conditions, and the disruption of the views of the nearby homes. Tim Sage, stating he was present in support, saying the county needs economic development. It also gives farmers another option for fertilizer. The tax base needs to be larger and to stop giving this business the run-around. Jill Bridgewater asked about how many jobs this would provide, with McGrath answering that there would be trucking jobs. Supervisor Primmer continued with regards to the smell, that there is no county ordinance to prohibiting this. Greenlee added that the State of Iowa doesn't regulate it either. Primmer added that the way the ordinance reads now, he didn't know how the board could deny this request. Seeman wanted a legal opinion, and didn't want to cause a riff in the community. Kate Robertson, Benton Development Group asked if Benton County was open for business. That this is a large investment into the county. McGrath also adding that this facility needs to be built before the ground freezes. Primmer agreed to not want to string out the matter. **Bierschenk moved/Primmer seconded:** To table action until they could talk to legal counsel on the matter. Motion carried.

Committee Reports were had by Seeman who attended the landfill meeting and Bierschenk attended the Central Iowa Juvenile Detention meeting. The EMA meeting was also discussed that was attended by both Seeman and Scott Hansen, mainly to update about the sirens what cities who have currently already accepted the agreements or will be soon.

Primmer moved/Bierschenk seconded: To enter closed session at 11:13 a.m. pursuant to Iowa Code 21.5(1)j. Motion carried.

Primmer moved/Bierschenk seconded: Exit closed session at 11:25 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To authorize and approve signatures for the letter of intent to purchase tower site east of Vinton. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

August 2, 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>)

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday, July 26, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution # 22-62 Temporary Construction Closure on 59th St. Trail for Bridge Replacement. Motion carried.

RESOLUTION #22-62

Temporary Construction Closure

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from August 15, 2022, through the completion of the project.

From 33rd Avenue Drive thence easterly approximately 0.5 mile to Linn County Line along 59th Street Trail in Benton Township.

Signed this 2nd day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-63, Resolution for participation in the SS4A Grant Application. Motion carried.

RESOLUTION #22-63

WHEREAS, as part of the new Federal Transportation Bill, Infrastructure Investment and Jobs Act (IIJA), there is over \$1B of roadway safety funding available in the form of Safe Streets and Roads for All (SS4A) grants. To be an eligible applicant for this new safety funding, a county MUST have an eligible Action Plan in place; and

WHEREAS, the Iowa County Engineers Association (ICEA) plans to apply for a SS4A grant to develop and supply all 99 counties in Iowa with an eligible Action Plan at no cost to the counties. ICEA encourages all 99 counties to participate in this grant application; and

WHEREAS, the Benton County Board of Supervisors will commit to achieve significant declines in roadway fatalities and serious injuries in Benton County; and

WHEREAS, the Benton County Board of Supervisors recognizes the Action Plan and will assist the County Engineer’s department in achieving the goal of a dramatic decrease in roadway fatalities and serious injuries and zero roadway fatalities and serious injuries by the years 2030 and 2050, respectively; and

WHEREAS, the Benton County Board of Supervisors, after consulting with the Benton County Engineer, desires to participate in a joint SS4A grant to develop and receive an eligible Action Plan for Benton County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY that this County does hereby request to be included in the statewide SS4A grant to develop Actions Plans for all 99 counties in Iowa.

Signed this 2nd day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bierschenk moved/Primmer seconded: To approve hiring of two part time drivers for Transportation Department. Donald Mahurin and Clyde Renn at \$16.94 an hour effective August 4, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To approve Resolution #22-64, Variance to Sub-Division Ordinance.

RESOLUTION #22-64

Variance to the Benton County Subdivision Ordinance

WHEREAS, Leo Kinzenbaw has requested a variance to the Benton County Subdivision Ordinance #72; and

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

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 NW 1/4, Section 11-T82N-R11W.

In Article IV, Sections 4.01 through 4.05; Article V, 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 #72.

Signed this 2nd day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-65, Variance to the Sub-Division Ordinance. Motion carried.

RESOLUTION #22-65

Variance to the Benton County Subdivision Ordinance

WHEREAS, Matthew and Heidi Corpman have requested a variance to the Benton County Subdivision Ordinance #72; and

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

NOW THEREFORE BE IT RESOLVED that the requirements of the Benton County Subdivision Ordinance #72 shall be waived in its entirety in regards to the division of real property located in the NW 1/4, Section 18-T85N-R12W.

Signed this 2nd day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

The time of 9:15 a.m. having arrived, and this being the time and date for the continued land use hearing for Amana Farms, Inc. for a part of the SE ¼ of the NE ¼ 31-83-10. It has been tabled 2 weeks in a row. The first time was so they could visit the storage facilities located in Iowa County. Most recently because they had questions about how the state law affects the county's authority in this. No representation for Amana Farms was present. There were 3 concerned residents in attendance. Marc Greenlee, Land Use Administrator provided a brief recap. He addressed the state law that was in question last week and relayed what he heard from the Benton County Attorney in those regards. Greenlee said the Amana Farms project is subject to Benton County's land use ordinance. The material that Amana Farms wants to bring into the county is a byproduct of a manufacturing plant, not an agricultural byproduct. Supervisor Seeman said he talked with John McGrath of Amana Farms. They were willing to bring their product into Benton County after the beans are harvested and apply it to the field. Then everyone can see how it's going to be. If the odor isn't so overpowering, everyone in the neighborhood could get along. Seeman did agree that Amana Farms meets all of the criteria to put a tank there. Benton County has to have a good reason to deny other than the smell. A neighbor questioned what determines what is "overpowering" regarding the smell, and also said she had concerns about the truck traffic this will cause. Supervisor Bierschenk said he was confused why Amana Farms didn't want to build in Iowa, Linn or Poweshiek County. It would make sense to me for them to continue to build more tanks in Iowa County.

Seeman made a motion to table this, and Bierschenk seconded. Primmer asked if there was a timeframe on this or if the board was going to keep pushing it down the road. Adding that Amana Farms has gone through all of the hoops the board has asked of them, and smell and sight are not a part of the ordinance. Seeman said this is tabled until its brought up again. Voting aye were Seeman and Bierschenk, Primmer voting nay. Motion carried.

Primmer moved/Bierschenk seconded: To recess for 10 minutes. Motion carried.

Primmer moved/Bierschenk seconded: Enter back into open meeting at 10:00 a.m. Motion carried.

Preston Moore with the Humane Society of the United States met with the board regarding the County's Ordinance #37, which is Animal Protection and Control. He also brought up the ordinance in Keystone and the recent situation. Moore also handed out a pamphlet with examples of other upgrades to other's animal ordinances. These upgrades help protect personal property rights so people have the right to get a dog if they feel it's best for their family. He's worked with several communities on this who had similar ordinances, and he's also worked with law enforcement. Moore recommended multiple levels of classifications so they can deal with animals that have behavior danger risks. Restrictions that communities can provide a legally sound way to intervene. He also explained the appeal process and supporting breed neutral ordinances. Moore also stated that Iowans have a desire to have less government control in their lives, and getting rid of mandates. Moore provided a list of shelters and rescue groups, but recommended immediately suspending its ordinance and working with him to help revise or adopt a new one. No action was taken, the Board wanted time to digest and research more on the subject.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

August 9, 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>)*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday, August 2, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142405 through 142418, ACH Deposits 50017 through 50170, vendor checks 243362 through 243368 and claims numbered 2432369 through 243490. Motion carried.

Primmer moved/Bierschenk seconded: To approve claim using ARPA funds for Conservation fences to John Deere Financial (Theisen's) for \$439.57. Motion carried.

Primmer moved/Bierschenk seconded: To approve 48 hours of vacation carryover for Dean Vrba to be used by September 30, 2022. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution # 22-66, Approval and Disapproval of Homestead, Military and Disabled Veteran's Tax Credits for the 2022 Assessments. Motion carried.

RESOLUTION #22-66**APPROVAL AND DISAPPROVAL OF HOMESTEAD TAX CREDITS, MILITARY TAX CREDITS, AND DISABLED VETERAN'S HOMESTEAD TAX CREDITS FOR 2022 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,

THEREFORE, BE IT RESOLVED that 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, 2022, for the 2022 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 8th of August, 2022.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-67, Approval of Business Property Tax Credits for the 2021 Assessment Year. Motion carried.

RESOLUTION #22-67
APPROVAL OF BUSINESS PROPERTY TAX CREDITS FOR THE 2021 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 thirteen (13) new applications for the 2021 assessment year Business Property Tax Credit filed with the assessor on or before July 1, 2022 are allowed.

IT IS FURTHER RESOLVED that the sixty-eight (68) applications for the 2021 assessment year Business Property Tax Credit that were re-filed with the assessor on or before July 1, 2022, due to changes in ownership or other matters, are allowed.

IT IS FURTHER RESOLVED that the removal of three (3) applications due to change in ownership or other matters is hereby approved.

Signed this 9th day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-68, Approving 28E Agreement for Mental Health/Disability Services of the East Central Region (MHDS-ECR). Motion carried.

RESOLUTION #22-68

WHEREAS, Benton County is a member of the Mental Health/Disability Services of the East Central Region (ECR);

WHEREAS, Benton County approved the 28E Agreement for Mental Health/Disability Services of the East Central Region pursuant to Resolution No. 13-70, passed on September 30, 2013;

WHEREAS, the Governing Board has now recommended that the language of the 28E Agreement follow Iowa Code Section 331.390;

WHEREAS, the Board of Supervisors believes that the recommended updates are in the County's best interests;

NOW, THEREFORE, it is hereby resolved by the Board of Supervisors that Benton County approves the changes of the 28E Agreement for Mental Health/Disability Services of the East Central Region recommended by the Governing Board on July 28, 2022.

