

December 19, 2023

The Benton County Board of Supervisors met in special session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 9:00 a.m. at the Benton County Service Center. Members of the public are invited to join in during open session or watch the 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 the minutes of Tuesday December 12, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To approve Law Enforcement Contracts with City of Keystone for a total yearly sum of \$8,450 to be paid quarterly and not to exceed 5 hours a week on the average or 260 hours in period of this contract and with City of Blainston for a total yearly sum of \$16,900 to be paid quarterly and not to exceed 10 hours a week on the average or 520 hours in period of this contract. Motion carried.

Deputy Auditor, Gina Edler, asked for clarification on a legal invoice from Hopkins and Huebner, P.C. for outside legal services. Edler stated that Iowa Code Section 331.506 was asked to be researched and the Auditor's office did not make the request. Prior board decision stated each department would be responsible for their own legal fees. Edler reported that the Board had \$8,404 remaining of their \$10,000 budget for outside legal counsel. The Attorney's office is paying \$418 of the \$4,199.53 bill. Supervisor Primmer stated he knew about this bill and stated that he thinks the Board should pay the remaining portion of the bill.

Primmer moved/Bierschenk seconded: To pay outside legal invoice from Hopkins and Huebner, P.C. from the Board of Supervisors budget. Motion carried.

Primmer moved/Bierschenk seconded: To adopt Resolution #23-88 Hire Deputy Sheriff. Motion carried.

RESOLUTION #23-88
Hiring of Benton County Deputy Sheriff

WHEREAS: Benton County Sheriff's Office has an opening to fill for a Deputy Sheriff 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 Damien Fairbanks be hired to fill the position of Deputy Sheriff at an hourly rate of \$29.25 with an effective date of January 2, 2024.

Signed this 19th day of December, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Gina Edler, Deputy County Auditor

Primmer moved/Bierschenk seconded: To adopt Resolution #23-89 Change Employment Status for Jeff Harnish. Motion carried.
RESOLUTION #23-89

WHEREAS: Benton County Sheriff's Department has an opening to fill for a Security Officer and

WHEREAS: Applications were accepted for this position and

WHEREAS: These applications have been reviewed and evaluated, and

WHEREAS: Jeff Harnish has been employed in various positions within the Sheriff's Office since 2005, and

WHEREAS: The Sheriff recommends that Harnish be moved from full-time communications specialist to full-time security officer

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Jeff Harnish fill this role at his current pay rate of \$26.19 with an effective start date of January 2, 2024.

Signed this 19th day of December, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Gina Edler, Deputy Benton County Auditor

Human Resources Director, Sue Wilber, reported that she surveyed a few offices in the courthouse, sheriff's department and secondary roads if they were interested in the County texting program. She stated the majority was open to it. Supervisor Seeman stated when he questioned there was an overall 85% in favor of the County texting program of those he questioned. Primmer questioned if each department can send out their own messages. Wilber stated there is only 1 admin and she would have to put out the messages. Edler asked if this is something that would be looked at on a yearly basis to see if there would still be continued interest. Board stated that it is something that should be looked at by Wilber on a yearly basis.

Primmer moved/Bierschenk seconded: To approve County Texting program. Motion carried.

The County's Early Retirement Policy changes were discussed. Seeman questioned what other counties policies were. Scott Hansen, EMA Director, stated he needs an answer if this policy is changing to give his notice by the end of the year. Hansen stated when this policy started the county paid 85% of a single plan. Primmer said he would like to see it put into a percentage instead of a dollar figure and he don't have a problem adjusting it to a percentage.

Primmer moved/Bierschenk seconded: To ask the County Attorney to change the early retirement incentive resolution on insurance to have the county pay 75% of a single plan insurance premium. Motion carried.

The time of 9:30 a.m. having arrived to discuss the Appeal for Sheriff's Order to remove vicious animal(s) with Elana Janss. Janss updated the board on her animals, she has gotten rid of "Smoke" to a home in Urbandale. "Smoke" is the dog that got out and hurt the neighbor's sheep. She also stated her vet classifies the dogs as low content German Shepherd/Husky Mix rather than "Wolf Dogs". The State classifies low content wolf to be 1-49% DNA. Primmer stated his concern is if they let her have the dogs, knowing what happened, it opens the county up for a lawsuit. Doug Cook asked if there was pictures/witness evidence of the dog(s) hurting any animals. Primmer moved to deny appeal sheriff's order to remove vicious animals. Motion died due to no second. Further discussion included classification of hybrid, liability and testing of dogs DNA. Bierschenk stated she got rid of the dog that's the problem but you can't group all dogs together as being vicious. Janss asked if there was any licensing she could get done. Seeman asked if there was a place that the dogs could go while they seek legal counsel advice. Janss stated it would take some time but she will get them fostered.

Primmer moved/Bierschenk seconded: To have Elana Janss foster her 5 dogs out, ASAP, till the Board gets legal counsel on the subject and put back on the agenda. Motion carried.

County Engineer, Myron Parizek, discussed with the board Hi-Viz jackets for Secondary Roads employees, their scrap with culverts this year is a lot bigger and was thinking that the income from that could help pay for Hi-Viz winter jackets for the employees. The county could cover the remaining balance. Board stated they didn't have a problem with that.

Primmer moved/Bierschenk seconded: To approve purchase agreement for the following permanent and temporary easement for box culvert replacement project in Big Grove Township on 17th Ave for Richard and Diane Pickart for a total of \$2,463.08. Motion carried.

Sherwin Kuch presented pictures on his road, 68th Street over by Keystone; there is no rock left only dirt. He has issues with water not draining and lime dust plugging fuel filters. They need help out there. Bierschenk stated there are some areas that have rock but most don't, when frost comes out in the spring the road will be a mess. Board directed Parizek to look into it.

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

Tracy Seeman, Chairman

ATTEST: _____

Gina Edler Benton County Deputy Auditor