Signed this 9th day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve and authorize signature on the provider contract and rates for the MHDS-ECR and Access Hub sustainability and coordination for FY 23. Motion carried.
Benton County Treasurer and Chris Ward, Vinton City Coordinator met with the board regarding a tax sale certificate held on parcel #240-92925. The county has held title on the certificate since 2012. The house burnt down and property owners walked away. The back taxes and penalties are estimated at \$90,000. The City is asking that the county sign over the certificate, and they would like to get the process moving so that this could be a place someone could possibly build on and get back into taxation.

Primmer moved/Bierschenk seconded: To allow the Treasurer to sign over the tax sale certificate on Parcel 240-92925 to the City of Vinton. Motion carried.

Bierschenk moved/Seeman seconded: To approve and sign separation distance waiver between 51st St. and 53rd St. requested by Todd Wiley pursuant to Iowa Code §459.102. Ternus Family Farms, LLC, titleholder to sell property to Pamela B. Primmer who plans to construct a swine confinement building. Voting aye were Bierschenk and Seeman. Primmer abstained due to conflict of interest. Motion carried.

Under old business, county resident Julene Jensen brought up the previous meeting with Preston Moore of the Humane Society. She questioned how lifting the vicious animal ban would save tax dollars. She moved to Benton County so that she wouldn't have to deal with pit bulls. She asked why the ban was originally put into effect and voiced her concerns and asked that the ban not be lifted. Supervisors Seeman and Bierschenk explained how there had been no action taken, the ordinance was still in effect and also advised how the county ordinance is for those in the rural area, and each city has their own ordinances in place. Seeman gave Jensen Moore's contact information to Jensen. No action was taken.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

August 16, 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>)*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday, August 9, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, September 13, 2022 at 9:15 a.m. for Jeremy and Rachel Basham a part of SW ¼ NW ¼ of Sec 36-85-9. Motion carried.

Primmer moved/Bierschenk seconded: To approve law enforcement contracts for City of Keystone for a total yearly sum of \$8,450.00 with an average of 260 hours a year. The City of Norway for a total yearly sum of \$16,900 on and 520 hours a year. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-69, Changing employment status on two correctional officers in the sheriff's office. Motion carried.

RESOLUTION # 22-69

WHEREAS, the Benton County Sheriff has a need for full-time correctional officer(s), and;

WHEREAS, Brannen Hudson and Hayley Pringle have been employed by Benton County as part-time;

WHEREAS, Hudson and Pringle have been currently performing the duties of the above-mentioned position; and

WHEREAS, the Sheriff recommended that Hudson and Pringle have their employment status be changed from part-time to full-time,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Brannen Hudson be changed to a full-time correctional officer in the sheriff's office at the hourly rate of \$23.44 an hour and Hayley Pringle at the hourly rate of \$21.82 per union contract pay schedule.

Signed this 16th day of August 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve hiring of Owen Hansen for a part-time correctional officer with beginning wage of \$19.70 an hour. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Ron Boyer in a part of Parcel C in the NE ¼ of the NE ¼ of Section 9-84-9. Boyer was present during this time. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Boyer would like to build a house/machine shed combination. There was a new driveway on the property that meets all current criteria. This site has an existing well that will work, but will need a new septic. Four adjacent owners were notified, with zero responses. Overall pattern of the area is several rural residences and farms. After no further discussion the public hearing was closed.

Primmer moved/ Bierschenk seconded: To approve land use hearing change for Ron Boyer in a part of Parcel C in the NE ¼ of the NE ¼ of Section 9-84-9. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for a land use hearing for Don Foltz in a part of the SW1/4 of the SE ¼ of Sec 23, T85N, R9W. Foltz was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Foltz would like to change use of 2 acres out of the 10-acre parcel to build a new home and machine shed. Average CSR of the ground is a 50 and not in production. This site will need a new driveway that should be able to comply. It will also need a new well and septic. Notification was sent to eight adjacent owners with zero responses. The area is primarily housing with no crops or livestock nearby. After no further discussion, the public hearing was closed.

Bierschenk moved/ Primmer seconded: To approve land use hearing for Don Foltz in a part of the SW1/4 of the SE ¼ of Sec 23, T85N, R9W. Motion carried.

Chuck Yedlik came to the board to ask for a variance to the driveway resolution to ask for it to be widened. The Engineer presented the driveway resolution and pointed out that the minimum sight distance be 500 feet, and this current driveway in consideration is only at 338 feet. Parizek talked about the traffic in that area and how a culvert would also be needed. The board then discussed liability of allowing the widened driveway if there wasn't the proper distance as stated in the driveway resolution. They wanted to find out more on this before deciding.

Primmer moved/Bierschenk seconded: To table action on the variance request for widening the driveway for Chuck Yedlik to get some legal advice regarding the county's liability. Motion carried.

Dust control was discussed regarding the HWY 30 widening project affecting gravel road 1 mile south between 70th street and 73rd. Engineer Myron Parizek commented that the DOT is aware of their responsibility for dust control, that they will probably ask the county to coordinate

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bierschenk moved/Primmer seconded: To approve Resolution #22-70, Wage and Classification change for Rod Schmuecker at secondary roads. Motion carried.

RESOLUTION #22-70

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 Rodney Schmuecker be set at \$24.61 effective August 22, 2022. This position carries a Labor Grade IVB classification.
 Signed this 16th day of August, 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

Preston Moore of the Humane Society visited the board again in regards to the vicious animal ordinance. He asked if the board had any questions. Moore also encouraged anyone who wanted to discuss his proposal to give him a call. He provided a handout with three main concerns he had to discuss. 1) How the Sheriff's Department attempted to improperly enforce the county's ordinance with a municipality that has a contradictory ordinance. He explained how the home rule when power and authority conflict. 2) How the current ordinance is being enforced inconsistently. 3) How the ordinance is turning people and employees away from Benton County. Moore urged that the county formally suspend its appearance-based vicious animal ordinance and requested that the employees of the sheriff's office receive continuing education related to the 25th Amendment of the Iowa Constitution. The Board had no more further questions. No action taken. A concerned citizen came in with questions regarding the taxes and how the recycling fees play a big part of the increase he had from the City of Vinton.

Shelby Williams, Conservation Director provided an update on some of the current projects and also some that she was wanting guidance on to allow her to move forward with obtaining quotes. Then the discussion lead to using the American Rescue Plan Act (ARPA) funds and what should or shouldn't be allowed. No action taken.

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

 Tracy Seeman, Chairman

ATTEST:

 Hayley Rippel, Benton County Auditor

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.bentoncountyiowa.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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

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

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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, Blainstown- 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.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

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

August 30, 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>)*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday, August 23, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To accept and award bids for (3) Sheriff vehicles to Thys Belle Plaine for 2023 Dodge Ram 1500 4WD for \$38,820 each. Motion carried.

Wayne Siela came to the board with concerns regarding the process of hiring a replacement for the recent vacant Roadside Manager/Weed Commissioner. Siela felt this was a good time for the county to look at the job description and areas of responsibility and the need for improvements in certain areas. He would like to see more focus on the rural roads and what is growing in the ditches. Siela also questioned the need to have a college degree and how it was worded in the advertisement. Kirsten Nelsen, Human Resource Director stated that the or equivalent training, educations and experience was also listed. Siela asked that the board pause the process, that the agricultural community should be represented in the hiring process. Chairman Seeman explained the job has been posted and that the board was meeting with Nelson regarding the further details on the job description but they were still currently taking applications. Nelson stated that the hiring committee is hearing the concerns and she is not comfortable pausing the hiring process as the position will be vacant on September 9. Benton County Attorney asked what it takes to get the job done. Supervisor Primmer said maybe a bigger staff is needed, that taking care of weeds throughout the entire county could be too much for two people.

Bierschenk moved/Primmer seconded: To acknowledge the retirement date of October 7, 2022 for Michael Myers in secondary roads. Motion carried.

Bids were received as follows for 2 new trucks with plows for secondary roads:

Truck Center Companies-2024 Freightliner-114SD -\$329,892

Truck Country-no bid

GATR of Cedar Rapids-Mack Granite 42BR-\$391,892

GTG Peterbilt 548-\$397,532

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve and award bid to Truck Center Companies for (2) 2024 Freightliner 114SD for \$329,892. Motion carried.

Jerry Grief, county resident handed out photos and showed his complaints regarding alleged damage done to his property west of the Oak Grove Church from secondary roads mowing the ditch along his property. Grief felt this was targeted and intentional damage to his property compared to others in this area. No reason to destroy his property when he mows it. County attorney asked that this be a civil discussion. Engineer Myron Parizek said he heard about the concern Monday morning, and looking at the surface roadway he didn't notice anything different but would like to view the pictures. If it's a concern that is over the surface shoulder rock, he didn't physically look at that but would gladly return to that area and look. The County Attorney asked if the owner is mowing the property was there is a reason to continue having this mowed by county? Engineer agreed to talk to the maintainer to not mow this area anymore. Grief asked if this was going to be fixed? Hire someone to come fix it or pay him to fix what has been damaged. As for fixing this, Parizek felt there was nothing malicious done to the property. Grief thanked everyone for their time and addressing the matter.

County Attorney David Thompson explained to the board about the recent Janssen Opioid Settlement and forming a response team to come up with ideas how to utilize the funds. The county received its first check in the amount of \$13,884.81 and will get a total of 18 payments over 18 years. Unsure of the amount of future payments, but the money will be restricted in use.

Primmer moved/Bierschenk seconded: To acknowledge Janssen Opioid Settlement and Form an Opioid Response Team. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-79, Establishing new Janssen Opioid Settlement Fund. Motion carried.

RESOLUTION #22-79

ESTABLISHING NEW FUND-LOCAL GOVERNMENT OPIOID ABATEMENT FUND

WHEREAS, per Resolution #17-87, The Board of Supervisors of Benton County agreed to participate and sign an engagement letter to pursue certain legal claims against certain opioid manufacturers, and;

WHEREAS, The Benton County Board of Supervisors on November 30, 2021 agreed and directed the County Attorney to sign all legal documents pertaining to the opioid settlements;

WHEREAS, negotiations with the defendants resulted in nationwide settlements with state and local governments requiring every participating government entity who receives a direct distribution to establish a separate fund on its financial books to record receipts and expenditures whereby said funds shall not be comingled with other funds of the participating local government and expenditures be directed solely for opioid addiction prevention and treatment activities carried out under the Distributor Master Settlement Agreement and J & J Master Settlement Agreement;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes to establish a Special Revenue Fund, now known as Fund 0027 Local Government Opioid Abatement Fund, effective upon the passage of this resolution.

BE IT FURTHER RESOLVED that Benton County shall oversee the operations of the fund established and ensure assets, liabilities, fund balances, revenues and expenditures are accounted for per all settlement agreements.

WHEREAS, it is desired to establish a special revenue fund to account for expenditures and revenues of the Benton County Opioid Abatement Fund;

Adopted this 30th day of August, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

September 6, 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>)*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday, August 30, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve claim for Hansen Construction Company for \$20,000 using ARPA Funds for Conservation Rodger's Park spillway work. Motion carried.

Bierschenk moved/Primmer seconded: To approve the Benton County Urban Renewal Report for Fiscal Year 2021-2022. Motion carried.

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

Primmer moved/Bierschenk seconded: To approve Sheriff's Quarterly Report from the period July 1, 2021 through September 30, 2021. Motion carried.

Bierschenk moved/Primmer seconded: To approve the hiring of Baylie Grubic, part-time communications specialist at \$19.70 an hour. Motion carried.

Tracy Seeman reported on the radio project status and recent meeting. The tower at the Rodgers Park location will need torn down and replaced.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

September 13, 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>)*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday, September 6, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To set public hearing date for FY 23 Budget Amendment for Tuesday, October 11, 2022 at 9:30 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, October 11, 2022 at 9:15 a.m. for Colton Kinzenbaw in a part of the SE ¼ of the NW ¼ of Section 11-82-11. Motion carried.

The time of 9:05 a.m. having arrived, and this being the time and date for the first consideration on Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein. The board took up the matter. There were no members of the media or public present. 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 discussion regarding Ordinance #71, ATV/UTV, and how the HF 2130 preempts the county. There was no other comments or questions in regards, so the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the first consideration of Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein and waiving the second consideration. Motion carried.

After the public hearing was closed, Supervisor Primmer asked the County Attorney regarding waiving one of the reading's and he recommended the board hold all three before final adoption. The motion was later amended as follows:

Primmer moved/Bierschenk seconded: To approve the first consideration of Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on Nyhart Service Agreement for Iowa 509A Actuarial Certification in the amount of \$1400.00. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142435 through 142452, 142453 through 142466, ACH Deposits 50323 through 50475, 50476 through 50629, vendor checks 243636 through 243642 and claims numbered 243643 through 243802 and vendor checks 243803 through 243810. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jeremy and Rachel Basham in a part of SW ¼ of the NW ¼ of Section 36-85-9. Brian Schminke, land owner and Jeremy Basham, were both present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Basham would like to build a new home. The site is currently in production with an average CSR of 63. The potential site will need a new driveway along with a new well and septic. Legal notices were published and adjacent owners were notified. The overall pattern of the area is several rural residences. After no further discussion the public hearing was closed.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bierschenk moved/ Primmer seconded: To approve the land use hearing change for Jeremy and Rachel Basham in a part of SW ¼ of the NW ¼ of Section 36-85-9. Motion carried.

Tracy Seeman reported on his conservation meeting. This Thursday night is an open house at the Edna Shain Fen Wildlife Area location South of Mt. Auburn from 5-7 p.m. (2053 54th St.)

Chuck Yedlik was back to discuss his driveway with the Board after addressing his issue on August 16th. The County has a driveway policy in place for safety reasons. Yedlik's driveway site distance is currently 338 feet. It would need 350 feet and a speed limit of 40 miles per hour. County Attorney David Thompson advised sticking to the solid engineering principles and emphasized the importance of safety. But the Board asked Engineer Myron Parizek if he could draft a reduced speed limit resolution back to be addressed and check on a culvert if needed for Yedlik if he needs one to purchase. He might raise and widen his driveway to make room for his farm equipment. No action was taken.

Primmer moved/Bierschenk seconded: To approve Resolution #22-80, Approve 28E Agreement with the State of Iowa. Motion carried.

RESOLUTION #22-80

WHEREAS, Benton County currently is in an agreement with the Iowa Department of Transportation for the County to be able to issue driver's licenses, non-operator's identification cards, and persons with disabilities devices ("county issuance") on a permanent basis under section 321M.3 of the Iowa Code, and;

WHEREAS, Benton County wishes to exercise authority to participate in county issuance, and:

WHEREAS, the Benton County Treasurer shall administer the county's issuance program and shall be responsible for performance of county issuance functions under this agreement pursuant to Iowa Code § 321M.10

NOW, THEREFORE, it is hereby resolved by the Board of Supervisors that Benton County approves the 28E Agreement between the Iowa Department of Transportation and Benton County, Iowa.

Signed this 13th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-81, Abatement of Taxes. Motion carried.

RESOLUTION #22-81

WHEREAS, The entities listed below 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.

Owner	Parcel #	Taxes Due:
Belle Plaine Comm School District	030-20500	\$532.00
Vinton-Shellsburg Comm Schools	250-42720	\$582.00

Dated this 13th day of September, 2022

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-82, Amending Resolution #22-79. Motion carried.

RESOLUTION #22-82

Amending Resolution #22-79

ESTABLISHING NEW FUND-LOCAL GOVERNMENT OPIOID ABATEMENT FUND

WHEREAS, The Benton County Board of Supervisors adopted Resolution #22-79 on August 31, 2022, and;

WHEREAS, The Benton County Auditor has requested that said Resolution be amended to change the fund number,

THEREFORE, BE IT RESOLVED that Resolution #22-70, is hereby amended by the following:

Special Revenue Fund for the Local Government Opioid Abatement be Fund **0025** instead of 0027, effective upon the passage of this resolution.

The remaining resolution, as amended, remains in full force and effect.

Adopted this 13th day of September, 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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

September 20, 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>)*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday, September 13, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Liquor License for Beyonder Resort at Lazy Acres Campground effective September 5, 2022 through September 4, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve the first-tier canvass of the September 13, 2022 Special School Election for Benton Community Schools as read and declare the public measure in Benton County as failed with 429 no votes and 375 yes votes. Benton County is the control county for Benton Community Schools but they have some voters in Iowa and Tama County, so there will have a 2nd tier canvass to declare the final results next week. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-83, Abatement of Taxes. Motion carried.

RESOLUTION #22-83

WHEREAS, the County of Benton 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:
210-17711	\$38.00
510-08003	\$16.00
830-37451	\$134.00
830-38661	\$2.00
830-38662	\$6.00
830-30061	\$56.00
830-38691	\$74.00
900-03620	\$6.00

Dated this 20th day of September, 2022

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-84, Committed Fund Balances as of June 30, 2022. Motion carried.

RESOLUTION #22-84
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, 2022:

COMMITTED FUND BALANCES:

General Fund:

- \$32,000 sanitarian vehicle replacement;
- \$40,000 election equipment replacement;
- \$50,000 emergency response;
- \$500,000 infrastructure upgrades;

Rural Services Fund - \$32,000 land use administrator vehicle replacement

Conservation Land Acquisition Fund-\$138,342 conservation building at Hannen and land purchase

EMS Revolving Loan Fund – \$123,643 for emergency services loans

LOSST Fund - \$115,000 Pictometry aerial flight cost, technology upgrades and infrastructure

BE IT RESOLVED that committed fund balances established prior to June 30, 2022, are hereby uncommitted as of June 30, 2022, 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 20th of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-85, National Voter Registration month/day is September. Motion carried.

Resolution #22-85 National Voter Registration Month/Day

WHEREAS, registering to vote empowers Iowans to make their voices heard by exercising their right to vote on Election Day; and

WHEREAS, Iowa consistently ranks among the top 10 states in the nation for voter registration and participation; 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, we encourage all interested citizens and all appropriate media outlets and civic organizations to participate in this non-partisan voter registration awareness initiative to encourage the maximum participation of qualified voters in Iowa.

NOW, THEREFORE, we, Benton County Board of Supervisors, do hereby proclaim September 2022 as National Voter Registration Month and Tuesday, September 20th, 2022, as National Voter Registration Day.

Signed this 20th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

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 Korinda Eastwood in a part of SW ¼ of the NW ¼ of Section 29-85-9. Eldon Neighbor, land owner was present to answer any questions that may arise. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Eastwood would like to build a new home. The average CSR is a 23. The potential site will need a new driveway along with a new well and septic. Legal notices were published and adjacent owners were notified. There was notice from two prior to today's meeting, but nothing in opposition, just inquiries. The overall pattern of the area is farming. After no further discussion the public hearing was closed.

Bierschenk moved/ Primmer seconded: To approve the land use hearing change for Korinda Eastwood in part of the SW ¼ of the NW ¼ of Section 29-85-9. Motion carried.

The time of 9:30 a.m. having arrived, and this being the time and date for the second consideration on Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein. The board took up the matter. There was no other comments or questions in regards, so the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the second consideration of Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein and waiving the second consideration. Motion carried.

Committee reports and talk of an open records request was had. Also a reminder of the Heartland Risk Insurance seminar to be held Thursday, September 22, 2022.

Clay McBride was present to answer any questions the board may have regarding the new liquor license requests. This is a new concept in Iowa with a mobile trailer with 10 taps. The person has to scan an ID to get a bracelet before the taps will serve at private events. With McBride's not owning the premises they have to go through the state for licensing for these events.

Primmer moved/Bierschenk seconded: To approve (5) 5-day Class B Liquor Licenses for McBride Mobile Taps for September 30, 2022- October 4, 2022, October 7-11, 2022, October 14-18, 2022, October 21-25, 2022 and October 28, 2022 through November 1, 2022 located at 2515 55th Street, Kacena's Pumpkin Farm. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bierschenk moved/Primmer seconded: To approve Resolution #22-86, Speed Limit on 27th Ave. Dr. Motion carried.

RESOLUTION #22-86

Speed Limit Change

WHEREAS: Characteristics of 27th Avenue Drive from the intersection of 55th Street Drive south 0.75 miles to the intersection of 56th Street Drive warrants a change of speed limit, and

WHEREAS: A speed limit on this secondary road will more closely reflect the design speed of this road.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that a speed limit be established and appropriate signs erected at the location described as follows:

“40 mph on 27th Avenue Drive from the intersection of 55th Street Drive south 0.75 miles to the intersection of 56th Street Drive.”

Signed this 20th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/ Bierschenk seconded: To authorize a few changes and approve the Abbe Center Lease of a room at the Benton County Service Center for a term of three years. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

September 27, 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>)

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142467 through 142507, ACH Deposits 50630 through 50782, claims numbered 243811 through 243967 and vendor checks 243968 through 243974. Motion carried.

Primmer moved/Bierschenk seconded: To approve the tier 2 canvass of the September 13, 2022 Special School Election for Benton Community Schools. Benton County had 429 no votes and 375 yes votes. Iowa County had 5 yes votes and 14 no. Tama County had 3 yes and 5 no. Total ballots cast was 831 with a combined total of 378 Yes and 434 No votes. Public Measure failed. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge the successful Post Election Audit of the Special Benton community School Election on the Big Grove-Union -Van Horne precinct. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday, September 20, 2022. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-87, Amending Resolution #15-91, Veteran's Affairs Donation Fund. Motion carried.

RESOLUTION #22-87
Amending Resolution #15-91

RESOLUTION FOR THE VETERAN AFFAIRS DONATION FUND

WHEREAS, the Benton County Board of Supervisors adopted Resolution #15-91 on December 15th, 2015;

WHEREAS, the Benton County Commission of Veterans Affairs has requested that said Resolution be edited to remove some verbiage pertaining to expenditures in paragraphs #3 and #4, remove all of paragraph #7, and add a new paragraph #8.

NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING policies are amended accordingly and adopted for the Benton County Veterans Affairs donation fund:

1. That monetary donations shall be clearly identified and designated by the donor that the intended purpose is for county Veteran services.
2. That no monetary donations shall be used for any administrative costs of Veterans Affairs, including but not limited to salaries and benefits, office supplies, or equipment.
3. All expenditures must be in accordance with state law and county policy.
4. All expenditures must be approved by the Benton County Veterans Affairs Commission.
5. All donations must be promptly deposited with the Benton County Treasurer.
6. All expenses shall be submitted with an invoice with proper authorization to the Benton County Auditor for payment.
7. The fund shall be non-interest bearing.
8. At the end of each fiscal year, any funds remaining in the donation fund shall be kept as they were specifically earmarked for Benton County Veterans.

Dated this 20th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-88, Approve Final Plat for Level B Subdivision to Benton county, Iowa. Motion carried.

BENTON COUNTY, IOWA

#22-88

RESOLUTION APPROVING FINAL PLAT OF LEVEL B SUBDIVISION TO BENTON COUNTY,
IOWA

WHEREAS, A PLAT OF LEVEL B SUBDIVISION TO BENTON COUNTY, IOWA, containing three (3) numbered lots, numbered Lots 1 through 3, has been presented to the Benton County, Iowa, Supervisors consisting of the following described real estate: A part of the Northwest Quarter of the Northwest Quarter of Section 13, Township 82 North, Range 11, West of the 5th P.M., Benton County, Iowa, described as follows:

Lots One (1), Two (2), Three (3), Level B Subdivision to Benton County, Iowa.

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 a 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 HEREBY RESOLVED BY THE BENTON COUNTY BOARD OF SUPERVISORS that said plat of Level B Subdivision 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.
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 treatments 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.

Dated this 27th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Primmer moved/Bierschenk seconded: To approve Resolution #22-89, Approving the Replat of Lot 2, Red Brush Estates First Addition to Benton County, Iowa. Motion carried.

REPLAT OF LOT 2, RED BRUSH ESTATES FIRST ADDITION
TO BENTON COUNTY, IOWA
RESOLUTION APPROVING PLAT
RESOLUTION #22-89

WHEREAS, a Plat of Replat of Lot 2, Red Brush Estates 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:

Lot Two (2) of Red Brush Estates First Addition to 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: an

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 Replat of Lot 2, Red Brush Estates 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 27th day of September, 2022.

Benton County Board of Supervisors

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

Attest:

Hayley Rippel, Benton County Auditor

The time of 9:30 a.m. having arrived, and this being the time and date for the third consideration on Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein. The board took up the matter. The Auditor explained some of the modifications made due to expired ordinances and how they were moved within the Chapters of the new Ordinance. There was no other comments or questions in regards, so the public hearing was closed.

Bierschenk moved/Primmer seconded: To approve the third consideration of Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein and waiving the second consideration. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-90, Adopting Ordinance #78, Readopting the Existing Benton County code of Ordinances and/or repealing certain portions therein. Motion carried.

RESOLUTION #22-90

An Ordinance Readopting the Existing Benton County Code of Ordinances and/or Repealing Certain Portions Therein WHEREAS, the Board of Supervisors considered the adoption of Ordinance #78 on this date; and WHEREAS, publication of the hearings were made in accordance with Iowa Code; and WHEREAS, a copy of said Ordinance was available to the public in the Benton County Auditor's office, and WHEREAS, no persons appeared or filed comment either for or against said Ordinance; and WHEREAS, no persons requested a copy of Ordinance #78 prior to this date; and WHEREAS, the Ordinance merely readopts ordinances already legally adopted; and WHEREAS, the second consideration was waived,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Ordinance #79, An Ordinance Readopting the Existing Benton County Code of Ordinances and/or Repealing Certain Portions Therein, is fully adopted. The Benton County Auditor is directed to publish Ordinance #79 in the official newspapers of Benton County.

Dated this 27th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST: _____

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To table action on the lease modification between Benton County and the Cedar Valley Ranch. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on the agreement with Auxiant, for increased broker fees for Group Benefits Partners effective January 1, 2023. Motion carried.

Committee Reports were had from various meetings the Board attended.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

September 30, 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>)*

Primmer and Seeman gave some committee meeting updates.

Primmer moved/Seeman seconded: To recess at 9:06 a.m. and wait for Supervisor Bierschenk to arrive. Motion carried.

Primmer moved/Bierschenk seconded: To reconvene the meeting at 9:32 a.m. Motion carried.

Bierschenk moved/Seeman seconded: To enter into closed session pursuant to Iowa Code 21.5(1)i at 9:32 a.m. Motion carried.

Bierschenk moved/Seeman seconded: To enter back into open session at 10:20 a.m. Motion carried.

Bierschenk moved/Seeman seconded: To appoint George Haefner as the Benton County Roadside Manager. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

October 4, 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>)*

Bierschenk moved/Primmer seconded: To approve the minutes from Tuesday, September 27, 2022 and Friday, September 30, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-90, Variance to the Subdivision Ordinance. Motion carried.

RESOLUTION #22-90

Variance to the Benton County Subdivision Ordinance

WHEREAS, Jodene Ludden has requested a variance to the Benton County Subdivision Ordinance #72; and

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

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with the regards of Replotting of Lot 1, Ludden First Addition to Benton County, Iowa in section 10-86-10.

Article IV, Sections 4.01 through 4.05; Article V, sections 5.01 through 5.07, Article VI, 6.2 through 6.30 and 6.05(f); and 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 #72.

Signed this 4th day of October, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve Resolution #22-91, Approve wage and classification change for George Haefner. Voting aye were Bierschenk and Seeman. Primmer abstained from conflict of interest. Motion carried.

RESOLUTION #22-91

APPROVING HIRE IN ROADSIDE MANAGEMENT/WEED DEPARTMENT

IT IS HEREBY RESOLVED that the Weed Commission has a vacancy for the position of a full time Roadside Manager, and;

WHEREAS George Haefner has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that George Haefner be hired as a full-time Roadside Manager in the Weed Commission department, effective September 26, 2022 with an annual salary of \$56,000.

This wage is set to increase to \$58,000 July 1, 2023 plus any cost of living increase approved by the Board. This is subject to Board approval.

Date this 3rd day of October, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer, abstained

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bids were received from Iowa Department of Transportation (IDOT) for September letting for Bridge Replacement Project (BROS-SWAP-CO06(120—SE-06) as follows:

Taylor Construction, Inc. -\$485,498.38

Peterson Contractors Inc. -\$578,818.06

Jim Schroeder Construction, Inc. -\$636,125.84

Iowa Bridge & Culvert, L.C. -\$853,223.80

Primmer moved/Bierschenk seconded: To accept the lowest bid of \$485,498.38 and award Taylor Construction as the contractor for the Bridge Replacement Project on 55th St. (BROS-SWAP-CO06(120—SE-06) Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-92, Designate County Engineer to execute contract for Project (BROS-SWAP-CO06(120—SE-06). Motion carried.

RESOLUTION #22-92

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the BROS-SWAP-CO06(120)—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 Bridge Replacement-CCS on 55th Street over Pratt 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 \$485,498.38 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 4th day of October, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-93, Hiring Equipment Operator-Norway Shed. Motion carried.

RESOLUTION #22-93

WHEREAS: Benton County Secondary Road Department has a Maintainer Operator to fill at the Norway shed and
WHEREAS: Applications were accepted for this position and

WHEREAS: These applications have been narrowed to one.

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Cody Mattison be hired to fill the position as Maintainer Operator at a starting wage of \$24.75 per hour starting October 10, 2022. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 4th day of October, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Auditor Rippel and Supervisor Seeman reported on a recent ARPA committee meeting. They discussed some projects that they felt were good use of the ARPA funds. One of those being the scanning and archiving of documents such as real estate records and old supervisors' minutes. History that would be backed up and able to search in a database. Other expenses due to ongoing projects such as the new boiler in the courthouse needs a few additional valves that weren't in the original quote. Conservation was going to move forward with quotes for Hannen Park Shop. And the Engineer's department will need new radios to go with the new county wide radio project.

Primmer moved/Bierschenk seconded: To approve moving forward with the 4 discussed projects using ARPA funds and authorizing department heads to sign agreements and obtain quotes to move forward. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

October 11, 2022

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. 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>)

Seeman moved/Bierschenk seconded: To approve the minutes from Tuesday, October 4, 2022 with a fix on Resolution #22-91. Motion carried.

Bierschenk moved/Seeman seconded: To approve payroll checks numbered 142508 through 142520, ACH Deposits 50783 through 50932, claims numbered 243975 through 244132 and vendor checks 244133 through 244139. Motion carried.

Bierschenk moved/Seeman seconded: To approve Auditor's Revised Quarterly Report ending September 30, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To approve Recorder's Quarterly Report ending September 30, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To approve Sheriff's Quarterly Report ending September 30, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To approve the ISAC HIPAA Hybrid Entity Designation. Motion carried.

Bierschenk moved/Seeman seconded: To approve vendor change for the flexible spending to P.R.I.M.E. Benefits effective January 1, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve use of courthouse lawn for Vinton Parks and Recreation Department for Saturday, October 29, 2022. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bierschenk moved/Seeman seconded: To approve Resolution #22-95, LOSST Gift to Canton-Benton-Shellsburg Fire Association. Motion carried.

RESOLUTION #22-95

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 Canton-Benton-Shellsburg Fire Association has requested a gift of funds; and

WHEREAS, the Canton-Benton-Shellsburg Fire Association provides emergency services to areas in Benton and Canton Townships, City of Shellsburg and mutual aid to other surrounding townships;

WHEREAS, the Canton-Benton-Shellsburg Fire Association has provided invoices totaling \$586,788.79.00 for the purchase of an emergency response truck and pump; and

WHEREAS, Canton-Benton-Shellsburg Fire Association 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 Canton-Benton-Shellsburg Fire Association in the amount of \$58,678.88 which represents ten percent of the total purchase price for equipment.

Adopted this 11th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

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 Colton Kinzenbaw in a part of SE ¼ of the NW ¼ of Section 11-82-11. Colton was present along with the land owners Leo and Karen Kinzenbaw and a few other family members. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Kinzenbaw would like to build a new cha. The site has an existing driveway that meets all the criteria. No well is needed, rural water is already there but it will require a new septic. Legal notices were published and four adjacent owners were notified. Greenlee felt this was a good project and didn't see any issues.

Bierschenk moved/ Primmer seconded: To approve the land use hearing change for Colton Kinzenbaw in a part of SE ¼ of the NW ¼ of Section 11-82-11 Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bierschenk moved/Seeman seconded: To approve Resolution #22-96, Approve FY 23 Budget Amendment. Motion carried.

RESOLUTION #22-96

BE IT REMEMBERED on this, the 11th day of October, 2022, 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 15, 2022. 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	\$ 65,385
Physical Health & Social Services	\$ 15,150
Mental Health	\$ 0
County Environment & Education	\$ 276,576
Roads & Transportation	\$ 0
Government Services to Residents	\$ 0
Administration	\$ 36,850
Non-Program	\$ 0
Debt Service	\$ 0
Capital Projects	\$ 0
Operating Transfers Out	\$ 120,000
 <u>REVENUES</u>	 <u>Amount</u>
Intergovernmental	\$ 0
Licenses & Permits	\$ 0
Charges for Services	\$ 0
Use of Money & Property	\$ 0
Miscellaneous	\$ 35,885
General Long-Term Debt Proceeds	\$ 0
Operating Transfers – In	\$ 120,000
Proceeds of Fixed Assets	\$ 0

Dated this 11th day of October, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Dean Vrba, Transportation Director discussed wages for drivers with a Class D3 Chauffer's license. The Board asked that he prepare a resolution and do it that way. So no action was taken.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

Bierschenk moved/Seeman seconded: To approve Resolution #22-97, Applying for IDOT FY 23 Living Roadway Trust Funds Grant. Motion carried.

RESOLUTION #22-97

WHEREAS, Benton County has applied for Fiscal Year (FY) 2023 Living Roadway Trust Funds for a Skid Mounted Sprayer, and

WHEREAS, this equipment will make the local IRM program more effective, and

WHEREAS, the IDOT has approved for funding up to \$15,000 for the application submitted, and

WHEREAS, the IDOT has prepared a project development agreement,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the project development agreement be approved, and

BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that Roadside Biologist, George Haefner be authorized to sign and execute the project development agreement.

Signed this 11th day of October, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve Resolution #22-98, FY 23 Living Roadway Trust Funds Grant. Motion carried.

RESOLUTION #22-98

WHEREAS, Benton County has applied for Fiscal Year (FY) 2023 Living Roadway Trust Funds for 3M Peltor Litecom Pro III Headsets, and

WHEREAS, this equipment will make the local IRM program more effective, and

WHEREAS, the IDOT has approved for funding up to \$2,000 for the application submitted, and

WHEREAS, the IDOT has prepared a project development agreement,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the project development agreement be approved, and

BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that Roadside Biologist, George Haefner be authorized to sign and execute the project development agreement.

Signed this 11th day of October, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Kevin Atkinson was at the meeting for public comments. He asked for an explanation for why he wasn't chosen to be the vegetative roadside manager. Atkinson said as a veteran, he had the right to know. Atkins also explained Veterans preference referring to section 35C, and asked if they even discussed this. Supervisor Bierschenk said they did not. Supervisor Seeman told him to check with human resources for the requested documentation, that the Board hired based on the hiring committee's recommendation.

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

ATTEST: _____
Hayley Rippel, Benton County Auditor

Tracy Seeman, Chairman

October 18, 2022

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

Bierschenk moved/Seeman seconded: To approve the minutes from Tuesday, October 11, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To approve Class C Liquor License for Midwest Sips effective November 12-November 16, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To approve General Assistance Quarterly Report ending September 30, 2022. Motion carried.

Sixth Judicial Judge Lars. G. Anderson and Kellee Cortez, Court Administrator were present to provide an update to the supervisors regarding the Courts. Benton County Clerk of Court Julie Hessenius was also present. Anderson and Cortez were very appreciative of Benton County and how we maintain our courthouse and take pride in keeping it looking good. They also thanked the Board for the great security and service we provide. Sixth Judicial covers Johnson, Linn, Iowa, Tama, Jones and Benton Counties. District court is every Thursday and Friday, while juvenile court is once a week. The Judges rotate monthly where they are assigned and there are two magistrates within Benton County as well.

Bierschenk moved/Seeman seconded: To enter into closed session at 9:40 a.m. pursuant to Iowa code 21.5(1)c. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session at 10:53 a.m. Motion carried.

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

ATTEST: _____
Hayley Rippel, Benton County Auditor

Tracy Seeman, Chairman

October 25, 2022

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

Primmer moved/Bierschenk seconded: To approve the minutes from Tuesday, October 18, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To approve claims for Arca Search using ARPA funds in the amounts of \$16,094 and \$104,985. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142521 through 142533, ACH Deposits 50933 through 51078, claims numbered 244140 through 244278 and vendor checks 244279 through 244286. Motion carried.

Primmer moved/Bierschenk seconded: To approve use of courthouse lawn for the Holiday Parade/Santa visit on Thursday, November 17, 2022. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-100, Wage change for Class D3 Chauffer's license. Motion carried.

RESOLUTION #22-100

WHEREAS: Benton County Transportation has an employee who currently holds a Class D3 Chauffer's License, and
 WHEREAS: Benton County Transportation Director, recommends William Hawk have his base wage increased and any new hires here after with a Class D3 Chauffer's License have their starting wage increased also;
 THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that the hourly base wage of William Hawk and all new drivers hired that carry a Class D3 Chauffer's License be set at \$15.50 effective October 22, 2022.
 Signed this 25th day of October 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

George Haefner, Weed Commissioner presented bids he obtained and the specs for a heavy-duty pickup. Haefner also discussed the issue with the waiting period on some.

Bids obtained were as follows:

Stew Hansen Dodge City-2023 Dodge Ram 4500 -\$50,942.50

Stivers Ford-2023 Ford F450-\$48,855

Seeman moved/Bierschenk seconded: To approve and move forward with accepting the state bid from Stivers Ford for the 2023 Ford F450 with towing capacity in the amount of \$48,855 and also advising George Haefner to do the homework for a flatbed with hoist. Voting aye were Seeman and Bierschenk. Primmer abstained. Motion carried.

Seeman moved/Bierschenk seconded: To approve the annual weed commissioner's report and authorize signature to certify to the state. Voting aye were Bierschenk and Seeman. Primmer abstained. Motion carried.

Melody Snow, Vinton Unlimited Director updated the board in regards to the previously discussed light project. No action has been taken other than the initial discussion, but ideas were tossed around to research costs and different options for a future meeting.

Committee Reports were had from the Landfill, ECICOG Transportation and an update on the Radio project and currently working on taking down the tower near Rodgers Park.

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

 Tracy Seeman, Chairman

ATTEST:

 Hayley Rippel, Benton County Auditor

November 1, 2022

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

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

Bierschenk moved/Primmer seconded: To approve the minutes from Tuesday, October 25, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To act on the holiday to follow the state and allow Friday December 23, 2022 as an additional paid holiday. Motion carried.

Bierschenk moved/Primmer seconded: To approve a change order for RACOM in the amount of 118,845.26 for the Rodgers Park Tower. Motion carried.

The Security Committee was discussed. There is a meeting this week and Auditor Rippel mentioned a Security officer should be appointed and Dick Stallman would like to participate. The County Attorney suggested Human Resources and the Assessor also be added. He asked that the security committee discuss their recommendations and come back to the board. No action was taken.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Seeman moved/Bierschenk seconded: To approve Resolution #22-101, Hiring Assistant Roadside Manager Hunter Jensen.

Voting aye were Seeman and Bierschenk. Primmer abstained. Motion carried.

RESOLUTION #22-101

APPROVING HIRE WEED COMMISSION

IT IS HEREBY RESOLVED that the Weed Commission has a vacancy for the position of a full time Assistant Roadside Manager, and;

WHEREAS Hunter Jensen has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Hunter Jensen be hired as a full-time Assistant Roadside Manager in the Weed Commission department, effective October 31, 2022 with an annual salary of \$49,500.

This wage is set to increase to \$51,500 upon successful completion of all items set forth in the attached contract.

Date this 1st day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Discussion regarding hiring an additional full-time employee in the Weed department was had. Kirsten Nelson and George Haefner explained how hard it is to get seasonals and they could move money around in the current budget to make this work. The Board advised them to go forward with advertisement.

Primmer moved/Bierschenk seconded: To approve Resolution #22-102, Wage Classification Change for Jamie Kane in Secondary Roads. Motion carried.

RESOLUTION #22-102

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 Jamie Kane be set at \$25.84 per hour effective October 22, 2022. This position (equipment operator) carries a Labor Grade classification IVC.

Signed this 1st day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Bierschenk moved/Primmer seconded: To approve Resolution #22-103, Farm to Market Review. Motion carried.

BENTON COUNTY RESOLUTION # 22-103 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 deletion from the farm to market system: None

Total Mileage deleted from the Farm to Market System: **0.00** miles

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

Smith St beginning at the north RR right-of-way then north 0.07 miles to intersection of Sells St then northeast 0.04 miles to intersection of Pearl St

Total Mileage deleted from the Farm to Market Extension System: **0.11** miles

Road segments proposed for addition to the farm to market system: None

Total Mileage added to the Farm to Market System: **0.00** miles

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

Proposed new street segment (Smith St) from north RR right-of-way thence northeast 0.08 miles to the intersection of Pearl St then north 0.02 miles to intersection of Sells St.

Total Mileage added to the Farm to Market Extension System: **0.10** miles

The Board of Supervisors of Benton County, in lawful session this 1st day of November, 2022 hereby adopts this farm to market modification resolution.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

The Engineer also discussed the traffic paint contractor will start painting on various county routes. Parizek also updated the Board on some of the Detours along HWY 30 and also the HWY 150 roundabout near Urbana.

Primmer moved/Bierschenk seconded: To enter into closed session at 9:35 a.m. pursuant to Iowa Code 21.5(1)c. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session at 9:42 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To enter into closed session at 9:43 a.m. pursuant to Iowa Code 21.5(1)c. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session at 10:30 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To approve action that was discussed in closed session. Motion carried.

Primmer moved/Bierschenk seconded: To not participate with Iowa State Association of Counties (ISAC) on the soil compaction project. Motion carried.

There was committee reports from all three supervisors from various meetings they attended.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

November 8, 2022

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

Bierschenk moved/Primmer seconded: To approve the minutes from Tuesday, November 1, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142534 through 142543, ACH Deposits 51079 through 51232, claims numbered 244287 through 244407 and vendor checks 244408 through 244414. Motion carried.

Primmer moved/Bierschenk seconded: To approve change order(s) for Racom for Norway tower with a credit of \$61,125.00 and Belle Plaine Tower with a credit of \$1,625.00. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date for on Tuesday, December 6, 2022 at 9:15 a.m. for Shawnee Lines. Motion carried.

Seeman moved/Bierschenk seconded: To table action on cameras. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Richard Stallman, All department heads and/or designee to the Benton County Security Committee. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-104, Hiring Mechanic in Secondary Roads. Motion carried.

RESOLUTION #22-104

WHEREAS: Benton County Secondary Road Department has a position to fill for Mechanic in Shop and

WHEREAS: Applications have been received for the position and

WHEREAS: This applicant is recommended for this position.

BE IT THEREFORE RESOLVED BY The Benton County Board of Supervisors that Christopher Sojka be hired to fill a position of Mechanic at a starting wage of \$24.89 per hour starting November 28, 2022. This is an Equipment Operator III classification with a Labor Grade VA.

Date this 8th day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-105, Changes to Federal Functional Classification System. Motion carried.

RESOLUTION #22-105

WHEREAS, functional classification is the process by which streets and highways are grouped into classes according to the character of service they are intended to provide; and
 WHEREAS, the BOARD OF SUPERVISORS OF BENTON COUNTY, periodically reviews the system of streets and highways for appropriate changes to classification of the various segments of the system; and
 WHEREAS, a recent review of the system has revealed the need for a change to the functional classification of road segments due to new construction of road and bridge adjacent to existing historic structure and closure of vehicular traffic on existing historic structure.

NOW THEREFORE BE IT RESOLVED that the BOARD OF SUPERVISORS OF BENTON COUNTY hereby requests the Iowa Department of Transportation to request the Federal Highway Administration to make the following changes in federal functional classification.

CHANGES TO FEDERAL FUNCTIONAL CLASSIFICATION SYSTEM

Revise the federal functional classification from major collector to local.

Pearl St beginning at the intersection of Jones St then south 0.01 miles to intersection of Sells St then southwest 0.04 miles along Sells St to intersection of Smith St then south 0.06 miles along Smith St

Revise the federal functional classification from local to major collector.

Pearl St beginning at the intersection of Jones St then south 0.03 miles along Pearl St to proposed new street segment (Smith St) thence southwest 0.08 miles along (new) Smith St

The Board of Supervisors of Benton County, in lawful session this 8th day of November, 2022 hereby adopts this federal functional classification resolution.

Date this 8th day of November, 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To rescind action on Resolution #22-103 from November 1, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To enter into closed session at 9:45 a.m. pursuant to Iowa Code 21.5(1)c. Motion carried.

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

Mae Hingtgen, CEO for MH/DS of East Central Mental Health Region along with Mona Onken to provide a regional update. They have a five-year plan of priorities which include being responsible with the taxpayers' dollars and good partners with the Department of Health and Human Services (HHS). They continue to work on reducing the fund balance and also to be more data driven.

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

 Tracy Seeman, Chairman

ATTEST:

 Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “R-R”

November 10, 2022

The Benton County Board of Supervisors met in special session with Supervisors Seeman, Bierschenk and Primmer present. The meeting was called to order at 9:00 a.m. at the Cedar Valley Ranch business office. The purpose of the meeting was to visit with Lorene Spencer, Cedar Valley Ranch Director along with the Board Chairman Brenda Hackbarth to discuss the business lease between Benton County and the residential care facility. Spencer explained the history of when this facility went from county ran to privatized. The county used to fund them through a block grant from the Mental Health Fund. The purpose of the agreement was so that the Cedar Valley Ranch would pay back that original loan amount, and any profit beyond that was to be paid back to the county. The most recent fiscal year was an exception with a surplus of \$135,432.00 to be paid back quarterly to Benton County. The original lease was prepared in 2006, so the changes over the years led to how the current funding for the facility takes place in regards to the number of residents residing there. Resident count can change daily but the facility can house up to 48 residents. The Board also took a tour inside and outside of the facility and saw the improvements that were made in the past and some future upcoming needs. There was no action taken, but both parties agreed they were willing to negotiate a whole new lease if necessary taking affect from July 1, 2022.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

November 15, 2022

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

Bierschenk moved/Primmer seconded: To approve the minutes from Tuesday, November 8, 2022 and Thursday, November 10, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge the successful Post-Election Audit that took place on Vinton 1 precinct on Thursday, November 10, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To table action on the dissemination agent agreement from D.A. Davidson. Motion carried.

Primmer moved/Bierschenk seconded: To table action on the claim from Steiff Electric to get more information from maintenance. Motion carried.

Primmer 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 8, 2022, for local candidates as canvassed and approved by the Benton County Board of Supervisors are as follows:

County Supervisor (District 2)– Tracy Seeman

County Treasurer – Melinda Schoettmer

County Recorder – Lexa S. Speidel

County Attorney – Ray Lough

The following **township trustees and clerk respectively** were elected:

Benton – Russ Glime and Doug Sutton

Big Grove – Francis Van Deusen, and to fill vacancy Matthew Gorkow and Emily Gorkow

Bruce – Robert Zeien and Lindsay Piphio

Canton – Dustin Maynard and Michael A. Jambois

Eden – John Holst and Garth D. Gardemann

Eldorado – Jon Kaestner and Rosemary Olson

Florence – Peter Drahos and Stewart Towe

Harrison – Okee Walker Jr. and Sharon A. Bauer

Iowa – Jim Sayers and Melody Lohf

Jackson – Paul M. Herger and John Lindahl

Leroy – John Roth and to fill vacancy Barry Werning and Larry Koster

Polk – Steven Smith and to fill vacancy Trent Kuhn and Ben Seiler

St. Clair – James Oberreuter and to fill vacancy Brian McNulty and John Kuester

Taylor – Wayne W. Rhinehart and to fill vacancy John M. Berry and Charles Yedlik

The following persons were elected to the **Soil and Water Conservation:**

Steven Thompson and Cory Cronbaugh

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

The following persons were elected to the **Benton County Agricultural Extension**:

Allison Hicks, Brian McNulty, Katie Sackett-Stadheim, Amy Boddicker and Scott Rathje

Primmer moved/Bierschenk seconded: To approve Resolution #22-106, Approving Final Plat for Boyer Farms First Addition. Motion carried.

RESOLUTION NO. 22-106

RESOLUTION ACCEPTING AND APPROVING THE "BOYER FARMS FIRST ADDITION" FINAL PLAT, BY BENTON COUNTY, IOWA

WHEREAS, A Final Plat of Boyer Farms First Addition to Benton County, Iowa, containing one (1) lot, has been submitted for approval to the Benton County Board of Supervisors consisting of the following described real estate:

Legal Description

All of Existing Parcel "C" located in the NE ¼ NE ¼ of Section 9, Township 84 North, Range 9 West of the Fifth Principal Meridian, Benton County, Iowa, as recorded in Instrument 20-2371, In the office of Benton County recorder. Said First Addition contains 6.035 Total acres with .023 acres in the county road easement and being subject to easements, restrictions, covenants and ordinances of record.

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 Final Plat of Boyer Farms First Addition would be advantageous to Benton County, Iowa, and

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that said Final Plat of Boyer Farms 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 private water supply system will be constructed with the approval of the Benton County Health Department.
2. Any new private on-site sewage treatment system will be constructed with the approval of the Benton County Health Department.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that said board, on May 10th, 2022, at the request of Ronald C. Boyer, did grant a variance waiving the following items regarding the submission of the "Boyer Farms" Final Plat:

Article IV: 4.03 Minimum improvements, A-F
Article VI: 6.02 Requirements of the Preliminary Plat, A-Q
Article VI: 6.05 Attachments to the Final Plat, F
Article V: 5.01-5.07.
Article VII: 7.01

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 15th day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-107, Approving Final Plat of Ludden Second Addition. Motion carried.

RESOLUTION #22-107

RESOLUTION ACCEPTING AND APPROVING LUDDEN SECOND ADDITION FINAL PLAT, IN BENTON COUNTY, IOWA

WHEREAS, A Final Plat of Ludden Second Addition to Benton County, Iowa, containing four (4) lots, has been submitted for approval to the Benton County Board of Supervisors consisting of the following described real estate:

Legal Description:

(Part of Quit Claim Deed recorded in Book 18 Page 1207 dated 06/01/2018)

Lot One (1) in Ludden First Addition to Benton County, Iowa EXCEPT Parcel A in Lot One (1) in Ludden First Addition to Benton County, Iowa per Survey recorded in Book 18, Page 357.

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 Final Plat of Ludden Second Addition would be advantageous to Benton County, Iowa, and

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that said Final Plat of Ludden Second 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.
- 4.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that said board, on October 4, 2022, at the request of Jodene Ludden, did grant a variance waiving the following items regarding the submission of the Ludden Second Addition Final Plat:

Article IV, Sections 4.01 through 4.05; Article V, sections 5.01 through 5.07, Article VI, 6.2 through 6.30 and 6.05(f); and Article VII: Section 7.01 Other Provisions

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.

Date this 8th day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-108, Approve Final Plat for Kinzenbaw Addition. Motion carried.

R E S O L U T I O N #22-108

RESOLUTION ACCEPTING AND APPROVING FINAL PLAT OF KINZENBAW ADDITION IN BENTON COUNTY, IOWA
WHEREAS, A Final Plat of Kinzenbaw Addition to Benton County, Iowa, containing one (1) lot, has been submitted for approval to the Benton County Board of Supervisors consisting of the following described real estate:

Legal Description:

A part of the SE ¼ of the NW ¼, Section 11, Township 82 N, Range 11, West of the 5th PM.

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 Final Plat of Kinzenbaw Addition would be advantageous to Benton County, Iowa, and

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that said Final Plat of Ludden Second 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.

Date this 8th day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve employee agreement and Resolution #22-109, Hiring Jon Gingerich as Assistant Roadside Manager. Voting aye were Bierschenk and Seeman. Primmer abstained due to conflict of interest. Motion carried.

R E S O L U T I O N #22-109

APPROVE NEW HIRE IN THE WEED DEPARTMENT

IT IS HEREBY RESOLVED that the Weed Commissioner has a vacancy for the position of a full time Assistant Roadside Manager, and;

WHEREAS Jon Gingerich has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Jon Gingerich be hired as a full-time Roadside Manager in the Weed Commission department, effective November 28, 2022 with an annual salary of \$49,500.

This wage is set to increase to \$51,500 upon successful completion of all items set forth in the attached contract.

Date this 15th day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Engineer Parizek gave some updates on some of the construction projects currently going on.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-110, Hiring Mechanic in Secondary Roads. Motion carried.

RESOLUTION #22-110

WHEREAS: Benton County Secondary Road Department has a position to fill for Mechanic in Shop and

WHEREAS: Applications have been received for the position and

WHEREAS: This applicant is recommended for this position.

BE IT THEREFORE RESOLVED BY The Benton County Board of Supervisors that Chris Moessner be hired to fill a position of Mechanic at a starting wage of \$24.89 per hour starting November 21, 2022. This is an Equipment Operator III classification with a Labor Grade VA.

Signed this 15th day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To rescind action on tabling the Streff Electric Bill. Motion carried.

Primmer moved/Bierschenk seconded: To approve claim using ARPA Funds for Streff Electric in the amount of \$4,998.00 for wiring on the new boiler installation project. Motion carried.

Primmer moved/Bierschenk seconded: To enter into closed session at 10:51 a.m. pursuant to Iowa Code 21.5(1)k. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session. Motion carried at
No action was taken.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

November 22, 2022

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

Bierschenk moved/Seeman seconded: To approve payroll checks numbered 142544 through 142657, ACH Deposits 51233 through 5151382, claims numbered 244415 through 244602 and vendor checks 244603 through 244610. Motion carried.

Bierschenk moved/Primmer seconded: approve the Class B liquor license for McBride Mobile Taps, LLC for December 8, 2022 through December 12, 2022. Motion carried.

Bierschenk moved/Seeman seconded: To acknowledge the Veteran's Affairs Quarterly Reports. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-107, Employment status change for Zach Fiser and Brian Sondag from Part-time to Full-time. Motion carried.

RESOLUTION # 22-107

WHEREAS, the Benton County Sheriff has vacancies for full-time Communications Specialists; and
 WHEREAS, The Sheriff currently has two part-time communication specialists: Zach Fiser who has been employed by Benton County since October, 2021 and Brian Sondag has been employed since December 2021;
 WHEREAS, Fiser and Sondag both have all the required qualifications and have currently been doing the job;
 WHEREAS, the Sheriff recommended that Zach Fiser and Brian Sondag have their employment status be changed from part-time to full-time Communications Specialist in the Sheriff's office, effective November 8, 2022 at the hourly rate set in the union contract and that it will increase to \$21.82 an hour upon completion of their one year employment.
 Passed this 22nd day of November, 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve and authorize signature on the dissemination agent agreement from D.A. Davidson. Motion

Primmer moved/Bierschenk seconded: To set Tuesday, December 20, 2022 at 9:15 a.m. for land use hearing date for Dan Wirtanen, in part of the Parcel A in the SE ¼ of the SE ¼ of Section 15-83-9. Motion carried.

Bierschenk moved/Primmer seconded: To approve 10 days of vacation carryover for Marc Greenlee to be used within the year. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #22-108, Temporary Road Closure due to Construction. Motion carried at

RESOLUTION # 22-108

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from January 3, 2023, through the completion of the project.

From 22nd Avenue Trail thence easterly 1.0 mile to 22nd Avenue along 55th Street in Cedar Township.
 Signed this 22nd day of November, 2022.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To give Myron Parizek permission to attend the April, 2023 NACE conference in Alabama. Motion carried.

Bierschenk moved/Seeman seconded: To approve the minutes from Tuesday, November 8, 2022 and Thursday, November 10, 2022. Motion carried.

Seeman reported on the landfill meeting he attended.

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

 Tracy Seeman, Chairman

ATTEST:

 Hayley Rippel, Benton County Auditor

November 29, 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>)

Bierschenk moved/Seeman seconded: To approve the minutes of November 22, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To approve the Class C Beer Permit for Kimm's Sinclair. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve Resolution #22-109, Bridge Embargo Removal. Motion carried.

RESOLUTION #22-109

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:

BE-5737 0.3 miles west of the NE corner of the SE ¼ of the SE ¼ section 25-85N-9W (Benton Township) on 59th Street Trail

Passed this 29th day of November, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Lighting was brought up with the Engineer at the Van Horne/Blairstown corner. There was also discussion on other intersections on HWY 30 that could use some lights also.

Greg Walston provided an update on the Old School Produce. He had a handout with data for the past few years of produce shared. They are also working on stepping up their production for the future. Walston thanked the board for allowing them to lease the space from the county.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

December 6, 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.bentoncountytia.gov

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

Bierschenk moved/Primmer seconded: To approve the minutes of November 29, 2022. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #22-110, Service Area 6 Amendment for the Weed Department adjusting \$29,000 spending authority within the budget. Voting aye were Seeman and Bierschenk. Primmer abstained. Motion carried.

Auditor Rippel discussed FY 24 Budget Requests and how she would like to send out a form to outside entities notifying those entities who ask for funding to get those requests in by a certain date. Adding that also on that form, they can explain or describe projects they have done or will do with the county funding. The Board agreed this would be a good idea.

Supervisor Primmer reported an update from a recent Heartland Insurance Meeting. The contract with Arthur J. Gallagher had a breach, and they will be utilizing Holmes Murphy in the near future. Chairman Seeman reported on his ECICOG meeting and also a recent meeting for E911 dispatch fees to those cities utilizing Benton County's call center. The City of Vinton, Belle Plaine and Urbana will reimburse the county a set fee for the services provided.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Shawnee Lines in a part of E ½ of the SE ¼ SE ¼ of Section 32-84-10. Lines was present along with one other family member. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Lines would like make a small building located on the parcel into a dog grooming business. The site has an existing driveway that meets all the criteria. Existing well will handle the water but there will need to have a holding tank for the wash water. Three adjacent land owners were notified and nothing was heard for or against.

Bierschenk moved/ Primmer seconded: To approve the land use hearing change for Shawnee Lines in a part of E ½ of the SE ¼ SE ¼ of Section 32-84-10. Motion carried

The Time of 9:30 a.m. was set for a request by Kim Dulin for a variance to the Benton County Sub-division Ordinance.

Land Use Administrator Marc Greenlee went over why the variance is needed since there is a third parcel being proposed. Dulin was previously given an exemption for his own new home being built. Now Dulin has been approached by a future buyer who would like to build another home also. Greenlee cautioned the Board about setting a precedent if a variance was approved, that they should be consistent in what they do. The applicant does not meet the requirement in the ordinance that calls for a hard-surfaced road for subdivisions. Matt Dulin, brother of Kim was present to voice his concern regarding a family agreement and he was not in favor of developing the land. Mark Dulin, another brother was not present but Greenlee read his letter in disapproval also. Supervisor Primmer stated he had no problem with the variance

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

that he does not like the current ordinance and felt if we don't do something about it, we will be taxing the citizens to death. Supervisor Bierschenk stated his concern about the lack of hard-surfaced road.

Primmer moved/Bierschenk seconded: To approve Resolution #22-111, Variance to Sub Division Ordinance for Kim Dulin on a parcel within the SW ¼ NE ¼ of Section 22-85-10. Bierschenk and Primmer voting aye. Seeman voting Naye. Motion carried.

Primmer moved/Bierschenk seconded: To approve utility permit for Alliant Energy on 55th Street in Cedar Township. Motion carried.

Lighting discussion for Blairstown/HWY 30 intersection. Parizek explained the state allows two types at intersections, one is a destination light and the other is full-fledged intersection lighting. The Department of Transportation (DOT) evaluates the intersections to see what is needed. Parizek did say he made an informal request with the DOT. The lighting at county road intersections are the county's responsibility and would need planning. The Board agreed to wait until they hear back from the DOT.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

December 13, 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>)

Bierschenk moved/Primmer seconded: To approve the minutes of December 6, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge the resignation from Doreen Anderson from the Pioneer Cemetery Commission and appoint Kimberly Kuch as her replacement. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142658 through 142664, ACH Deposits 51383 through 51530, vendor checks 244611 through 244617 and claims numbered 244618 through 244804 and including the All Temp Refrigeration claim for the boiler project using ARPA funds. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on an updated East Central Iowa Local Workforce Development Area (ECILWDA) Shared Liability Agreement. Motion carried.

George Haefner, Weed Commissioner brought some chemical pricing to discuss with the board.

Bids were received as follows:

Nutrien-\$43 a gallon, total \$58,050

Van Diest-\$46.44 a gallon, total \$60,000

Haefner said there was still remaining from last year, so the Board suggested Haefner order 5 totes in hopes that Nutrien Solutions would honor the quoted price per 10 pallets at the \$43.00 per gallon quoted. Ann Jorgensen, member of the Integrated Roadside Vegetation Management Commission (IRVM) was in attendance with some concerns. Haefner plans to meet with the committee in January and do some public outreach.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Seeman moved/Bierschenk seconded: To approve Resolution #22-112, Abatement of taxes. Motion carried.

RESOLUTION #22-112

WHEREAS, the County of Benton holds the tax sale certificate on a parcel; and

WHEREAS, Iowa Code 445.16 provides that the board of supervisors can compromise by written agreement or abate by resolution, the tax, interest, fees, or costs;

IT IS THEREFORE RESOLVED that the 2022 tax assessed against the parcel listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.16: the treasurer is directed to strike the amount listed due from the county system.

Parcel #	Taxes Due:
240-92925	\$6,156.00

Dated this 13th day of December, 2022

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-113, Wage and Classification Change for Dennis Shea. Motion carried.

RESOLUTION #22-113

WHEREAS: The Benton County Secondary Road Department has an employee that has been employed 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 Labor Grade classification of Dennis Shea will be IVD (maintainer operator). IVD base wage for Dennis Shea will be \$25.92 per hour. Dennis Shea rate change will be effective December 14, 2022.

Signed this 13th day of December, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve and authorize signature on the Racom Change Order #4-Van Horne Tower Site, for the Radio Project in the amount of \$135,901.25. Motion carried.

Supervisor Seeman reported on the recent Conservation Board Meeting he attended, which led to some budget discussions.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

December 20, 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>)

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

Primmer moved/Bierschenk seconded: To approve out of state training for Mona Onken. Motion carried.

Bierschenk moved/Primmer seconded: To approve the minutes of December 13, 2022 with adding the word chemicals where discussed. Motion carried.

Primmer moved/Bierschenk seconded: To approve 24 hours of vacation carryover for Sarah Wagner to be used by March 31, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge the Benton County Fair Board's repayment of the \$60,000 and \$1,119.45 interest on the loan from Local option Sales and Service Tax Fund. Motion carried.

Liz Rodriguez met with the board regarding the signed shared liability agreement approved last week with the East Central Iowa Workforce Development and asked if there were any questions. Rodriguez provided an update and explained how the entity is looking to get Title 1 grant funds. Benton County is in this group along with Jones, Johnson, Cedar, Iowa and Washington Counties. The grant amount was \$22 million this year and current fiscal agent is Johnson County. Jones County is the employer of record and they are looking at East Central Iowa Council of Governments (ECICOG) to coordinate the funds.

Bierschenk moved/Primmer seconded: To approve Resolution #22-114, Wage and classification change for Shane Clark in secondary roads. Motion carried.

RESOLUTION #22-114

WHEREAS: The Benton County Secondary Road Department has an employee that has been employed 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 Shane Clark be set at \$25.84 per hour effective December 27, 2022. This position (equipment operator) carries a Labor Grade classification IVC.

Signed this 13th day of December, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

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 Dan Wirtanen in a part of Parcel A, in the SE ¼ of the SE ¼ of Section 15-83-9. Wirtanen was unable to attend. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Wirtanen would like to build an event center on this building site. Previously he was granted approval for an Air BNB, but this is a new non ag use request. The site has an existing driveway that meets all the criteria and is off a hard-surfaced road. This new site will need a new septic system and it has access to rural water with a public well. No comments were heard for or against this change. Public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use hearing change for Dan Wirtanen in a part of Parcel A, in the SE ¼ of the SE ¼ of Section 15-83-9. Motion carried

Primmer moved/Bierschenk seconded: To approve and enter into 28 E Agreement for Maintenance of Farm to Market Extension(s) within the City of Norway, Iowa. Motion carried.

Resolution #22-115

To Approve the 28E Agreement for Maintenance of Farm To Market Extension(s) within the City of Norway, Iowa

WHEREAS, the City of Norway and the County of Benton have entered into an agreement;

WHEREAS, the County of Benton desires to adopt the 28E Agreement for maintenance of Farm to Market Extension(s) within the City of Norway's Corporate Limits, described and shared on a map; and

WHEREAS, the County and the City mutually desire to reach an equitable decision as to functions to be performed and the financial responsibility of each party concerning construction and maintenance;

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that the County desires to adopt the 28E Agreement for entered into by and between the City of Norway, Iowa and Benton County, Iowa.
Date this 20th day of December, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "R-R"

** See 28E

Primmer moved/Bierschenk seconded: To enter into closed session at 10:17 a.m. pursuant to Iowa Code 21.5(1)c for pending litigation update provided by Kristymarie Shipley. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session at 10:36 a.m. Motion carried.

No action needed after the closed session.

Bierschenk moved/Primmer seconded: To approve waiver of separation distance for manure storage structure per Iowa Code Section 459.205 for Geno Source LLC at 2188 78th Street, Blirstown. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

December 27, 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>)

Bierschenk moved/Primmer seconded: To approve the minutes of December 20, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142665 through 142672, ACH Deposits 51531 through 51677, vendor checks 244805 through 244812 and claims numbered 244813 through 244926. Motion carried.

Primmer moved/Bierschenk seconded: To approve claims using the ARPA funds for Consolidated Energy Company for \$400.00 to move LP tank for the Norway Tower Site, True North Consulting Group for some analysis and contract administration for the radio project in the amount of \$2,952.00. Jaytech Inc. for Boiler parts and maintenance in the amount of \$2,590.92. Motion carried.

Bierschenk moved/Primmer seconded: To approve the City of Blirstown Law Enforcement Contract for Benton County to provide protection not to exceed 10 hours a week or 520 hours in a year with a total yearly sum of \$16,900 to be paid quarterly. Motion carried.

Kirsten Nelson, Human Resources Director presented the 2023 ISAC Wellness Program, and FY24 Insurance Rates. Nelson provided handouts from Assured Partners who put together renewal data with the Iowa State Association of Counties (ISAC) Health insurance rates along with the dental and eye costs. Benton County is partially self-funded so the reserves are important to keep a cushion in the fund balance. This data provides different rates and risks for the county to decide what percentage to increase. Health insurance premiums increased by 8%, dental stayed the same and vision increased slightly.

Primmer moved/Bierschenk seconded: To approve the 5 % increase and the cost of employee's share of the FY24 insurance premiums. Single plan will pay \$99.44 a month and family will pay \$389.55 a month and continue splitting vision and dental 50/50. Motion carried.

Primmer moved/Bierschenk seconded: To approve rewarding the 2022 wellness participants who did both the on-line screening and got their physicals with an additional wellness paid day off and also authorize HR Director to advertise and promote to the employees for the upcoming year incentives. Motion carried.

Auditor Rippel inquired on what incentives for those employees who don't take county insurance, therefore aren't participants in the Wellness program. The Board agreed to look into this and discuss with possible action at a later date.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

December 29, 2022

The Benton County Board of Supervisors met in special session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 4:00 p.m. at the Courthouse, Auditor's Office. 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

Primmer moved/Bierschenk seconded: To approve claim # 244927 for secondary roads to JW Bell LLC in the amount of \$886. Motion carried

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor